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Understanding European Union Election Observation Missions: roles and power of institutional and individual actors

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Summary

The European Union is one of the international actors covering a prominent role in the ever-evolving and pressing domain of election observation, located in the broader framework of the foreign policy conducted by this international organization. The debates concerning the latter mentioned field have often analysed both the type of actorness exerted by the European Union and the roles performed by various supranational and intergovernmental institutional actors involved in the decision-making process. In accordance with this sentence, the present work places itself at the end of this amount of studies, defining the peculiar combination of power the European Union embodies in the performance of Election Observation Missions and investigating the roles of institutional and individual actors involved, filling a loophole in the existing scientific literature on this specific topic. Moreover, since the participation of the European Union in missions aiming at observing elections in third countries has been firstly promoted in the 1990s and regulated in 2000, this work tries to show how the functions of European institutional actors have been modified by the Lisbon Treaty, intended as a critical turning point in accordance with the theoretical approach of historical newinstitutionalism. Conversely, given that modifications are traceable in the behaviour of single individuals, this final dissertation, relying also upon the frame of political sociology, additionally emphasises the working connections held by European Union observers deployed in the country hosting the electoral process and their previous experiences in the field. By doing this, it is possible to ascertain if notable degrees of power of individual actors are caused by their high degrees of cooperation and/or by their past experiences in the domain of election observation. The comparison of the roles of institutional actors before and after the adoption of the Lisbon Treaty is performed through the technique of document analysis, while the working interactions of individuals are studied with the help of a social network analysis. Both the investigations are accompained and sustained by semistructured interviews submitted to observers sent in 2005 and in 2015 in Sri Lanka in two Election Observation Missions, selected as case study based on a longitudinal research design thus limiting the influence of third factors in the verification of the results. In view of this research design, the ultimate investigation refutes the assumption according to which the roles of European institutional actors have gone through changes with the entry into force of the Lisbon Treaty and partly validates the hypothesised causal relationship between working interactions and previous experiences of individual actors and their relevance, showing that the power of observers deployed to missions is affected by their past experiences rather than by their cooperative working connections.

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Acronyms and abbreviations

ACP	African, Carribean and Pacific
CaFFE	Campaign for Free and Fair Elections
CFSP	Common Foreign and Security Policy
CMEV	Centre for Monitoring Election Violence
CO	Chief Observer
CoE	Council of Europe
COREPER	Committee of Permanent Representatives
CSDP	Common Security and Defence Policy
CSOs	Civil Society Organizations
DCO	Deputy Chief Observer
DEVCO	EuropeAid Development and Cooperation
DG	Directorate General
EATs	Election Assessment Teams
EC	European Community
ECHR	European Convention on Human Rights
ECJ	European Court of Justice
ECSC	European Coal and Steel Community
EDC	European Defence Community
EEAS	European External Action Service
EEC	European Economic Community
EEM	Election Expert Mission
EFMs	Election Follow-up Missions
EIDHR	European Instrument for Democracy and Human Rights
EMB	Election Management Body
EOMs	Election Observation Missions
EP	European Parliament

EPC	European Political Cooperation
ESDP	European Security and Defence Policy
ESS	European Security Strategy
EU	European Union
EUSR	European Union Special Representatives
EURATOM	European Community for Atomic Energy
ExM	Exploratory Mission
FAC	Foreign Affairs Council
FPI	Foreign Policy Instrument
GA	General Assembly
GAC	General Affairs Council
GNDEM	Global Network of Domestic Election Monitors
HR	High Representative for Foreign Affairs and Security Policy
ICCPR	International Covenant on Civil and Political Rights
IOs	International Organizations
IT	Informational Technology
JHA	Justice and Home Affairs
JVP	People's Liberation Front
LT	Lisbon Treaty
LTOs	Long-Term Observers
LTTE	Liberation Tigers of Tamil Ealam
MEPs	Members of Parliament
NATO	North Atlantic Treaty Organization
NDF	New Democratic Front
NGOs	Non-Governmental Organizations
NPOC	National Pool Observation Centre
ODIHR	Office for Democratic Institutions and Human Rights

OSCE	Organization for Security and Co-Operation in Europe
PAFFREL	People's Action for Free and Fair Elections
PJCC	Police and Judicial Co-Operation in Criminal Matters
PSC	Political and Security Committee
RELEX	External Relations
SEA	Single European Act
SLFP	Sri Lanka Freedom Party
SNA	Social Network Analysis
SP	Service Provider
STOs	Short-Term Observers
TCE	Treaty Establishing a Constitution for Europe
TEU	Treaty on the European Union
TFEU	Treaty on the Functioning of the European Union
TISL	Transparency International Sri Lanka
UDHR	Universal Declaration on Human Rights
UK	United Kingdom
UN	United Nations
UNP	United Nation Party
US	United States
WEU	Western European Union
WMD	Weapons of Mass Destruction

1. Introduction

1.1. Defining the study

The practice of election observation rests on a long-standing tradition, bringing to mind that already in 1857 the Treaty of Paris set up an European Commission having the mandate of monitoring the incumbent electoral processes in Moldovia and Wallachia (Kelley 2008a, p. 1). Nevertheless, it is only in the early 1990s that sovereign States, international organizations (IOs) and other international entities have consolidated the activities of election observation in third countries in order to help them to foster their democratic development and to reduce potential abuses of human rights (Carothers 1997, Kelley 2008a). In this domain, the European Union (EU or Union) has gradually become the second largest supplier of Election Observation Missions (EOMs or missions), ranked after the Organization for Security and Co-Operation in Europe (OSCE) (Ronceray 2017, p. 24), thus making an investigation concerning its activities interesting.

1.1.1. Choice of the topic

The choice to study Election Observation Missions conducted by the European Union in third countries is dependent upon a number of reasons, now briefly resumed. First, the growing significance assumed by the topic of election observation in recent decades (Binder 2009, p. 214) certainly represents a strong motivation to better explore this field of analysis in order to understand the tasks performed by observers sent in a given country and the improvements inspired there by the deployment of missions. Additionally, the initial lack of studies concerning election observation indirectly creates fertile ground to conduct new research since potential relevant aspects concerning this topic have not been thoroughly examined in the plethora of existent works.

Second, the focus on the operations conducted by the EU is motivated, in addition to its 'rank' in this specific frame, by the constant attention dedicated by this IO to election observation, as demonstrated by the establishment of the Division of the European External Action Service (EEAS) on Democracy and Election Observation and by the publication of the new handbook concerning *Best practices for follow-up to EU Election Observation Missions* (European External Action Service 2017a), presented to the public during the European Development Days, held last June in Brussels (European External Action Service 2017b). In light of these efforts aimed at increasing and improving the monitoring of the electoral competitions

worldwide (European External Action Service 2017a), a specific study concerning the missions established and performed only by the EU is perfectly legitimated.

Third, the evolving discipline regarding election observation is not the only factor pushing for the investigation of the activities of the EU in this frame. Accordingly, Election Observation Missions embody a specific and essential tool of EU foreign policy (Kelley 2008b, p. 61), a sector whose complexity derives from the numerous pressing matters covered and from the various institutional actors involved (Keukeleire and MacNaughtan 2008, pp. 66-97). Consequently, an in-depth analysis of EU EOMs can systematize their placement in this intricate policy field and further help to clarify the connection of the missions with the particular domain in which they are located, namely the context of democracy support, respect of human rights and rule of law in third countries (Ethier 2003; European Commission 2016, pp. 15-16).

Fourth, in line with the potential added value obtained from a study in which Election Observation Missions are presented as an expression of the foreign policy of the EU, another strong point justifying the choice of the topic is given from the possibility to clarify the typology of actorness that this international organization exerts in its relationships with third countries when performing EOMs. Drawing upon the academic literature, it is easy to realize that scholars have actually tried to differently conceptualize the ways according to which the EU maintains contacts with international agents, recurring to the notions of civilian (Duchêne 1973, pp. 19-20) or normative power (Manners 2002, p. 240). For this reason, among the goals of this work, there is the contribution to this enduring debate through a distinctive interpretation referring to "what kind of power" (Krohn 2009) the EU is endowed with when dealing with Election Observation Missions.

Before stating what the main research questions of this work are, it is worth mentioning here the four basic preconditions guiding the whole investigation, the first two determining the main fields of analysis and the other two circumscribing the strategy that will be adopted. First, the Election Observation Missions taken into consideration during this work will be those exclusively performed by the EU. In order to restrict the analysis only to these missions, by avoiding to deal with EOMs conducted by the EU under the guidance of the OSCE (European Commission 2016, p. 18), this final dissertation will study only missions deployed after the adoption, in 2000 by the European Commission, of the *Communication on EU Election Assistance and Observation* (Commission of the European Communities 2000). Second, in order to reduce the aforesaid complexity of the field of foreign policy (Keukeleire

and MacNaughtan 2008), this final dissertation aims at studying the roles performed by European institutional and individual actors in the frame of EU EOMs with the goal to furnish the first comprehensive explanation of their activities and relationships. Third, this analysis will devote attention to both the phases of elaboration and implementation[1] of EU EOMs, by leaving aside, unlike other works in the field (Meilán and Tuccinardi 2015), any evaluation about the effectiveness of the missions because that is not the main purpose of the research. Fourth, in order to provide a complete investigation of the roles performed during EU EOMs, it would be preferable to discuss all the EU bodies, institutional and individual actors involved. Nevertheless, since it would be difficult to study all the roles of individuals deployed to observe missions in third countries, this work, albeit describing all the functions engaged, will investigate only the roles of actors belonging to the core team and to the service provider of the missions, looking also at the impressive figure of the Chief Observer (CO) although it is formally not part of the core team of an EU Election Observation Mission.

Lastly, in order to avoid ambiguities in the distinction between institutional actors, covering significant roles in the first moment of elaboration of missions, and individual agents, actually in charge of implementing EU EOMs, the term 'EOMs designers' will be used to refer to the sum of functions active in the former stage, while the expression 'EOMs players' will apply to the actors involved in the latter phase.

1.1.2. Choice of variables and research questions

Having introduced the topic of this final dissertation and having clarified the main field of analysis, it is the right moment to introduce the research questions and the independent variables that have been selected for this work. Accordingly, the dependent variable, that is the role of EU institutional and individual actors in the conduct of EU EOMs, is assumed to be explained through two distinct independent variables, the first applicable to the phase of elaboration and the second to the implementing stage of the missions. Therefore, as one may note by taking into account the last premise outlined in the previous section, the first independent variable (and thus the research question) is applicable solely to EOMs designers while the second is retained to explain the roles of EOMs players.

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[1] In this work, the moment of elaboration of the EU EOMs refers to the bargaining process conducted among the European institutional actors in order to establish a mission. Conversely, the implementing stage includes the deployment of individual actors to the country in which election observation is required and the effective performance of the mission.

Primarily, the adoption of a new normative framework can certainly influence the ways in which EOMs designers bargain to adopt a decision of whatever kind. In the specific case of the establishment of EU EOMs, the entry into force of the Lisbon Treaty (LT) has been likely to affect the roles performed by European institutional actors, although trying to explain the changes is a complicated challenge. In sum. this work will investigate *how the adoption of the Lisbon Treaty has affected the conduct of EOMs designers involved in the elaborating phase of EU Election Observation Missions*.

Secondly, the previous academic or professional experiences of individual actors and their cooperative working interactions (Georgakakis and Weisbein 2010, p. 94) are generally capable of producing effects on their activities. Accordingly, the exchange of information between EOMs players and their reciprocal experiences or the knowledge accumulated at the university or during their working careers (Georgakakis and Weisbein 2010; Mérand *et al.* 2011) are all variables likely to affect their *modus operandi* in the course of the missions. Because of this, the second point of departure of this study will focus on *how the academic and professional experiences and the cooperative working interactions of EOMs players have affected their conduct in the implementing stage of EU Election Observation Missions*.

1.1.3. Formulation of hypotheses and case selection

The determination of the research questions allows to move to the next step of the research design, namely the formulation of hypotheses that will be tested during the analysis. In this work, the two hypotheses, grounded into theoretical frameworks that will be later described and selected according to six defined criteria[2], envisage a positive connection between the variables since they are expected to move towards the same direction (Johnson and Reynolds H. 2012, p. 112). Accordingly, while the possible answer for the first research question predicts that *the more the number of changes in the institutional framework, the more the differences in the roles performed by EOMs designers in the phase of elaboration of EU Election Observation Missions*, the second research question is likely to be explained by the fact that *the more the cooperative working connections of one individual actor with other EOMs players during the implementing stage of EU Election Observation Missions and/or the more his/her previous experiences in this field, the more powerful his/her role during the missions*.

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[2] In order to be acceptable, an hypothesis needs to be: a) an empirical assertion; b) general; c) conceivable; d) specific about the predicted connection between the variables; e) logical with respect to the chosen research design; f) verifiable. (Johnson and Reynolds H. 2012, pp. 109-115).

Moreover, the relations between the two independent variables and the dependent one, empirically formulated thanks to the hypotheses, need to be linked to the process of case selection, a difficult task to develop in this situation because of various reasons. On the one hand, bearing in mind the fact that the analysis is intended to investigate the moment of elaboration of EU EOMs before and after the adoption of the Lisbon Treaty, it is necessary to consider the temporal dimension in the selection of the cases. In accordance with this note, the focus on two missions developed in the same country[3], in line with a longitudinal research design (Burnham *et al.* 2008, p. 50), would be preferable because of the isolation of third or external factors in the explanation of the outcomes. On the other hand, having previously specified that this study is also devoted to the exploration of the roles performed by individual actors in the implementation of the missions, it is indispensable to choose comparable cases in terms of the numerical composition of the missions (Lijphart 1971, p. 682 ss.). Indeed, it would not make sense to compare two EU EOMs in which the sum of the EOMs players involved is completely different, since the investigation about the connections among core team and service provider members would be biased.

For these reasons, and notwithstanding several difficulties in finding two missions in the same country that respected the above criteria, this final dissertation will focus on two EU Election Observation Missions developed in Sri Lanka and concerning the 2005 presidential elections and the 2015 parliamentary ones. Since these two missions have taken place respectively before and after the adoption of the Lisbon Treaty, they are actually suitable to highlight eventual modifications of the bargaining process among EOMs designers leading to the establishment of a mission. Moreover, the two EU EOMs in Sri Lanka are comparable in numerical terms since the 2005 mission was composed by 7 core team members, 22 long-term observers (LTOs) and 51 short-term observers (STOs) (European Union 2005b, p. 1) for a total of 80 people, while the EU EOM of 2015 included 85 observers, among those 8 were part of the core team (European Union 2015b, p. 5).

1.2. The structure of the work

After having introduced and clarified all the subsequent choices related to the starting points found in the first chapter of the present final dissertation, stepping from the selection of the main topic to the choice of independent variables and research questions and, finally, to the

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[3] Naturally, the EU EOMs must have been developed respectively before and after the adoption of the Lisbon Treaty.

formulation of hypotheses and to the process of case selection, it is the moment to briefly describe the modalities according to which this work will be structured.

The second chapter will present the remaining part of the research design chosen for the analysis of the main topic of this final dissertation. Accordingly, this chapter will deal with a review of the available academic literature on Election Observation Missions, intended as specific activities belonging to the foreign policy of the EU. In this domain, the first focus will be on the definition of the foreign policy of the European Union, highlighting the contribution of studies concerning the roles of institutional actors and their relations in the elaboration of policies. The literature review will then turn to the provision of a brief list including the studies that have tried to define the particular type of actorness the EU is endowed with when conducting foreign policy operations. Consequently, there will be a review of the various researches done in the broad matter of electoral support by emphasising the debate among scholars regarding its correct collocation in the area of conflict prevention or in that of democracy support and protection of human rights. After the provision of a summary concerning this controversy, the focus will shift on the studies related to election observation and will briefly introduce the detachment between the two different and related components of electoral support, namely election observation and electoral assistance (European Commission 2006). The chapter will then turn to the description of the theoretical approaches retained for the development of this work. On the one hand, there will be the presentation of the motivations explaining the selection of both the historical newistitutionalist approach (March and Olsen 1983; Hall and Taylor 1996) and that of political sociology (Bourdieu 1977). On the other, a justification referring to the union of the two theoretical approaches wil be provided. The chapter will then analyse the methods of data collection selected for the practical verification of the predicted relationships among the variables.

In the third chapter there will be a general introduction concerning the foreign policy of the European Union, useful to frame Election Observation Missions in this context. In this section, EU foreign policy will be described in its progressive evolution through the reference to specific "critical junctures" (Hall and Taylor 1996; Goetz and Meyer-Sahling 2009; Fabbrini 2015) legitimating the reliance upon the theoretical approach of historical newinstitutionalism. Subsequently, the chapter will focus on the intergovernmental and supranational institutional actors (Fabbrini 2015) involved in this particular policy field in order to allow readers to familiarise with them before the detailed analysis of EU Election

Observation Missions and to substantiate the label of a "multilocation" (Wallace 2005, p. 78) foreign policy since competences are shared between both the mentioned typologies of institutional actors. The mentioned depictions will then be complemented by the introduction of the specific domain in which EU EOMs are located, that dealing with democracy support and protection of human rights and rule of law. After a brief historical portrayal of the commitments of the EU in this context, this section will list different ways according to which the EU has helped third countries in fostering the diffusion of democratic means (Youngs 2001b) in order to demonstrate that these are all expressions of its foreign policy and to select the most appropriate in light of the theme of this work.

The fourth chapter will further analyse the field of democracy promotion and protection of human rights and rule of law by focusing on the domain of electoral support and emphasising the fundamental pledge of the EU in this frame and, in particular, the importance of the adoption of the *Communication on EU Election Assistance and Observation* (Commission of the European Communities 2000), a real turning point for the framework in which EU Election Observation Missions are located. Moreover, the chapter will explain in detail the distinction between the related matters of election observation and electoral assistance (European Commission 2006) in order to contribute to a further clarification concerning the theme of this final dissertation. Lastly, the final part of the chapter will discuss whether the EU, in this engagement, exerts a normative (Manners 2002) or a civilian (Jünemann and Schörnig 2003) function. After an in-depth analysis leading to an understanding of what these two powers mean, by referring also to a comparison with the notion of military power (Smith K. 2005), the argument supported is that there is a perfect coexistence of both the powers when the European Union performs Election Observation Missions in third countries.

After the theoretical and the two framing chapters, the fifth one will accurately illustrate the Election Observation Missions led by the European Union. First, it will provide clarifications concerning the methodology followed by individual actors deployed in host countries to observe the electoral processes and the rules regulating their coordination with other international actors present on those territories. The methodological part of the chapter will be complemented by the introduction and the explanation of the "Electoral Cycle Approach" (Tuccinardi *et al.* 2008, pp. 15-17; European Commission 2006, pp. 45-46), pointing out the significance of the whole electoral process, encompassing also the periods preceding and those following the rush to the ballot boxes during the election day. Afterwards, this section will provide a complete portrait of the EU EOMs by looking at both the phases of elaboration

and implementation and focusing on the different institutional actors, bodies and observers involved. Concerning the first phase, bearing in mind the prior description of the institutional actors involved, the focus will be on the procedures to follow, after the adoption of the Lisbon Treaty, to establish a mission and to the defined methods to appoint individual actors that will be sent as observers in the host country. Conversely, the investigation of the implementing stage will firstly envisage an accurate description of the different EOMs players involved in monitoring operations, with a special eye dedicated to the professional connections (Georgakakis and Weisbein 2010, p. 94) they are expected to build. Lastly, the final portion of the chapter will briefly describe the ways in which observers monitor the operations during the election day and the means employed to communicate their findings to the headquarters of the missions and to the public.

The sixth chapter will deal with the investigation concerning the verification/falsification of the mentioned hypotheses. After a review of the theoretical approaches retained for this final dissertation, this chapter will introduce the case of the Election Observation Missions deployed in Sri Lanka, by underlining the constitutional development of the country and by carefully describing the political situations in which the 2005 presidential elections and the 2015 parliamentary ones were grounded. Then, there will be the study, performed through a document analysis and with the help of semistructured interviews, of the possible effects produced by the adoption of the Lisbon Treaty on the functions covered by EOMs designers in the elaborating phase of the missions. Moreover, this chapter will continue by presenting the method of social network analysis (SNA), again coupled with interviews submitted to individual actors involved in the missions, and the inquiry related to the cooperative working connections (Georgakakis and Weisbein 2010, p. 94) of EOMs players in both the Sri Lankan electoral rounds. Accordingly, an index of power will be built through the indicators of expected centrality and brokerage (Mérand *et al.* 2011, p. 128) of EOMs players, on the basis of the relationships envisaged by the *Handbook for European Union Election Observation* (European Commission 2016) and by its previous version (European Commission 2002), in order to be subsequently compared with that deriving from the *actual* scores individual actors perform in the mentioned dimensions. Furthermore, interviews will also be used to highlight the assumed correlation between previous experiences and skills of EOMs players in the field of election observation and their effective relevance in the missions. Lastly, the final part of this unit will be dedicated to the summary of the main findings of the research and to an assessment regarding the verification or falsification of the hypotheses.

The seventh and last chapter, written after the previous analytical investigation, will provide a synthesis concerning the structure of the work emphasising the main issues taken into account in each chapter. Subsequently, it will furnish a series of conclusive remarks about the topic of Election Observation Missions and about the outcomes achieved through the document analysis of the institutional framework and the social network analysis related to the conduct of individual actors in the EU EOMs in Sri Lanka. Lastly, a brief recap concerning the added value of this final dissertation for the studies concerning EU Election Observation Missions will conclude the work.

2. The research design

2.1. Introduction

As mentioned in the introduction, this chapter will help to define the reasons underlying the choices of theoretical approaches and the methods of data collection and analysis, an essential step to perform in order to enable readers to understand, from the very beginning, the design of the research and the modalities according to which the process of verification or falsification of the hypotheses will take place. To this end, it is right to inform the readers about previous works that have been conducted by scholars and academics on European Union Election Observation Missions in order to show how this study will make reference but also differ from the existing literature.

In line with this reasoning, this chapter will be structured as follows. First, it shall start by providing an exhaustive literature review of the European Union Election Observation Missions, highlighting all the steps that have brought to the current setting of this final dissertation. Second, it will continue by introducing the theoretical approaches of historical newinstitutionalism (March and Olsen 1983; Hall and Taylor 1996) and of political sociology (Bourdieu 1977), spelling out the reasons for which they have been retained in this work and, above all, justifying their union in the same study. Third, the chapter will then turn to the description of the methods of data collection used to test the hypotheses formulated in the introduction. Accordingly, specific sections will be devoted to the explanation of the "triangular methodology" (Denzin 1970; Sandelowski 1995) formed by document analysis, social network analysis and semistructured interviews.

2.2. Literature review

Since Election Observation Missions have been classified as a specific tool of EU foreign policy (Kelley 2008b, p. 61), the overview of research published in this field will start from this broader topic and will logically and gradually concentrate on the specific matter of EU EOMs. Following this common thread, the literature review will firstly point out why scholars have labelled the activities of the EU with external relevance as foreign policies and will then outline the amount of research related to the roles performed by European institutional actors in this domain and to their interactions. This part of the overview is functional to realize how to set a study aiming at analysing the relations between institutional and individual actors in a specific policy field. Subsequently, the review will recall the previous written books and articles concerning the classification of the actorness shown by the EU in its foreign policy, in

a section whose added value is that of preparing the ground for the then developed discussion about the type of power used by the EU when performing Election Observation Missions. Lastly, the final part of the review of sources will focus to the theme of EOMs, with a significant focus on the broader frame of electoral support in order to explain its classification and on the previous works dealing with election observation by relying not only upon studies describing the missions of the European Union.

2.2.1. Studies on the foreign policy of the European Union

The European Union is a peculiar type of international organization because of the fact that, while maintaining this *status*, it is endowed with several powers and competences traditionally owned by States (Hlavac 2010, pp. 5-9). Accordingly, the EU presents two main differences with respect to the other international organizations: first and foremost, its institutional actors are divided between those supporting the interests of the Union and those reporting the opinions of Member States[4] (Fabbrini 2015), while in the other IOs the various bodies, with the exception of the judicial ones, are always the expression of States will (Del Vecchio 2012). Second, whereas IOs generally use hortatory powers through the classic element of recommendation (Del Vecchio 2012), the EU has the possibility to impose binding decisions upon its Member States (Villani 2013). These *sui generis* traits (Wunderlich 2012, p. 653) of the EU have fostered its progressive shaping towards a state-like structure and its consequent relevance as an international actor (Koehler 2010, p. 57).

The international actorness of the European Union is shown through its increasing presence on the international scenario (Ginsberg 1999, pp. 430-431; Josselin and Wallace 2001) in which it pursues numerous interests, moving from economic and trade concerns (Jørgensen 2004, p. 11) to the help furnished in post-conflict situations (Juncos 2005), without forgetting the activities promoting the improvement of living conditions in developing countries (Grilli 1993). The sum of these operations, together with the close connections maintained with third countries or other international entities (Smith K. 2001) has been defined by scholars as an expression of foreign policy (Smith M. 2001; Smith K. 2003; Tonra and Christianses 2004; Keukeleire and MacNaughtan 2008), a field in which it has been argued that the EU is endowed with legal personality (Leal-Arcas 2006).

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[4] The official terminology refers to the first group of bodies as the supranational institutional actors and to the latter as the intergovernmental ones (Fabbrini 2015, pp. 34-49).

2.2.1.1. Investigating roles and relations among actors in the EU

Having clarified why it is possible to state that the EU has a foreign policy, it is the moment to explore the existing scientific literature regarding the analysis of functions and interactions of institutional actors involved in this policy sector.

In this specific domain, while some contributions are purely descriptive, limiting their analysis to a classification of the various actors to which different competences have been conferred (Keukeleire and MacNaughtan 2008, pp. 66-97; Nugent 2017), others aim at highlighting the relations of institutional entities or individual agents with the corresponding interlocutors operating at the national level (Hill 1996; Hocking and Spence 2016). Additionally, even the substance of the works can vary according to distinct degrees of completeness, in some cases with all the profusion of actors active in foreign policy (Hill 1996; Keukeleire and MacNaughtan 2008) and on other occasions focusing in particular on the functions covered by the European Council (Bulmer and Wessels 1987), the Council of the European Union and its presidency (Metcalfe 1998), the High Representative of the Union for Foreign Affairs and Security Policy (High Representative or HR) (Kaddous 2008; Helwig 2013), the European Commission (Nugent and Saurugger 2002), the European External Action Service (Blockmans and Laatsit 2011; Vanhoonacker and Pomorska 2013), the European Parliament (Diedrichs 2004) or the European Court of Justice (Hillion 2014a).

Moreover, significant works are also devoted to analyse the relationships between different institutional actors in this general policy field (Smith M. 2004; Fabbrini and Puetter 2016; Amadio Vicerè 2016; Puetter and Fabbrini 2016, p. 637), or to emphasise the connections actors have in specific sectors of foreign policy like democracy promotion (Baracani and Calimli 2016), provision of aid to third countries (Carbone 2017, p. 532) or security and defence (Faleg 2016). However, it is noteworthy to highlight the lack of studies concerning the connections among institutional actors in the arena of electoral support and, more precisely, in the field of Election Observation Missions. For this reason, a study focused on this theme can contribute to fill the existing gap in the literature.

Furthermore, commentators have analysed the roles of individual actors in foreign policy only in their relations with the institutions of origins in the process of decision-making (Schimmelfennig 2013) arguing that they matter (Kauppi and Madsen 2008, pp. 94-98; Georgakakis and Weisbein 2010) or in favour of their insignificance (Hyde-Price 2004, p. 104) since the power of institutional actors is capable of standing over the will of the officials

belonging to them (Keohane 1988, p. 382). Nevertheless, in the present final dissertation this theme will not represent a primary focus, since the study of EOMs players is restricted only to the phase in which they are deployed and thus detached from the belonging institutional actor, as confirmed by specific provisions regulating the conduct of their operations (European Commission 2016, p. 37).

2.2.1.2. *Works on the actorness of the EU*

In addition to works looking at inter-institutional contacts in the European Union, scholars have often tried to define the power of the EU in the performance of its activities in the domain of foreign policy. In view of the successive analysis about the actorness of the EU in the context of electoral support, it is worth listing here the studies deserving major attention but without providing details that will be revealed in the next chapters.

First, during the 1970s, the EU has been defined as a civilian power (Duchêne 1973, pp. 19-20) because of its preference to employ means that do not involve the use of force (Twitchett 1976, pp. 1-2; Maull 1990, pp. 92-93) when dealing with third countries, even though since the very beginning this conceptualization has been criticized because of the noninvolvement of military aspects (Bull 1982). In the subsequent decades, scholars have argued that the two dimensions of military and civilian power should be distinguished (Withman 1998; Smith K. 2000) and had investigated this detachment (Smith K. 2005; Krohn 2009; Gotterson 2011).

Second, notwithstanding the previsions of Bull (1982), it is mainly after the conferral of specific tasks for the EU in the arena of crisis management (Pagani 1998), which occurred thanks to the adoption of the Amsterdam Treaty (Jørgensen 1997) and to the elaboration of the European Security Strategy (ESS) (Sjursen 2006b), that scholars have emphasised the configuration of the EU as a military power (Sjursen 2006b; Schilde 2017). This type of actorness has been intended sometimes as a menace (Whitman 1998; Smith K. 2000) and in other cases as a bulwark for the performance of the EU 'civilian' tasks (Stavridis 2001; Gotterson 2011, p. 2).

Third, the idea of normative power, despite being inspired by previous works during the 1960s and the 1970s (Carr 1962; Galtung 1973), belongs to Ian Manners (2002, p. 240), who pointed out the commitment of the EU in the diffusion of values and best practices in its connections with other countries (Diez 2005; Tocci 2008). Because of this particular aim, these activities are thus not considered an example of either civilian or military power (Manners 2002), although the numerous links with the former type of function exerted by the

EU make an investigation regarding their differences interesting (Diez 2005; Manners 2006b, pp. 175-176).

In the specific domain of Election Observation Missions, while the concept of military power has not been taken into account because of its extraneousness, the activity of the EU has been frequently conceptualized as an example of civilian power (Jünemann and Schörnig 2003, pp. 111-112; Laïdi 2008; Fayler 2011). Nevertheless, in this final dissertation the power of the EU in the contacts with third countries will not be confined to the civilian sphere since it will be argued that it also behaves as a normative power (Manners 2002) when exerting electoral support.

2.2.2. Investigations on electoral support

As already discussed in the introduction, Election Observation Missions are located in the context of activities supporting electoral processes, a frame in which the EU is one of the most active IO engaged worldwide (Binder 2009, p. 224). Therefore, the analysis of works written on EOMs, whether conducted by the EU or by other international organizations, will follow the discussion on the broadest theme of electoral support.

2.2.2.1. *Promotion of democracy and conflict prevention*

Electoral support exercised abroad by the EU has represented a theme of undisputed significance for its foreign policy since the early 1990s (Binder 2009, p. 214). During the last twenty years, scholars have tried to configurate the particular field of electoral support either under the category of operations for the prevention of conflicts (Ackermann 2003; Rummel 2004; Wouters and Naert 2004) or as an expression of the EU activities supporting the promotion of democracy in third countries (Olsen 1998; Youngs 2001a; Ethier 2003).

The former categorization, while seeming to refer to the employment of military means at first glance, does not have to be confused with the the commitments of the EU in the area of management of crises (Rummel 2004), since also pacific instruments are likely to be used to avoid the rise of conflicts (Lund 2002; Ackermann 2003). In this arena, studies have highlighted the evolution of the European involvement (Wouters and Naert 2004; Stewart 2008), the high costs to face when performing the operations (Rummel 2004), the roles of the various actors involved and the policies implemented (Gross and Juncos 2010), and the main challenges found (Kirchner 2006).

Conversely, the activity of the EU in the latter field of analysis has been criticized because of the alleged configuration of promotion of democracy as an issue reserved to the competence of sovereign States (Schmitter 1996, p. 29), although other scholars have supported the thesis of its international relevance (Remmer 1995). In this specific domain, commentators have assessed the actions of the EU since the beginning of its pledge (Youngs 2001a; Youngs 2010) by aiming attention at the strategies developed in critical regions like Africa (Olsen 1998; Gillespie and Youngs 2002; Crawford 2005; Joffé 2008), Asia (Youngs 2002; Seeberg 2009) or Eastern Europe (Dimitrova and Pridham 2004; Warkotsch 2006). Additionally, in studies looking at the effectiveness of activities promoting the diffusion of democracy (Ethier 2003), scholars have discussed the various types of "conditionalities" (Youngs 2001b) according to which help has been provided to third countries (Young 1996; Levitsky and Way 2005; Schimmelfennig and Scholtz 2008).

However, given also the presence of connections between the two policy fields in light of the fact that promotion of democracy can indirectly contribute to reduce the probability of conflicts (Santiso 2002), in this final dissertation the topic of electoral support will be analysed as belonging to the sum of activities made by the EU in support of democracy in third countries. Because of this choice, the framework of EU conflict prevention, albeit related, will not be taken into account in the present work.

2.2.2.2. *Contributions to election observation*

As already mentioned, before describing election observation, it is worth starting to list the studies related to electoral support, thereby extending the coverage beyond the sole analysis of the EU. Accordingly, scholars have emphasised different aspects of this phenomenon, moving from an investigation concerning its origins (Carothers 1997; Kelley 2008a; Hyde 2011, pp. 358-360) to the problematic allocation of funds for these activities (Youngs 2008, p. 165) and to the questionable coherence of the work of different IOs during the electoral processes (Kelley 2008b; Daxecker and Schneider 2014, p. 73). Moreover, despite the presence of works covering the various dimensions of this topic (Balian 2001), the majority of the literature has mainly highlighted the subset of election observation (Kelley 2009) rather than electoral assistance (Satterthwaite 1997), whose distinction will be explained in the course of this work.

In the distinctive field of election observation there have been studies aimed at understanding both the strengths (Hyde and Marinov 2014) and the weaknesses (Kelley 2010; Kelley 2012)

of the procedures or at developing better methodological plans (Elklit and Reynolds A. 2005), by referring to a general (Kelley 2009), sectorial (Abbink and Hesseling 2000) or country-specific (Laakso 2002; Van Donge 2008; Herron 2010) focus. However, it is worth noting the limited amount of works concerning the analysis of EOMs designers and EOMs players establishing and/or participating to these activities under the mandate of a given IO (Van Aaken and Chambers 2009) and, in particular, the absence of studies investigating their relationships. Therefore, this final dissertation can represent an original and unusual contribution in the specific frame of electoral support.

In sum, the choice of studying this specific sector of EU foreign policy is motivated, not only by a personal interest in the theme, but also by the reduced amount of researches concerning the relationships between actors in the conduct of the missions and by the particular type of European involvement in the electoral domain, classifiable as an expression of both the normative and the civilian power (Sjursen 2006a, p. 170) exercised abroad by this IO.

2.3.   Setting the theoretical frame

In order to complete the presentation of the selected research design, theoretical approaches need to be introduced since they are directly related to the choices of research questions and of independent variables. Nevertheless, although it would be better to circumscribe the study to the identification of only one theoretical framework in order to avoid problems of uniformity or coherence (Sil and Katzenstein 2010), in this dissertation there will be two theoretical grounds, namely the historical newinstitutionalist approach (March and Olsen 1983; Hall and Taylor 1996) and that of political sociology (Bourdieu 1977). Accordingly, this section will firstly describe the reasons underlying the choice of these two different paradigms and their features before discussing and rationalizing their union in the same work.

2.3.1.   The historical newinstitutionalist approach

Historical newinstitutionalism is one of the three theories, together with the related branches of rational choice and sociological newinstitutionalism, that were firstly formulated during the 1960s in order to emphasise the significant place held by institutions in shaping political outcomes (March and Olsen 1983, pp. 737-741; Hall and Taylor 1996, p. 936). In light of the pivotal position occupied in this paradigm, it is right to carefully state that institutions stand for "the formal or informal procedures, routines, norms and conventions embedded in the organizational structure of the polity" (Hall and Taylor 1996, p. 937).

According to the provided definition, the Lisbon Treaty can surely be considered as an institution since it contains the sum of provisions regulating the functioning of the EU (Villani 2013) and, consequently, the impact caused by its adoption on the roles covered by EOMs designers in the phase of elaboration of EU Election Observation Missions can be certainly traced back to the paradigm of historical newinstitutionalism. The link between the first research question and this theoretical approach is further backed by the reliance of the latter on the idea of path dependency as one of its main features (Hall and Taylor 1996, pp. 938-941; Immergut 1998, p. 19). Accordingly, this notion rejects the widespread belief that given outcomes are engendered by defined actions, by pointing out the power of institutions and of historical inheritances in this causal process (Krasner 1988; Hall and Taylor 1996, p. 940). Moreover, path-dependency is closely associated with the idea of "critical junctures" (Hall and Taylor 1996; Goetz and Meyer-Sahling 2009; Fabbrini 2015), conceptualized as moments in which, thanks to the choices of decision-makers (Fabbrini 2015, p. 3), there is the possibility to modify previous courses of action (Pierson and Skocpol 2002) because of relevant institutional changes that have occurred (Hall and Taylor 1996, p. 941).

In line with this reasoning, the Lisbon Treaty is likely to represent the last turning point in the framework of the EU because it has radically reformed the institutional system developed in Maastricht and, therefore, it makes sense to develop a study of the changes brought about by the last adopted comprehensive Treaty in accordance with the mentioned theoretical approach. Nevertheless, since this final dissertation is also organized around another research question, this unique theoretical framework is not sufficient to deal with all the analysis, even though a suggestion for the investigation about the roles of individual actors in the implementing stage of the EU EOMs can be drawn by the school of thought of historical newinstitutionalism because of its emphasis on the connections between institutions and individual actions (Hall and Taylor 1996; Immergut 1998).

The newinstitutionalist school has explained the relationships between individuals and their belonging institutions through two divergent theories, whose common denominator envisages that institutions guide and affect the actions of individual agents (Hay and Taylor 1996, p. 939). While the "calculus approach" (Hall and Taylor 1996, p. 938), which focuses on strategic interactions, claims that institutions influence the actors' perceptions about the way other actors behave (Hay and Wincott 1998, p. 938), the "cultural approach" (Hall and Taylor 1996, p. 938) states that the behaviour of individuals, while interacting with others, is not only guided by the pursuit of achievable gains but also by their points of view and their particular

experiences (Hay and Wincott 1998, pp. 951-953). In light of the chosen independent variable for the second research question and since individuals behave in defined ways according to their uses and traditions (Georgakakis and Weisbein 2010), the latter idea will be retained as more appropriate for this work.

With these premises in mind, the reliance upon the theoretical approach of historical newinstitutionalism in this study is justified by the need to define the Lisbon Treaty as a crucial turning point in the performance of the EU Election Observation Missions and, additionally, by the contribution furnished to highlight the significance of personal skills and experiences that an individual considers before taking a decision.

2.3.2. The frame of political sociology

Political sociology is a theoretical approach, firstly formulated by Pierre Bourdieu (1977), aiming at studying the social relations conducted by individuals (Kauppi 2003, pp. 776-777) by rectifying the mistakes made by the school of social constructivism (Berger and Luckmann 1966), namely the low reliance on sociology and the excessive emphasis on structures rather than on actors (Checkel 1999; Kauppi 2003), thanks to the introduction of three key concepts. First, scholars have referred to the idea of "field" (Bourdieu 1977; Fligstein 2001) to better define the relationships of individual actors in a specific and autonomous frame of activity (Kauppi 2003, p. 778). Second, socio-political phenomena need to be understood by looking at plans of actions developed by individuals according to their "habitus" (Bourdieu 1977) , intended as the human disposition to act in a certain way in a given field (Georgakakis and Weisbein 2010, p. 95). Third, in order to be able to interact in a frame, individual actors need to be endowed with an amount of "capital" (Bordieu 1977), definable as the sum of working connections and of resources and skills accumulated over time (Kauppi 2003, p. 778).

In light of these conceptualizations, it is possible to link the second formulated research question of this final dissertation to the theoretical approach of political sociology since the study concerning the conduct of EOMs players (*habitus*) on the basis of their academic and professional experiences, as well as cooperative working connections (*capital*) is grounded into the context of EU Election Observation Missions (*field*). Moreover, this *field* is classifiable as a substantially autonomous policy sector since individuals deployed in third countries perform their actions independently from the instructions of their belonging European institutions (European Commission 2016, p. 37).

However, it is worth clarifying here that the analysis of the conduct of EU EOMs through the backgrounds and the social interactions of the different EOMs players involved, located into the theoretical framework of political sociology, takes into consideration the individuals not as single units but as social agents (Georgakakis and Weisbein 2010, p. 95), focusing on their actions in relation to a given context and not in absolute terms (Kauppi 2003, p. 777). For this reason, this theoretical approach does not have to be confused with that of pure behavioralism (Georgakakis and Weisbein 2010, p. 95).

2.3.3. The union of the two theoretical approaches

Having said that both the "cultural approach" (Hall and Taylor 1996, p 938) of historical newinstitutionalism and the theoretical paradigm of political sociology are likely to explain the relevance of backgrounds and working connections in the operations conducted by individuals while performing the missions, a simple clarification regarding their union in the same final dissertation is required. Accordingly, since the analysis concerning the implementing stage of the EU EOMs is related but separated from that covering the initial phase, the capacity of the Lisbon Treaty to influence the behaviour of EOMs players, albeit predictable, is not submitted to investigation. Therefore, it is not a stretch to assume that individual actors, whose behaviour is supposed to be guided by the sum of experiences and the working cooperation shared with other EOMs players, are also oriented by the effects of the adoption of the Lisbon Treaty in the performance of their activities. By assuming this, the union of the two theoretical frameworks is perfectly legitimized on this issue.

However, independently from the specific topic referring to the high value attributed to individuals' points of view and experiences, it is noteworthy to reexamine here what the reasons are according to which the two mentioned theoretical approaches of historical newinstitutionalism and political sociology can or should fit together in the same work.

Firstly, by analyzing individual actors according to their working connections and their academic and professional culture, there is the possibility to discover a higher number of implications in their conduct because a great deal of processes, such as those standing at the basis of the decision to act in a certain way while performing an EU Election Observation Mission, cannot be investigated by looking only at the institutions (Georgakakis and Weisbein 2010). For this reason, the focus on social interactions or on the previous career of EOMs players, within the approach of political sociology, can be helpful in developing a more complete analysis of EU Election Observation Missions.

Secondly, institutions are not detached from individuals and are not external realities having their own will. Accordingly, even though the old literature tends to describe institutions as "anthropomorphized" (Schimmelfennig 2003, p. 161), they are not able to produce outcomes without the presence of individuals (Kauppi and Madsen 2008, pp. 94-98). For this reason, the analysis concerning the role of individual actors thanks to the paradigm of political sociology can be considered an added value for the investigation related to the impact of the Lisbon Treaty on the EU EOMs since it can also contribute to the evaluation of the concrete and practical changes that have occured.

Thirdly, according to Saurugger and Mérand (2010, p. 7), a sociological investigation about individual actors is essential to complement the analysis of formal institutions in order to study the EU from a different point of view. Indeed, while newinstitutionalists are inclined to see the communitarian mechanisms "from afar" (Guiraudon 2000, p. 6), political sociologists tend to develop an analysis of the European Union "in *situ* and in action" (Guiraudon 2000, p. 6). The substantial difference between these two types of investigations lies in the perspectives adopted since in the newinstitutionalist approach scholars are concerned with a superficial observation of the formal institutional dynamics, while political sociologists study phenomena in their practical manifestations and individuals according to their detectable actions (Saurugger and Mérand 2010).

Fourthly, despite the fact that the methods adopted in the theoretical approaches of new-institutionalism and political sociology are entirely different because of the use, only by the latter school, of participant observation and unstructured interviews (Saurugger and Mérand 2010, p. 3), and notwithstanding the initial choice of sociologists not to join the institutionalists in the study of the EU because of the absence of an European society (Medrano 2006), the split between these two different schools was more apparent than real since the leading characters in the development of the newinstitutional schools were sociologists (Jenson and Mérand 2010, p. 80). Moreover, historical newinstitutionalism benefits from a central theoretical position, by being able to rely upon assumptions borrowed by other schools (Hall and Taylor 1996, p. 955). For this reason, in recent years it has shown a degree of openness towards different theoretical frameworks, including that of political sociology (Jenson and Mérand 2010).

Lastly, by also taking into account the presence of other types of research developed with the union of these two theoretical approaches (Guiraudon 2003; Kauppi and Madsen 2008; Georgakakis and Weisbein 2010; Jenson and Mérand 2010; Saurugger and Mérand 2010),

putting together historical newinstitutionalism and political sociology is not a hazard. On the contrary, it should be considered as the correct path to develop in a study focused on the roles of both EOMs designers and EOMs players in the stages of elaboration and implementation of a given policy.

In sum, despite the numerous connections between the two paradigms, in this final dissertation the processes of verification/falsification of the first hypothesis is grounded into the theoretical framework of historical newinstitutionalism, while the test of the second assumption is located within the domain of political sociology. Accordingly, the Lisbon Treaty embodies the "critical juncture" (Hall and Taylor 1996; Goetz and Meyer-Sahling 2009; Fabbrini 2015) capable of explaining differences in the roles performed by institutional actors involved in the phase of formulation of EU Election Observation Missions. Conversely, the working connections and the sum of skills and experiences of individual actors represent the "capital" (Bourdieu 1977) used by EOMs players to interact with colleagues during the implementing stage of the missions. However, the union of the theoretical approaches in this work is not disguised since, as demonstrated in the final section, the behaviour of EOMs players has been actually affected by the adoption of the Lisbon Treaty in the two missions under investigation.

2.4.   Methods of data collection

The next step in the presentation of the research design is that concerning the selection of the methods of data collection and analysis retained as the more convenient to deal with the themes of this final dissertation. For each independent variable, and then for the respective research question, there is a precise empirical strategy to follow and the divergence in these matters does not allow for a reconciliation in a comprehensive analytical design but rather in a peculiar mixture of different strategies (Denzin 1970, p. 291), namely the document analysis, the social network analysis and the semistructured interviews.

Accordingly, while the document analysis is conducted to highlight the changes brought about by the adoption of the Lisbon Treaty on the roles of EOMs designers and the social network analysis is retained to analyse the relationships among EOMs players in the implementing stage of the EU EOMs, the semistructured interviews represent a point of conjunction between the two mentioned methods since their goal is to further support the process of verification of both the hypotheses. In the below description of the strategies

employed, it is also useful to introduce the main concepts of the discussion and to provide a brief operationalisation of them.

2.4.1. The document analysis

As already said, the study of the changes produced in the institutional framework by the adoption of the Lisbon Treaty has been performed through a document analysis, a useful qualitative technique (Corbin and Strauss 2008) for the interpretation of texts that allows the extrapolation of different excerpts and their subsequent comparison (Bowen 2009, p. 27 ss.). This method of data collection, often employed together with other types of techniques such as semistructured interviews (Rossman and Wilson 1985; Yin 2013), is suitable for the need to investigate changes and modifications even though documents are usually written for goals other than what a specific research deals with (Bowen 2009, pp. 30-31).

Before explaining how the operationalisation of the main concept is conducted, it is worth specifying that treaties are included in the broad category of 'documents' since this word refer to "any kind of source whether written, oral, pictorial or archeological" (Gottschalk 1969; Caulley 1983, p. 19). In line with this statement, it is possible to locate the investigation concerning the Lisbon Treaty in the domain of document analysis without creating problems of compatibility between the subject and the research method.

Having said this, in the performance of the document analysis, the concept referring to *changes in the institutional framework* has been operationalised, as anticipated by the first hypothesis formulated in the previous chapter, through the recourse to the variable concerning *the number of changes introduced by the new treaty and affecting either the role of European institutional actors or the field of EU EOMs*. Therefore, it has been sufficient to compare the institutional frameworks before and after the adoption of the Lisbon Treaty in order to conduct this type of investigation.

2.4.2. The social network analysis

In addition to the document analysis, the investigation of different roles performed by EOMs players has been conducted by referring to the cooperative working relations among individuals and to their past experiences (Georgakakis and Weisbein 2010, pp. 95-97). The preferred design to develop the inquiry related to interpersonal relations is that of the social network analysis, a method facilitating the identification of schemes related to the social connections between individuals in a given framework (Knoke 1994, p. 8; De Nooy 2003, p.

305 ss.). The SNA is suitable for the investigation of the EU, since its structure is heterarchical in nature (Mérand *et al.* 2011, p. 128) because of the fact that policies are elaborated and implemented by a multiplicity of authorities not belonging to the same institutional frame (Pernice 2002; Schimmelfennig and Wagner 2004; Wallace 2005).

In this context, the empirical focus on *cooperative working interactions among EOMs players* can be specified through the variable studying *the number and strength of interactions of certain EOMs players with others involved in the phase of implementation of the EU EOMs*. Due to this process of operationalisation, it has been possible to study and analyse the cooperative ties that actors have had with others by also relying upon the indicators of centrality and brokerage (Mérand *et al.* 2011, p. 128). Both measures are indicators of social power (De Nooy *et al.* 2005, p. 131) but while the first looks at the number of social ties that a certain actor produces in a given structure, the second refers to the number of links that an individual actor has with parts of the network that without his/her presence would be separated (Mérand *et al.* 2011, p. 129). The latter measure is useful to overcome possible biases since an EOMs player can be powerful or marginal in a particular arena while being irreplaceable in the contact with a certain group of actors (Mérand *et al.* 2011, p. 129).

2.4.3. The semistructured interviews

Lastly, the document and the network analysis have also been complemented by semistructured interviews (Leech 2002) submitted to individual actors who participated in the implementing stage of the 2005 and 2015 EU Election Observation Mission in Sri Lanka. Apart from linking together the two different hypotheses of this work by asking EOMs players if, in their opinion, the adoption of the Lisbon Treaty has affected the functions they covered, the added value of such interviews for the whole dissertation is threefold.

First, after the provision of questions related to their subjective opinions about the conduct of the mission they have joined, individual actors have been called to evaluate if the LT has introduced differences in the framework of EU EOMs or in the roles covered by EOMs designers during the elaborating phase of such missions. For this reason, semistructured interviews have contributed to support/rebut the findings of the document analysis.

Second, these interviews have been also functional in testing the findings of the social network analysis since EOMs players have been pleased to reply to a questionnaire composed of closed questions in which their task was to attribute a value from one to five (on a crescent scale by going from 'not at all' to 'extremely') to the power or cooperation shown by

themselves or by other individual actors of the mission towards others. In addition to this assessment, interviewed people have been asked to identify the most cooperative or powerful functions, the figures essential in connecting separated or distant sides of the network, and the EOMs players with whom they have had the highest number of professional ties during the EU EOM in Sri Lanka. In this respect, there is the need to clarify the listed concepts: power, in line with the chosen approach of political sociology and emphasising the element of communication among individuals (Guzzini 2005, p. 505), is here intended as *the capacity of an EOMs player to influence the behavior of other actors*, while cooperation is defined as "*the intensive exchange of important information and joint work*" (Mérand *et al.* 2011, p. 127) *among different EOMs players*.

Third, and most importantly, interviews have allowed for the verification/falsification of the portion of the second hypothesis not investigated by the SNA, namely the power of the backgrounds and the skills of EOMs players in the determination of their roles in the implementing stage of the missions. Accordingly, individual actors have been requested to indicate if EOMs players have conducted their activities in defined ways because of their prior knowledge of the country or because of their previous involvement in other EU EOMs.

Lastly, it is worth noting here that the semistructured interviews and the questionnaire present a large number of dimensions since they need to be carefully and strategically planned because of the presence of several potential drawbacks (Leech 2002). For example, EOMs players that have defined themselves as involved in a great number of operations could not necessarily be central or crucial in the processes if they are not considered as powerful or cooperative partners by the others (Mérand *et al.* 2011, p. 127).

In sum, the union in the same dissertation of document analysis, social network analysis and semistructured interviews as different methods of data collection, which can be graphically depicted with a triangle (Sandelowski 1995) conceived as "the combination of methodologies in the study of the same phenomenon" (Denzin 1970, p. 291), is likely to increase the stature of the whole study by limiting the presence of possible distortions that are usually present in a work based on only one methodological choice (Bowen 2009, p. 28).

2.5. Conclusions

This chapter has clarified the remaining steps of the research design chosen for the study of the EU Election Observation Missions in this final dissertation. To this end, the first section of the chapter has been devoted to the list of academic sources, related to both the study of

roles in European foreign policy and to the topic of electoral support upon which this work is based. Then, the second section has defined the theoretical framework of this thesis, pointing out the relevant features of the school of historical newinstitutionalism and of the political sociology approach. Finally, the last relevant part of this chapter has described the methods of data collection that have been used during the research, correctly defining their contribution for the whole work.

Having exhausted the depiction of the research design, the following chapters will devote attention to the actual investigation of the EU Election Observation Missions, starting from their collocation in the frame of foreign policy and in the particular domain of activities performed for the promotion of democracy and the respect of human rights and rule of law in third countries (Olsen 1998; Youngs 2001a; Ethier 2003). This notwithstanding, clear references to theoretical approaches and methodological choices will be made also in the subsequent chapters of this final dissertation.

3. Framing Election Observation Missions in the foreign policy of the European Union

3.1. Introduction

The main focus of this chapter is on the foreign policy of the European Union and, within this framework, on the activities supporting the promotion of democracy and the respect of human rights and rule of law, a field of analysis to which EU Election Observation Missions belong (Olsen 1998; Youngs 2001a; Ethier 2003), in light of a threefold objective. First, this chapter aims at highlighting the development of the broad sector of foreign policy through different "critical junctures" (Hall and Taylor 1996; Goetz and Meyer-Sahling 2009; Fabbrini 2015), thus justifying the choice of historical newinstitutionalism as one of the two theoretical approaches of this final dissertation. Second, it aims at enabling readers to become acquainted with institutional actors involved in this domain in order to make the understanding of the successive analysis concerning their roles in the elaborating stage of the missions easier. Third, it is intended to explain why the activities performed with the aim to support democracy in third countries are classifiable as an expression of foreign policy and, in close connection with this, to select the "conditionality" (Youngs 2001b) according to which the EU EOMs are developed.

With these goals in mind, this chapter will start by describing the foreign policy of the EU, specifying its problematic conceptualization and its often neglected detachment from the frame of external relations. The following sections will instead devolve particular focuses on the development of this matter through crucial turning points and on the introduction of institutional actors performing relevant functions in this domain. After a brief recap on the issue areas of EU foreign policy, the chapter will then turn to the analysis of the specific sector of democracy support and protection of human rights and rule of law, emphasising the commitments of the EU in this policy frame and its evolution. This section will be functional for the following investigation concerning the different paths undertaken to foster the promotion of democratic means in third countries in order to clarify what tool is the most used by the EU when performing Election Observation Missions.

3.2. The foreign policy of the European Union

As already said, Election Observation Missions can be placed in the domain of EU foreign policy and that is why this section will focus on this matter. However, before starting with the

narration about its development and its major actors, two useful considerations are required to better define this particular policy field.

First, in order to avoid potential misunderstandings, there is the need to explain the slight distinction between foreign policy and external relations. Although these two concepts are frequently confused, countries use the first tool to shape the scenario outside their sphere of influence in order to achieve different objectives, while external relations simply refer to the maintenance of whatever type of contact with foreign actors (Keukeleire and MacNaughtan 2008, p. 19). Therefore, setting Election Observation Missions in the domain of foreign policy means that the EU has its own interests and goals in conducting this activity, as the last part of this section will outline.

Second, in light of the structure of the EU, articulated in both supranational and intergovernmental institutional actors (Fabbrini 2015, pp. 34-49), its foreign policy cannot be reconduced only to one of these two dimensions, as exemplified by the case of both democracy promotion and of the EU Election Observation Missions, in which both the types of actors are deeply involved (Börzel and Risse 2004, p. 15; European Commission 2016). This statement implies that EU foreign policy refuses to be labelled exclusively European or nationally-based, fostering its conceptualization as "multi-level" (Pernice 2002; Schimmelfennig and Wagner 2004, p. 657), intended to emphasise bargaining processes between national and supranational actors (Pernice and Thym 2002), or, better, "multilocation" (Wallace 2005, p. 78), limiting the idea of superiority of one level with respect to another (Keukeleire and Justaert 2008). The last conceptualization of EU foreign policy will be retained as the more suitable to deal with the investigation of the Election Observation Missions since, as shown in next chapters, their deployment is established by institutional actors belonging to both the supranational and the intergovernmental domain.

3.2.1. The evolution through "critical junctures"

In line with the path-dependent logic of historical newinstitutionalism, the current setting of EU foreign policy is determined by its evolution since the start of the communitarian project. However, the argument here supported is that there have been four "critical junctures" (Hall and Taylor 1996; Goetz and Meyer-Sahling 2009; Fabbrini 2015), the last one being the adoption of the Lisbon Treaty, that have entirely modified the frame throughout its development. Since in this work the LT is assumed to be a turning point for the roles of EOMs designers in the elaboration of EU Election Observation Missions, a brief recap

concerning the unfolding of foreign policy from its origins complies with the aim of the present final dissertation.

3.2.1.1. *The initial boost of the 1950s*

Despite the fact that the European framework at the end of World War II certainly did not foresee the establishment of an EU foreign policy, it was characterized by two important speeches that heavily affected it and contributed to its change towards the formation of a real external dimension for the policies elaborated by the Union.

The first speech was held on the 5th of June 1947 at the University of Harvard by the then Secretary of State of the United States (US), George Marshall, who explained the commitment of its country in promoting assistance and aid for countries in need, like all of Europe at that time (Hogan 1987). However, European countries had to fulfill a series of obligations to receive economic help from the US and were therefore forced to work together, even though they fought against each other during the war period (Keukeleire and MacNaughtan 2008, p. 36). This embryonic type of coordination among European countries was reinforced and further enhanced by Robert Schuman, the then French Minister of Foreign Affairs, who proposed on the 9th of May 1950 to pool the efforts for the production of coal and steel, paving the way for the future creation of the European Coal and Steel Community (ECSC) that was finalized in 1952 with the agreement among six European countries[5].

Nevertheless, the development of the EU has not been as fast as one might have imagined because it also entailed a series of brakings and reconsiderations. Among these there is the failure to establish a European Defence Community (EDC), consisting in the institutionalization of a European army as designed by the 1950 Pleven Plan (Fursdon 1980). Although the EDC treaty was signed in 1952 by all six States participating in the ECSC, it suffered its defeat when sent to national parliaments to be ratified (Hill and Smith K. 2000, pp. 16-32) since the French *Assemblée Nationale* refused to approve it because of fears related to loss of national sovereignty in that domain (Fabbrini 2015, p. 6). This epilogue represented a halt in the pooling of military resources at a supranational level because it encouraged the creation of a Western European Union (WEU) whose main task, according to

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[5] Namely Belgium, France, Germany, Italy, Luxembourg and the Netherlands (Fabbrini 2015, p. 5).

its art. IV, comprised the supervision of European security through the help of the North Atlantic Treaty Organization[6] (NATO) (Keukeleire and MacNaughtan 2008).

Because of the French obstacle in the security field, the project of European development began to proceed toward an economic direction, as pointed out by the adoption of the Rome Treaties in 1957[7]. In particular, with the setting up of the EEC, whose tasks were related to the external trade and to the stipulation of arrangements with countries other than the signatories, there was the first manifestation of a type of European foreign policy, although confined to a specific policy area (Keukeleire and MacNaughtan 2008, p. 43). In this way, the EEC started to maintain its first relations with economic actors located outside its context and to shape its external relevance (Allen and Smith 1990, p. 19 ss.).

From this moment onwards, the life of the EEC and the succession of decisions taken to update its framework to the different exigencies would have regularly taken into consideration the dimension of foreign policy, doomed to become crucial in the following years.

3.2.1.2.   The European Political Cooperation

A decade after the entry into force of the Rome Treaties, the six countries participating to the EEC met in The Hague and, apart from having decided to open the possibility of accession to the treaties to other European States, agreed to progressively achieve the outcome of political unification among themselves (Keukeleire and MacNaughtan 2008, p. 44).

This commitment stimulated the draft of the 1970 Luxembourg Report and the consequent birth of the European Political Cooperation (EPC), aimed at fostering cooperation and coordination among EEC countries' foreign policies (Hill and Smith K. 2000, p. 77). The novelties introduced by the mentioned Report referred to the setting of different intergovernmental configurations, like a meeting of Ministers of Foreign Affairs to be held twice a year, and of targets related not only to foreign themes but also to the fulfillment of a higher level of European identity and integration (Keukeleire and MacNaughtan 2008, pp. 44-47). Moreover, the obligations and the issues of EPC have been inherited by the 1986 Single European Act (SEA), witnessing their high stature (Smith K. 2001, pp. 86-88).

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[6] The involvement of NATO reflected the abandoning of a European project in the military field since this organization, created in 1949 under the patronage of the US, included also non-European countries for the achievement of cooperation in the matters of security and defence (Keukeleire and MacNaughtan 2008, p. 42; Fabbrini 2015, p. 6).
[7] The Treaties of Rome that consist of the European Economic Community (EEC) and the Treaty on the European Community for Atomic Energy (EURATOM) were signed by the same six countries of the ECSC (Dinan 2005, pp. 30-38).

Nevertheless, given the absence of purely supranational actors, sovereign States retained their control and power over their foreign policies, and therefore only a limited portion of the issues included in this field were discussed in the meetings (Keukeleire and MacNaughtan 2008, pp. 45-47). This notwithstanding, the start of the European Political Cooperation can represent a turning point in the evolution of EU foreign policy because of the relevance attributed not only to economic but also to political concerns.

3.2.1.3.   *The Maastricht Treaty*

The successive "critical juncture" (Hall and Taylor 1996; Goetz and Meyer-Sahling 2009; Fabbrini 2015) in the development of the EEC foreign policy took place in Maastricht in 1992 with the adoption of a new agreement that was signed by twelve countries since the EEC members doubled because of the enlargements to United Kingdom (UK), Ireland and Denmark in 1973 and to Spain, Portugal and Greece in the 1980s (Dinan 2005, pp. 69-103).

The main innovation of the Maastricht Treaty, which came into force in 1993, was the creation of the European Union through the establishment of a three-pillar structure that foresaw different types of decision-making regimes in consonance with determined policy areas (Keukeleire and MacNaughtan 2008, p. 50) and that completely modified the previous framework of the EEC. Accordingly, while the first pillar incorporated the EEC, the ECSC and the EURATOM under the wording European Community (EC) and provided for the supranational management of policies dealing with the newcomer single market, the second was dedicated to the launch of an intergovernmental Common Foreign and Security Policy[8] (CFSP) (Fabbrini 2015, p. 16).

The choice of intergovernmentalism for taking decisions in the domain of foreign policy was motivated by the unwillingess of sovereign countries to give up their competences in favour of European institutions in a core policy area (Keukeleire and Mac Naughtan 2008, p. 50). The high significance of CFSP lies in the fact that it represents the birth of a real dimension dealing with the foreign policy of the EU, separated from the management of economic policies and with more pressing commitments than the simple coordination among States as envisaged by the EPC (Keukeleire and MacNaughtan 2008).

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[8] The third pillar, Justice and Home Affairs (JHA), which was then changed to Police and Judicial Co-Operation in Criminal Matters (PJCC), was instead devoted to the instauration of intergovernmental cooperation among member countries to combat crime (Fabbrini 2015, pp. 16-26).

Nevertheless, the institutional configuration proposed by the Maastricht Treaty was not deprived of criticism, sparked by the supposed absence of care for defence and the noninvolvement of 'European figures' in the CFSP (Keukeleire and MacNaughtan 2008, pp. 50-54). These opinions put pressure in favour of change that occured only a few years later with the ratification of the Amsterdam Treaty, signed by the then fifteen countries of the EU[9].

The first innovation contained in the new treaty was the establishment of the High Representative of the Common Foreign and Security Policy, a new EU institutional figure with crucial powers in the stages of formulation and implementation of foreign policies[10] (Keukeleire and MacNaughtan 2008). Additionally, the new institutional reference forecast the incorporation of the WEU's "Petersberg Tasks" (Jørgensen 1997), related to actions in the humanitarian field and for the management of crises (Pagani 1998, pp. 738-742), as a first recent attempt to locate defence issues at a central European level. This choice opened the road to subsequent meetings, including the one between Jacques Chirac and Tony Blair in Saint Malo in 1998, that finalized the creation of the 1999 European Security and Defence Policy (ESDP), then renamed Common Security and Defence Policy (CSDP) (Hofmann 2011, p. 102), as a substitute of the WEU and as an element of the CFSP of the EU, detached from the NATO framework (Grevi *et al.* 2009, pp. 17-52).

In the following years, because of concerns related to the outgoing threat of terrorism and to the stability of the EU's neighbourhood, this framework was further broadened with the 2003 European Security Strategy, a document proposed by the then High Representative of the CFSP, Javier Solana, to improve EU operations in foreign policy (Quille 2004).

3.2.1.4.   *The Lisbon Treaty*

In view of the biggest wave of EU enlargement[11], Member States decided to adopt a new institutional basis whose novelties touched also the dimension of foreign policy. After the negative votes of French and Dutch referenda in the process of ratification of the 2005 Treaty Establishing a Constitution for Europe (TCE) because of Euroskepticist thoughts related to the terminology adopted (Keukeleire and MacNaughtan 2008, pp. 61-64; Dinan 2005, pp.

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[9] The twelve EU Member States at the time of the Maastricht Treaty were joined in 1995 by Austria, Finland and Sweden (Dinan 2005, pp. 133-142).

[10] The High Representative was at the same time the President of the Foreign Affairs Council and the Secretary General of the Council (Keukeleire and MacNaughtan 2008, p. 54).

[11] In 2004 Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia accessed the EU (Dinan 2005, pp. 143-153).

173-182), the new framework was set by the Lisbon Treaty, signed by the then twenty-seven[12] EU Member States and come into force in 2009. The LT, whose dispositions mainly follow those of the TCE, abolished the pillar-based structure of Maastricht but retained intergovernmentalism as the method to implement and decide upon foreign policy (Fabbrini 2015, p. 33).

Moreover, the LT revisited the mentioned European figure introduced by the Amsterdam Treaty since the new High Representative of the Union for Foreign Affairs and Security Policy, while keeping its presidency over the Foreign Affairs Council, is no longer the Secretary General of the Council but the Vice-President of the European Commission (Koutrakos 2017, p. 35). The appearance of this new function on the EU scenario is highly significant because it symbolizes the point of conjunction between the intergovernmental rationale of the Council, composed by national ministers of member countries, and the supranational logic of the European Commission, synthesized in the expression "double hat" (Kaddous 2008, p. 209).

In sum, the period of the 1950s with the first type of foreign policy elaborated by the EEC, the EPC with the start of coordination among EEC countries' foreign policies, the Maastricht Treaty with the creation of the CFSP and the LT with the institutionalization of the new HR represent the four decisive moments in the evolution of the European foreign policy and, therefore, can be considered as the "critical junctures" (Hall and Taylor 1996; Goetz and Meyer-Sahling 2009; Fabbrini 2015) according to which this particular domain has experienced its evolution throughout its history.

However, as will be explained later, only the last two critical moments will be retained in the analysis of the Election Observation Missions, because of the fact that they have been performed from the 1990s onwards and, in particular, since the focus of the first hypothesis of this research is on the changes brought about by the adoption of the LT in this matter.

3.2.2. The institutional actors involved

The frame of reference for EU foreign policy defined by LT has attributed competences to different institutional actors, regardless of their supranational or intergovernmental connotation. Becoming acquainted with this high number of actors before starting with the detailed analysis concerning Election Observation Missions is certainly useful in order to

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[12] The EU experienced another enlargement in 2007 with the entrance of Bulgaria and Romania (Noutcheva and Bechev 2008).

promptly clarify their different functions and to allow for a more dynamic reading of the chapter dealing with EU EOMs. However, in this presentation key actors in the field of the missions will be meticulously depicted while marginal ones will only be briefly introduced.

3.2.2.1.   *The European Council*

The European Council, formed by the heads of State or Government of EU Member States and to whose work the HR, the President of the Commission and one Commissioner participate, performs a crucial role in foreign policy since it delineates plans of actions and provides instructions for the development of EU foreign policy (Keukeleire and MacNaughtan 2008, p. 68). Through the Treaty on the European Union (TEU), the normative framework of the LT has introduced the office of President of this body, in charge for two and a half years, endowed with the task to externally represent the Union in CFSP matters, without overlapping with the competences of the HR (European Union 2008, art. 15 TEU).

However, despite its concrete involvement, the European Council can be considered as nothing more than an impulsive body in the frame of foreign policy, given the fact that it does not occupy a relevant place in the process of the adoption of decisions (Cloos *et al.* 1993, p. 486), as also demonstrated by its marginality to the elaborating phase of the EU Election Observation Missions. The added value of this institution for EU foreign policy, rather, lies in the fact that it can ensure a unity of purpose among member countries with conflicting opinions on an issue, thus enhancing the external image of the EU (Keukeleire and MacNaughtan 2008, p. 69).

3.2.2.2.   *The Council of the European Union*

The Council of the European Union (Council) is an institution constituted by different configurations of member countries' ministers, summoned to the meetings according to the current theme or issue (Hayes-Renshaw and Wallace 1995). This particular shape is useful in order to have experts discuss on any occasion, bearing also in mind the role of the legislative chamber covered by the Council in decision-making processes related to supranational concerns (Craig 2010, pp. 32-45).

With particular regard to foreign policy, the configurations with great significance and powers are the General Affairs Council (GAC) and the Foreign Affairs Council (FAC). While the first team performs only a supervisory role, the second, chaired by the HR and representing the union of the ministers of foreign affairs of EU members States, aims at the improvement

of the external action of the Union in matters like humanitarian aid and cooperation (Keukeleire and MacNaughtan 2008, p. 69). The FAC is the real decision-maker in the field of foreign policy since it has the duty to elaborate the EU external action according to the general provisions provided by the European Council and it also has to assure coherence in that frame (European Union 2008, art. 16.6 TEU).

Nevertheless, the effective action of the FAC is dependent upon the presence of two panels, the Committee of Permanent Representatives (COREPER) and the Political and Security Committee (PSC) (Kaddous 2008). While the first committee, in its second arrangement (COREPER II), makes the preparatory work for the meetings of FAC and sets its agenda (Keukeleire and MacNaughtan 2008, p. 74), the PSC, composed of diplomatic representatives of States' Permanent Representations to the EU, is essential in monitoring and implementing policies and initiatives related to foreign policy (Keukeleire and MacNaughtan 2008, p. 74). Furthermore, the PSC, apart from owing leading power in the context of crisis management, both civilian and military (Duke 2005, pp. 23-30; Juncos and Reynolds C. 2007), covers an essential role in the elaboration of EU Election Observation Missions, as an advisor for selecting countries whose electoral processes need to be monitored (European External Action Service 2017a, p. 21). In addition to the PSC, the Working Groups of the Council also have their importance during the missions since they are informed by the EEAS about their implementation (European Commission 2016, p. 20).

3.2.2.3. *The High Representative of the Union for Foreign Affairs and Security Policy*

Another actor operating in the field of foreign policy and linked to the Council is the already mentioned High Representative, the official delegate of the EU abroad and the person in charge of maintaining relationships with third countries (European Union 2008, art. 27.2 TEU). However, the two-fold affiliation of the HR[13], also considered three-fold because of its participation to the works of the European Council (Piris 2010, p. 243), has raised concerns about the danger of "schizophrenia" (Crowe 2005) emerging from its possible irreconcilable accountability towards other institutional actors (Blockmans and Laatsit 2012; Crowe 2005, p. 2). Accordingly, the fact that the HR and the President of the European Council could find themselves in contrast because of overlapping competences in the field of external representation of the Union is not out of question (Keukeleire and MacNaughtan 2008, pp. 80-81).

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[13] As stated in the previous paragraph, the HR is at the same time chair of the FAC and Vice-President of the Commission (Koutrakos 2017, p. 35).

The connections of the HR with the other institutional actors in EU foreign policy are a crucial matter since this figure is assisted by numerous EU Special Representatives (EUSR), trained by the PSC but acting under his/her instructions (Keukeleire and MacNaughtan 2008, pp. 83-84). Moreover, he/she exerts its tasks by relying also upon a series of bodies that are part of the General Secretariat of the Council, whose presence ensures instead the guarantee of autonomous action for the function of the HR since it reduces the necessity to cooperate with the European Commission (Keukeleire and MacNaughtan 2008, pp. 80-83).

Furthermore, in performing his/her activities related to the external representation of the Union, this figure is sustained by a European External Action Service, in turn backed by the EU delegations, that cooperates with the diplomatic services of EU countries (Cardwell 2012; Blockmans and Laatsit 2012). The HR, the EEAS and the delegations of the EU, located in third countries or at international organizations to ensure a permanent link between the EU and the other international actors (Drieskens 2012), are all deeply involved in the domain of EU Election Observation Missions (European Commission 2016). While the HR is responsible for the whole mission and decides for its elaboration (European External Action Service 2017a, p. 18), the EEAS is endowed with the task to select the experts (European Commission 2016, p. 19) and the delegations represent an important point of connection with the countries hosting the missions (European External Action Service 2017a, p. 20).

3.2.2.4. *The European Commission*

The European Commission covers promiment roles in foreign policy since it ensures the external representation of the EU for matters not related to those included in the former second pillar of Maastricht (European Union 2008, art. 17.1 TEU). Because of the difficult delimitation of competences between the supranational and the intergovernmental domain (Smith M. 1997), the shape of this institution in the field of foreign policy has been frequently modified (Nugent and Saurugger 2002, p. 345), leading to the actual conformation, characterized by the activity of four Directorates General (DG) (Keukeleire and MacNaughtan 2008, pp. 87-88). Among these, the DG EuropeAid Development and Cooperation (DEVCO), dealing with underdeveloped countries in order to foster their development and the progressive elimination of weaknesses such as poverty and violations of human rights (Keukeleire and MacNaughtan 2008, p. 88), is the most relevant in the analysis of the EU Election Observation Missions.

Moreover, after the incorporation of the DG External Relations (DG RELEX) in the EEAS at its inception (Vanhoonacker and Reslow 2010), the European Commission has set up its Service of Foreign Policy Instrument (FPI) that, endowed with the task to manage funds for foreign policy operations, cooperates with the EEAS to ensure a better coordination of foreign policy among European institutional actors and bodies (Helwig *et al.* 2013, p. 49). The FPI covers a relevant role in the EU EOMs since, together with the EEAS, it supervises the process of recruitment of observers (European External Action Service 2017a, p. 19).

3.2.2.5.   *The European Parliament and the European Court of Justice*

The intergovernmental feature of EU foreign policy seems to predict an exclusion of both the European Parliament (EP) and the European Court of Justice (ECJ) from a concrete actorness in this domain (Allerkamp 2009, p. 14).

Nevertheless, the first institution, although the LT envisages a very limited role in foreign policy since it is only consulted and informed (European Union 2008, art. 36 TEU), has contributed to increasing its involvement, particularly in the field of EU Election Observation Missions, thanks to the creation of the Committee on Foreign Affairs and to the achieved possibility to informally dialogue with the HR (Keukeleire and MacNaughtan 2008, pp. 93-94). In this policy frame, the EP is regularly consulted by the HR thus helping institutional actors in the identification of electoral processes to observe (European External Action Service 2017a, p. 20). Furthermore, the EP can strengthen its role in foreign policy by also using its power in order not to sign several typologies of international agreements including financial ones and also to impede the reach of arrangements on extraordinary expenditures, a category to which the costs for development activities and external operations belong (Keukeleire and MacNaughtan 2008, pp. 93-95).

Lastly, the European Court of Justice, after the entry into force of the LT, has seen an improvement of its consideration in the domain of foreign policy since it has been endowed with the task of judicial monitoring over certain categories of acts adopted in this field (Hillion 2014a, p. 2). In spite of the enhancement of its role, the ECJ is actually far from being an institutional actor occupying a central place in EU foreign policy and in the specific field of EU Election Observation Missions, although it embodies the role of ultimate guarantor of the European Union law in supranational policies (Hillion 2014a, pp. 2-32).

In sum, as will be later demonstrated, among the different institutional actors concurring to define the foreign policy of the European Union, those who really matter in the domain of

Election Observation Missions are listed hereinafter. Concerning the bodies representing the interests of the Member States (Fabbrini 2015, pp. 41-45), significant roles are covered by the Council, thanks to its Working Groups and the Political and Security Committee, and by the High Representative, backed by the European External Action Service and by the delegations of the Union in third countries (European External Action Service 2017a, pp. 18-21). Conversely, the European Commission, through its DG DEVCO and the Foreign Policy Instrument, and the European Parliament are the institutional actors defending the affairs of the whole Union (Fabbrini 2015, pp. 34-41) that participate in the elaborating phase of the missions (European External Action Service 2017a, pp. 19-21). Therefore, since all these actors perform relevant roles in this domain, referring here to the notion of "multilocation" (Wallace 2005, p. 78) foreign policy is not illogic.

3.3. EU democracy support, protection of human rights and rule of law

Having presented the institutional actors involved in the framework of EU foreign policy, it is now time to briefly consider the matters addressed in this sector in order to specifically focus on the activities performed to support democracy, human rights and rule of law, relevant for this final dissertation since the EU Election Observation Missions are located in that context (Olsen 1998; Youngs 2001a; Ethier 2003). Once this particular frame is defined, the focus will shift to the different "conditionalities" (Youngs 2001b) employed by the EU to furnish its contributions to countries in need.

The foreign policy of the European Union embraces several matters, regardless of their basic features. Accordingly, this domain englobes policies formally managed by the former first pillar of Maastricht but having pertinence with dynamics linked to the non-EU environment[14] (Keukeleire and MacNaughtan 2008, pp. 200-228). Moreover, policies traditionally defined as internal clearly embody relations with the external framework thus allowing for their classification as foreign policies[15] (Keukeleire and MacNaughtan 2008, pp. 229-254). Finally, policies related to purely external factors and contexts are defined as core issues of this broad policy sector (Keukeleire and MacNaughtan 2008, pp. 160-200) and in this category, together with the topics of conflict prevention, non-proliferation of weapons of mass destruction

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[14] Examples of these policies are economic cooperation and association with third countries (Keukeleire and MacNaughtan 2008), enlargement (Sedelmeier 2003), development cooperation (Arts and Dickson 2010), humanitarian aid and agreements concerning trade (Keukeleire and MacNaughtan 2008)

[15] The following policies belong to this category: freedom, security and justice (Avery 2012), energy (Grant and Barysch 2003), climate change (Bretherton and Vogler 2006), health and demography (Keukeleire and MacNaughtan 2008).

(WMD) and terrorism, activities in support of democracy, human rights and rule of law are located (Keukeleire and MacNaughtan 2008).

3.3.1. The legal basis

As pointed out in the previous paragraph, one of the main fields of activity of the EU linked to its foreign policy is the one dealing with the promotion of democracy[16] and protection of human rights and rule of law. Accordingly, two core provisions of the TEU, firstly drafted in Maastricht and then confirmed in Lisbon, are expressions of this commitment and clearly relate it to EU's external action (European Commission 2016, pp. 15-16).

> *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. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.* (European Union 2008, art. 2 TEU)

> *The Union's action on the international scene shall be guided by the principles which have inspired its own creation [...] democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, [...].*(European Union 2008, art. 21 TEU)

This double obligation, defined by EU Member States and subsequently reaffirmed in the 2000 Cotonou Agreement signed with African, Carribean and Pacific (ACP) countries[17], can be defined as inherently directed at shaping the internal identity of EU Member States before constituting a precise tool of foreign policy (Panebianco 2006), as confirmed by its inclusion in the Copenhagen criteria, a set of conditions that countries must respect in order to became members of the EU[18]. This prior configuration of the whole EU as a bulwark for democracy support, protection of human rights and respect of the rule of law is useful to increase its stature in the relationships with third actors. However, a distinction regarding the international significance of the concepts of democracy and human rights is now required.

While human rights are widely recognized and safeguarded because of the presence of various agreements that have been signed in the international arena since the adoption of the 1948

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[16] The expression 'democracy support' is to be preferred to 'promotion of democracy' because the latter seems to imply the process of instauration of democracy in a given country, while countries already democratic can also be targeted by operations aiming at improving the existing conditions (Cardwell 2011, p. 25).

[17] The art. 9 of the Cotonou Agreement emphasises the importance of democracy support and respect of human rights for the development of good systems of governance (Hurt 2003, pp. 163-164; European Commission 2016, pp. 15-16).

[18] Accordingly, among the three conditions defined by the European Council in Copenhagen in 1993, countries willing to join the EU need to be based on stable institutions that guarantee the respect of democracy, human rights and rule of law (Hillion 2014b, p. 2).

Universal Declaration of Human Rights (UDHR) by the United Nations (UN), there is neither universally-agreed consensus on what democracy represents, it is nor specified by the TEU (Keukeleire and MacNaughtan 2008, pp. 223-224; Smith K. 2003, p. 123). Nevertheless, the relation between the two concepts has been clarified by Benita Ferrero-Waldner, former Commissioner for External Relations, that has emphasised the enjoyment of human rights as a necessary condition for the installation of a democratic regime (European Commission 2007, p. 1).

Because of this causal connection, from this point on, the two mentioned concepts will be considered connected between themselves and with that of the rule of law, in line with the idea of liberal democracy (King 1996), even though human rights have always represented a specific and moot concern in the dialogues between the EU and relevant countries like Russia and China (Keukeleire and MacNaughtan 2008, p. 165). This interpretation complies, as will be shown in the chapter dealing specifically with EU EOMs, with that internationally agreed to regulate the practice of election observation (Meyer-Resende 2003, p. 6).

3.3.2. The evolution of the subject

The EU framework concerning democracy support and protection of human rights and rule of law has evolved since its inception through several acts, starting from the 1994 *European Initiative for Democracy and Human Rights*, promoted by the European Parliament to establish a budget for activities related to this frame (European Commission 2001 p. 5). This action has then been complemented by the adoption of two Regulations of the Council (Council of the European Union 1999a; Council of the European Union 1999b) that defined the legal framework in which the operations supporting democracy, human rights and rule of law took place and the ways to draw on the budget of the European Initiative (European Commission 2001, p. 5).

At the turn of the millennium, the European Commission, thanks to its *Communication on the European Union's role in promoting human rights and democratisation in third countries* (Commission of the European Communities 2001), slightly modified the matter by promoting an enhancement of coherence with the other related European policies and by defining strategic guidelines for the retrieval of funds (European Commission 2001, p. 5) according to areas of priority like those concerning the abolition of death penalty and torture and the fight against discrimination of minorities (Commission of the European Communities 2001, pp. 16-18). At the end of the programming period, expiring in 2004, a new multiannual plan needed

to be developed and, therefore, the European Commission proposed new focuses based on the promotion of rule of law and justice and on the diffusion of rules protecting human rights and equality among people (European Commission 2004, pp. 8-19).

In 2007, the EU set up an European Instrument for Democracy and Human Rights (EIDHR) (European Commission 2007, p. 19) in order to substitute the previous European Initiative for Democracy and Human Rights because of its weaknesses in terms of flexibility while providing financial support (Keukeleire and MacNaughtan 2008, p. 227) and to deal with the new pluriannual framework finishing in 2013, whose crucial concerns were those of the plans developed by the European Commission in 2001 and 2004 (European Commission 2007, pp. 19-32). Two years later, in 2009, there was the implementation of the *EU Agenda for Actions on Democracy Support in EU external relations* (Council of the European Union 2009, pp. 2-6) that fostered the adoption of a country-specific approach, the introduction of a methodology based on dialogues with partner and targeted countries and, furthermore, specified the link between the matter of democracy support and the CFSP (Council of the European Union 2009, pp. 2-6).

Moreover, this agenda was complemented by the agreement on a series of guidelines referring to different human rights, drawn up in the 2012 *EU Strategic Framework and Action Plan on Human Rights and Democracy* (Council of the European Union 2012), updated in 2015 and covering the operations of the EU in this field until 2019. The first Action Plan, then updated, foresaw the establishment of an EU Special Representative for Human Rights with the task to promote human rights policies outside the borders of the EU (Council of the European Union 2012; Council of the European Union 2015).

Lastly, every year the Council is bounded to submit a report on human rights in which it conducts an assessment on their enjoyment both inside and outside the EU (Manners 2002, p. 248). However, the current multi-annual financial framework of the EIDHR for the period 2014-2020 has been modified with respect to the one dealing with the years 2007-2013 because of the need to tackle new threats and to achieve slightly different goals (European Parliament and Council of the European Union 2014).

3.3.3. The use of "conditionalities"

Once defined the framework in which democracy support and protection of human rights and rule of law are located, it is now time to examine the various approaches used by the EU in its relations with third countries in order to effectively promote the diffusion of democracy and

to efficiently ensure that citizens' human rights are respected worldwide together with the principles of rule of law. Dealing with these approaches is essential in order to justify the operations conducted by the European Union in the field of Election Observation Missions as an example of foreign policy. For the attainment of this purpose, even though the literature incorporates several types of methods[19], four "conditionalities" (Youngs 2001b) have been selected.

First, since the adoption of the Copenhagen criteria the EU has started to use political conditionalities in order to favour democracy support in countries not belonging to its domain. This strategy is based on an agreement with a third country according to which the given sovereign State engages on the establishment or on the consolidation of a democratic system in return for a promised advantage (Schmitter 1996). The most classical example through which the EU has exerted this political conditionality is given by the democracy and human rights clauses, annexed to whatever type of arrangement signed with third countries since 1995, in which the noncompliance with the commitments has the result to invalidate the whole agreement (Youngs 2001b, p. 18; Fierro 2001). However, this type of conditionality, albeit successful towards States willing to enter into the EU (Emerson *et. al* 2005), has proven to be ineffective for countries located far from Europe also because of the lack of concrete means to punish noncompliance (Schimmelfennig and Scholtz 2008, p. 188; Youngs 2001b, pp. 20-26).

Second, the EU has quite often decided to employ a lightly divergent method, focusing on the potential spillover effect in the domain of democracy support provoked by reforms in the economic field (Youngs 2001b, p. 35). In this context, as shown by the African example, the amount of aid furnished by the EU to countries has been 'conditional' to their initiatives and promises to develop synergies in the economic arena (Young 1996). Nevertheless, the economic conditionality has also raised a number of concerns, restrained as an effective tool in this domain because of protectionist attitudes of the EU and because of problems of uniformity and coherence among trade policies stipulated and implemented towards developing countries (Youngs 2001b, pp. 38-40).

Third, a different path undertaken by the EU for the abroad promotion of democracy support and protection of human rights and rule of law has emphasised neither political, nor

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[19] Among these methods there are some that certainly do not match the activities of the EU in this field, such as the strategy of control, according to which entities favour the establishment of a democracy after having conquered a given territory (Stepan 1986).

economic, but rather social features. From this perspective, the EU has undertaken and maintained close contacts with representatives of non-EU countries hoping for a positive contamination of ideas concerning best practices in the democratic arena (Youngs 2001b, pp. 41-42). The strong "linkages" (Levitsky and Way 2005) are not only confined to the communications and the exchanges of information between representatives of the EU and other countries but can also be fostered through the help of non-governmental organizations (NGOs) or media (Schimmelfennig and Scholtz 2008, pp. 195-196). Unfortunately, this strategy is not deprived of problems since the EU has shown, in particular with the formulation of the Cotonou Agreement, characterized by a non-compulsory clause on democratic issues, a sort of unwillingess to use all its authority to establish real commitments to make social conditionalities more effective (Youngs 2001b, pp. 44-45).

Fourth, the last approach handled by the EU in the frame of democracy support is related, like the abovementioned social one, to the provision of *ex-ante* incentives rather than *ex-post* rewards, reducing the weight of the sanctions and thus leaving more room for progresses (Ethier 2003, p. 100). By doing this, the EU has effectively fostered the promotion of policies aiming at improving the frameworks in democratic directions without excessively penalizing countries with low records in democratic and humanitarian terms, as illustrated by the case of Central and Eastern European countries, whose progressive conformation to the goals was encouraged by the Association Agreements proposed by the EU in the early 1990s and, above all, by the possibility of future membership (Youngs 2001b, pp. 29-31). Nevertheless, incentives conditionalities have their weaknesses, highlighted by the continuous and pointless support given by the EU to undeserving countries and by its incapacity to actually reward virtuous countries (Youngs 2001b, pp. 26-29).

All these different approaches can be considered an expression of foreign policy since, in line with the precisation provided at the beginning of this chapter, through these approaches the EU tries to improve the conditions present in external environments with the main objective to increase its stature as a leading actor in the field (Keukeleire and MacNaughtan 2008, p. 19). However, it is interesting to state which of these instruments is the most recurrent in the actions performed by the EU with particular regard to Election Observation Missions.

Accordingly, in spite of the presence of drawbacks for each of these approaches, the EU has generally chosen to retain the last debated method, the more "positive" (Keukeleire and MacNaughtan 2008, p. 226) in the frame, as its best option in its activities of democracy support and protection of human rights and rule of law in third countries, particularly in the

field of electoral support (Keukeleire and MacNaughtan 2008, pp. 225-227). Nevertheless, in the specific domain of EU Election Observation Missions, it is possible to argue that the EU also uses political conditionalities since, as explained later, countries hosting electoral processes need to respect defined requirements agreed in the Memorandums of Understanding with the EU to avoid a suspension of the activities (European Commission 2016, pp. 124-125).

3.4. Conclusions

This chapter has defined the basic features of the foreign policy of the European Union, in line with the central topic of this final dissertation and with the selected theoretical approaches, emphasising its development through crucial turning points that have radically modified the existing frames and describing the various supranational and intergovernmental actors performing central roles in this domain. Because of the concrete involvement of both the types of institutional actors, this policy frame has been labelled "multilocation" (Wallace 2005, p. 78). Subsequently, the chapter has paid attention to the broad framework of democracy support and protection of human rights and rule of law, tracing its origins and highlighting the most significant European commitments, in order to show why the activities performed in this field can be labelled foreign policy and to select the type of "conditionality" (Youngs 2001b) mainly employed by the EU in the performance of the Election Observation Missions.

However, the progressive classification of the missions in the context of EU foreign policy has not been exhausted here. Accordingly, the next section, by focusing on the topic of electoral support in order to provide a clear distinction between its two components of election observation and electoral assistance, will try to define the actorness performed by the European Union in the first domain, and particularly in relation with EU EOMs, arguing that it represents a peculiar union of both normative and civilian power.

4. The European Union actorness in the Election Observation Missions

4.1. Introduction

Classifying Election Observation Missions in the domain of operations conducted by the EU to support democracy and to protect human rights and rule of law in third countries is not sufficient given the broadness of this policy field. For this reason, it is necessary to introduce the specific framework of electoral support, spelling out its two dimensions of election observation and electoral assistance (European Commission 2006), in order to better clarify the context in which the missions take place and the singular combination of power exerted by the EU in that arena. In line with this reasoning, this chapter aims at defining the differences between the two mentioned components of EU electoral support, helping readers to avoid misunderstandings about the precise framework in which EU EOMs are located, and, consequently, at highlighting the particular kind of actorness exercised by the EU in this field, arguing that this international organization is endowed with both civilian and normative power in the performance of EU Election Observation Missions.

For the pursuit of these goals, this chapter will firstly introduce the theme of electoral support, focusing on the European pledges and on the key document represented by the *Communication on EU Election Assistance and Observation* (Commission of the European Communities 2000) and will then turn to the explanation of the differences between the two related categories of election observation and electoral assistance. In this section, it will be argued that the mentioned document represent a turning point for the evolution of the theme of electoral support, reminding one of the basic features of the theoretical approach of historical newinstitutionalism. Finally, the discussion will shift to the peculiar type of actorness expressed by the EU in this domain and particularly in the conduct of EU EOMs.

4.2. EU electoral support

As anticipated in the above introduction, among the operations conducted by the EU with the purpose of enhancing support for democracy and the protection of human rights and rule of law, those pertaining to the domain of the elections are of particular interest for this final dissertation. However, talking about electoral support can be misleading since election observation is only one of the means according to which operations in this domain are conducted. Therefore, after a general introduction to the theme, a clarification concerning its

detachment from the related activity of electoral assistance is helpful to delineate the distinguishing features of this specific policy field.

4.2.1. The European commitments

Apart from the internal obligations listed in the previous chapter with reference to democracy support and protection of human rights[20], the commitments of the EU to support electoral processes derive from three other relevant instruments in the international arena, signed by all EU Member States (Commission of the European Communities 2000, p. 4).

First, the UDHR that defines "periodic and genuine elections" (United Nations 1948, art. 21.3 UDHR), based on equal and secret votes, as the device to ensure the respect of people's preferences in giving governing authority to a given individual or party (United Nations 1948, art. 21.3 UDHR). Second, the International Covenant on Civil and Political Rights (ICCPR), adopted by the UN General Assembly (GA) in 1966, whose art. 25 recognizes the right of every citizen to participate in public affairs and their right to vote and to be elected (United Nations 1966, art. 25 ICCPR). Third, the European Convention on Human Rights (ECHR), drafted in 1950 by the Council of Europe (CoE), reaffirms the importance of free elections as guarantee of a direct expression of citizens' opinions (Council of Europe 1952, art. 3, Protocol 1 ECHR). Moreover, international organizations have also developed nonbinding provisions concerning elections with the goal to encourage the diffusion of best practices, particularly through the so-called "Enhancing Resolutions" (Binder 2009, p. 221) of the UN GA, even though these dispositions have been criticized because of their vagueness (Binder 2009, pp. 221-223).

Moreover, the EU framework concerning electoral support has been developed through two Regulations of the Council (Council of the European Union 1999a; Council of the European Union 1999b), adopted in 1999, that emphasised the provision of technical and financial aid in this matter by institutional actors operating in the domain of the first pillar, paving the way for an increased authority of supranational institutional actors in the management of electoral processes (Commission of the European Communities 2000, pp. 11-12). Nevertheless, as outlined in the following sections by referring to the theoretical framework of historical newinstitutionalism, successive instruments better defined the delimitation of competences between supranational and intergovernmental institutional actors, alongside the separation between election observation and electoral assistance.

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[20] On this issue, see the section '3.3.1. The legal basis' in the present work.

4.2.2. The *Communication on EU Election Assistance and Observation*

Among the instruments adopted by the EU in the field of electoral support, an outstanding place is reserved to the already mentioned *Communication on EU Election Assistance and Observation* (Commission of the European Communities 2000), implemented in 2003 by a working paper of the European Commission (Commission of the European Communities 2003), that has contributed to systematizing the conduct of activities dealing with electoral support through an enhancement of their coherence (European Commission 2006, p. 15). According to the text of this instrument, an all-encompassing strategy for electoral support was defined in order to achieve the objective of helping foreign countries in the establishment of elections through the respect of the principles of democracy, human rights and rule of law (Commission of the European Communities 2000, p. 15; European Commission 2006, p. 17).

Key points of this strategy concern the adoption of a case-by-case method to decide whether to furnish support to a given country, the idea of ensuring continuing sustainability after the electoral moment, the encouragement of partnership with NGOs for the achievement of gender equality and free use of media, and the boost towards pluralism and capacity building at a national level in order to progressively make the intervention of EU civil servants superfluous (Commission of the European Communities 2000; European Commission 2016).

Lastly, referring to the institutions active in the frame of electoral support, the 2000 *Communication* envisaged the need of coordination with the EP, given the proven knowledge of electoral concerns owned by its members (MEPs), and with the other international actors strongly engaged in this field (Commission of the European Communities 2000, pp. 8-9). The latter type of coordination has been further clarified by the *Communication* in order to avoid problems of visibility related to the common delegation of responsibilities exercised by the EU in joint operations with other IOs like the UN and the OSCE[21].

In addition to the strategies proposed by the *Communication* of the European Commission, it is worth repeating what has been said in the previous chapter with regard to the relationships between the EU and third countries in the matter of democracy support, namely the predilection for the use of *ex-ante* incentives in order to foster its partners to incorporate democratic provisions in their regimes or to improve the already existing ones (Keukeleire and Macaughtan 2008, p. 226). This is particularly noteworthy in light of the EU Election

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[21] Actually, there have been protests related to the role covered by the EU in missions lead by other IOs since its role is not that of a partner, but rather that of a sponsor providing for financial contribution (Commission of the European Communities 2000, p. 9).

Observation Missions which, in addition to the mentioned political conditionality[22], also employ an *ex-ante* incentive since they are deployed by the EU only after an invitation of the third country (European Commission 2016, p. 37) and thus only dependent upon an application, not necessarily matched by a real pledge for the installation of democratic rules.

In line with the newinstitutionalist approach retained as central in this final dissertation, this *Communication*, albeit not useful in answering the main research questions of this work, has represented an important turning point for the activities of the EU in the field of electoral support and, as the next section will show, also for the distinction of the domain of election observation for that concerning electoral assistance. Emphasising this aspect at this point is crucial to confer more credibility to the theoretical frame in view of the final analysis.

4.3. Election observation vs. electoral assistance

The challenge to face in this section is that of distinguishing between election observation and electoral assistance, the two main components of EU electoral support, thanks to the recourse to three aspects. Only after having provided this explanation, it will be possible to describe the actorness exerted by the EU in the domain of election observation and in the specific performance of the Election Observation Missions.

4.3.1. The conceptual distinction

By referring to the text of the *Communication on EU Election Assistance and Observation* (Commission of the European Communities 2000, pp. 2-5), it seems evident that the meanings of election observation and of electoral assistance are not the same. Accordingly, election observation is described as "the purposeful gathering of information regarding an electoral process, and the making of informed judgments on the conduct of such a process on the basis of the information collected" (International Institute for Democracy and Electoral Assistance 1997), while electoral assistance implies "the technical or material support given to the electoral process[23]" (Commission of the European Communities 2000, p. 4).

In line with these definitions, election observation represents the 'passive aspect' of electoral support since it does not foresee the concrete allocation of aid, being mainly targeted at evaluating the electoral and democratic context of a given country, while electoral assistance

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[22] On this issue, see the section '3.3.3. The use of "conditionalities"' in the present final dissertation.
[23] This type of support can refer, for instance, to the provision of help in the costruction of special infrastructure in order to allow people with disabilities to enter into the polling stations or to the assistance to third countries in the sensitive step of registration of voters (European Commission 2006).

clearly embodies the 'active side' of the aforesaid broader matter. Nevertheless, the two dimensions need to be considered interdependent since the efficiency and the accuracy of election observation is fostered by electoral assistance that, in turn, relies upon data and assessments in order to be more effective (Commission of the European Communities 2003, p. 13). This statement is further corroborated by the fact that, in the majority of cases, Election Observation Missions have been deployed by the EU to monitor an electoral process in a country that has previously been recipient of assistance (European Commission 2006, p. 19).

Therefore, albeit the existing conceptual distinction between the two main arenas of EU electoral support, these activities are still inextricably linked thus making their detachment useless. However, the next two points of discontinuity presented will strongly contribute to enhancing the significance of the differentiation between election observation and electoral assistance.

4.3.2. Different requirements to assist or to observe

The mentioned strategy for the effective implementation of the operations related to electoral assistance or election observation[24] has envisaged the formulation of a number of criteria allowing for the effective performance of the activities grounded in the domain of electoral support (Commission of the European Communities 2000, pp. 15-19). As demonstrated below through a comparison of such requirements between the two dimensions, a substantial amount of differences is detectable.

Firstly, in the framework of election observation, the EU is empowered to decide upon the feasibility of a mission through an assessment of three basic criteria, partly derived from a Decision of the Council adopted in 1998 (Council of the European Union 1998, p. 1). The first criterion is that of utility, evaluated through the recourse to the dichotomy between costs and benefits (Commission of the European Communities 2000, p. 17) and designed to justify a mission if it is reasonably capable of positively influencing the electoral process of a country (European Commission 2016, p. 123). The second criterion is the advisability, intended as the evaluation of the potential credibility of an election (Commission of the European Communities 2000, p. 17), detected through a series of standard requirements such as the enjoyment of fundamental freedoms for people and parties (Council of the European

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[24] On this point, see the paragraph '4.2.2. The *Communication on EU Election Assistance and Observation*' in the present work.

Union 1998, p. 1). The last criterion is represented by the viability of election observations, constisting in an assessment regarding the presence of secondary conditions legitimizing the involvement of the EU (Commission of the European Communities 2000, p. 17).

Secondly, a series of requirements has been defined also for the scenario englobing electoral assistance: an invitation of the country in need of assistance, the achievement of an arrangement among the main actors of the host country in order to foster the reception of assistance, the historical experience of programmes supporting democracy in that country, the availability of a substantial period to organize the activities, the enjoyment of personal safety and the right to move for EU civil servants (European Commission 2006, p. 23). Moreover, these preconditions have been further extended in 2003 by a Working Paper of the European Commission (Commission of the European Communities 2003) that has emphasised the additional value of EU actual assistance, useless without a concrete contribution of third countries and without an unequivocal objective to accomplish (European Commission 2006, p. 24).

Having said this, notwithstanding the presence of the advisability requirement in both dimensions[25], the criteria formulated for the provision of electoral assistance can be considered more limited in scope and, consequently, less stringent with respect to those elaborated for election observation (Commission of the European Communities 2000, p. 18). For this reason, bearing in mind this divergence, it is not a foregone conclusion to state that electoral assistance and election observation can always be performed in the same country with respect to a given electoral process.

4.3.3. The practical discrepancy

In addition to the mentioned aspects, a third one is particularly incisive in the explanation of the distinction between election observation and electoral assistance. In order to present this element, this section will focus on the different practical implications deriving from almost identical plans of actions and guidelines.

In spite of the fact that during the 1990s both the categories included in the domain of electoral support have been managed by normative tools belonging either to the first or to the second pillar, the EU has decided, thanks to the adoption of two Regulations (Council of the

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[25] Actually, the last innovation brought about in 2003 was the introduction of the criterion of "political advisability" (Commission of the European Communities 2003, p. 13) for the activities of electoral assistance, modelled on the example of election observation (European Commission 2006, p. 24).

European Union 1999a; Council of the European Union 1999b), that the administration of this matter would have been purely a first pillar competence (Commission of the European Communities 2000, p. 11). Nevertheless, since the beginning of the new millennium, the framework of electoral support has progressively evolved through the entry into force of other instruments[26], thus arriving to foresee the attribution of specific responsibilities in that sector to actors typically active in the intergovernmental domain (Council of the European Union 2015, pp. 28-30).

While this seems to be a logical development, it appears to be applicable solely to the field of election observation because of the lack of an explicit reference to electoral assistance in the new document. Moreover, having recourse to the official documents of the EU, it is easy to note that while the frame of election observation contemplates a leading role for the EEAS and a significant bargaining power for EU Member States (European Commission 2016, pp. 19-20), albeit conferring significant competences to the EP (Gawrich 2015, pp. 215-216) and the European Commission (European External Action Service 2017a, p. 19), that of electoral assistance relies mainly upon the activity of the last mentioned institutional actor (European Commission 2006, pp. 127-153), thus confining its actions to the supranational sphere. For this reason, it is possible to ascertain a practical detachment between the two dimensions of electoral support, even though they should have been managed by the same normative tools.

In sum, apart from the obviously diverse definitions provided, the two branches of electoral support, albeit strictly related, are distinguishable thanks to divergent requirements considered before being performed and because of the participation of different types of actors, supranational in the case of electoral assistance and both supranational and intergovernmental in election observation, thus justifying the label of "multilocation" (Wallace 2005, p. 78) foreign policy for the latter dimension.

4.4. The EU actorness in the electoral domain

In the introductive chapter of this work, the involvement of the EU in foreign policy issues has been justified by its role of international relevance. While on that occasion a clarification concerning why the EU exerts this significant role in the international arena has not been provided, in this section the answer to the aforesaid question needs to be considered as a prerequisite in order to deal with the investigation related to the type of power expressed by

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[26] Among these there are the aforementioned documents of the Council on democracy support (Council of the European Union 2009) and on human rights and democracy (Council of the European Union 2012).

the EU. Accordingly, this section will first try to explain the reasons for which the EU is a relevant international actor and will then attempt to configure the nature of the power it is endowed with in the performance of the Election Observation Missions.

4.4.1. The European Union as an international actor

The term actorness, used not by chance as a key word in the title of this section, directly refers to the possibility to undertake actions and its international dimension generally entails the ownership of legal personality, features both possessed by the EU[27](Hettne and Soderbaum 2005, p. 537).

More precisely, there are five criteria defining the actorness of the EU, and of other legal entities, in their external competences and activities: the capacity to select ideal policies and their successive formulation; the capacity to sustain negotiations with third actors; the ability to adequately use policy devices; the linkage to and the observance of a series of values and standards; the compliance of decisions related to external policies with domestic rules (Sjöstedt 1977; Bretherton and Vogler 2006). However, in spite of its demonstrated actorness in the international stage, the "EU is neither a state nor a non-state actor, and neither a conventional international organisation nor an international regime" (Ginsberg 1999, p. 432).

Because of its *sui generis* nature (Wunderlich 2012, p. 653), it is particularly difficult to understand the type of actorness (and thus of power) the EU exercise on the international scenario. This notwithstanding, three main typologies of power, namely civilian, normative and military, have been utilized to define its involement in the international affairs (Krohn 2009). Nevertheless, since this final dissertation is intended to analyse the EU Election Observation Missions, located in the broader framework of democracy support, and given that this domain does not foresee the reliance upon military means (Soderbaum and Hettne 2005, pp. 538-539), the forthcoming discussion on the nature of the power of the EU will take into account the military dimension only as a fruitful touchstone to better illustrate the other two powers, as immediately shown by the next section.

4.4.2. EU civilian power

The concept of civilian power was firstly coined in 1972 by François Duchêne, who, by referring to the EU, emphasised its features of "a group long on economic power and

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[27] The legal personality of the EU in the international arena has been recognized by the Lisbon Treaty (Fabbrini 2015, p. 33).

realtively short on armed forces" (Duchêne 1973, pp. 19-20) and "a force for the international diffusion of civilian and democratic standards" (Duchêne 1973, pp. 19-20).

This kind of power has been further identified by three characteristics, involving the pivotal role of economic forces for the achievement of objectives on the national terrain, the reliance on diplomatic interchanges as a contribution to the bargaining process at the international level and the tendency to use supranational institutional actors to foster progress (Twitchett 1976, pp. 1-2; Maull 1990, pp. 92-93). This configuration of civilian power has been subsequently criticized because of the lack of a dimension containing military aspects (Bull 1982), effectively predicting the future development of the EU in this field with the 1999 European Council of Cologne (Manners 2002, p. 237). However, the fact that the EU has started to foresee and to resort to military instruments in order to express its power is not to be intended as a prejudice for its civilian shape (Stavridis 2001; Gotterson 2011, p. 2), although some commentators are not in favour of this opinion (Whitman 1998; Smith K. 2000).

4.4.2.1. The civilian "idealtype"

In line with the last sentence of the previous paragraph, it is here beneficial to clarify the difference between military and civilian power. Both the dimensions are related to the force concretely exercised by the EU in the international arena but their divergence lies in the means used (Manners 2006a).

Accordingly, the EU behave as a civilian power when it operates through economic and diplomatic instruments, furnishing aid to countries in need (Smith K. 2005, p. 1; Krohn 2009, p. 5), as it is the case in the field of democracy support and election observation. Nevertheless, the actual exercise of civilian power is not enough for an entity to be distinguished from a military configuration, because of the fact that an investigation concerning the ends pursued is also required (Smith K. 2005, pp. 1-2). The civilian connotation of a power is seen when its goals are those of fostering international cooperation, of spreading the ideas of equality and justice worldwide and of promoting the strenghtening of the rule of law (Smith K. 2005, p. 3).

An additional requirement for an actor being classified as a civilian power is that civilian objectives need to be followed in order to persuade, rather than coerce, other international actors (Holsti 1995, pp. 125-126; Tocci 2008, pp. 8-11), even though this distinction raises difficulties and concerns because of blurred lines of demarcation (Smith K. 2005, p. 4).

Lastly, civilian power also foresees a high participation of democratic institutions in the process of adoption of decisions concerning foreign policy (Stavridis 2001, p. 9).

Having said this, it is possible to describe a civilian power as an international agent relying upon civilian tools to persuade other agents to follow civilian goals and whose work is inspired by the participation of democratic institutions to the formulation and implementation of policies (Smith K. 2005, p. 5).

4.4.2.2. Civilian vs military power

This "idealtype" (Smith K. 2005) is the exact opposite of the military power, defined as an actor using coercively military instruments in order to achieve military objectives, such as the conquest of foreign territories, with no involvement of bodies guaranteeing the respect of democracy in the logic retained for the elaboration of foreign policies (Smith K. 2005, pp. 5-6).

As idealtypes, these two definitions of civilian and military power are extremely far from reality, above all if one considers that the same international actor can engage in both types of power, depending on what instruments are used and which aims sought. This statement is further validated by the fact that, in critical cases, the use of military devices can embody a strategy of last resort in the defense of civilian power (Stavridis 2001; Gotterson 2011, p. 2).

In view of this precisation and because of the opportunity to use military power when it is considered appropriate, it is possible to conclude that the EU cannot represent an uncontaminated civilian power any more (Krohn 2009 p. 9). However, the actorness exercised by the EU in the field of Election Observation Missions can correspond to an example of civilian power, since it incorporates the distinctive features of this idealtype.

First, the aim to facilitate the promotion of democracy and the respect of human rights and of rule of law through the missions is certainly civilian. Second, the set of devices managed to this end is centred on the provision of aid and assistance after the observation of elections in needy countries, a typically civilian *modus operandi*. Third, the Election Oservation Missions, deployed only after a request of the host country (European Commission 2016, p. 37), are persuasive but certainly not coercive since third actors are not obliged to be submitted to an external force. Fourth, as depicted in details in the next chapter, the area of foreign policy linked to EU EOMs leaves significant room for manoeuvre to the European Parliament, the bulwark of democracy in the framework of the EU.

4.4.3. EU normative power

While the concepts of civilian and military power are linked to the ways in which an actor exerts its role in the international arena (Manners 2002, p. 239), the meaning of normative power refers to something completely different and needs to be carefully explained so as not to be victim of a pitfall. Actually, breaking down the expression and taking the two terms separately, it may be noted that the word normative refers to something that is in compliance with the norms and thus legitimated, while the word power, in its general meaning, is intended to describe the capacity to force others to behave in a certain way (Sjursen 2006a, p. 172). Therefore, the starting point of the discussion about EU normative power will focus on its definition, in order to avoid ambiguities related to its potential internal contradiction.

4.4.3.1. Defining normative power

The word normative can englobe a double meaning, either as associated with the idea of what is positive according to the opinions of the majority of actors in the international arena, or as related to the ordinary path followed in the same scenario (Tocci 2008, pp. 4-5). While the latter interpretation gives little room to less powerful countries or agents to define the *routine* in the international system, the first foresee a greater involvement of the mentioned entities (Tocci 2008, pp. 4-5) and that is why it has been considered as dominant in the works grounded in this field.

Since the 1960s there have been efforts aiming at classifying the concept of normative power, firstly defined as "power over opinion" (Carr 1962, p. 108) and then "ideological power" (Galtung 1973, p. 33). More recently, Ian Manners has defined normative power as "the ability to shape conceptions of 'normal'" (Manners 2002, p. 240) through the reliance upon ideas, values and points of view (Manners 2002; Diez 2005; Tocci 2008). Because of the particular configuration of this power, designed to influence rather than persuade other actors to adopt fundamental normative basis, it has been argued that the term force would have been better suited to describe it (Gotterson 2011, p. 4).

In line with the last definition furnished, a normative power fosters the diffusion of fundamental norms in the international community, a task fulfilled through the use of different methods (Manners 2002, p. 244). First, normative provisions are spread thanks to the simple exchange of ideas, provoking a contamination between different entities active in the international system (Whitehead 1996, p. 6). Second, the starting point of informational confrontations regarding key issues can represent another way of transferring norms from one

actor to another (Manners 2002, p. 244). Third, when a consolidated relationship between two different international actors is institutionalized with an agreement, norms are likely to be diffused in a procedural way (Manners 2002, p. 244). Fourth, the circulation of norms can also be stimulated by activities, such as trade, involving two or more countries (Cremona 1998, pp. 86-90). Fifth, influences for the spread of norms are detectable when there is a stable presence of an international entity on the territory of another actor, for instance in the case of embassies (Manners 2002, p. 245). Lastly, cultural and social factors are likely to represent another powerful determinant in explaining why norms are diffused in the international scenario (Kinnvall 1995, pp. 61-71).

Although all these procedures have been adopted by the EU in its foreign policy (Manners 2002, pp. 244-245), some of them have been preferred in the frame of democracy support[28]. Among these, a relevant role is covered by the activities performed by the EU allowing for the provision of economic support and aid to countries in need, frequently embodying clauses for the respect of human rights and democratic means[29]. Additionally, in the domain of electoral support, the EU relies upon the agreements concluded with third countries hosting an Election Observation Mission, known under the name Memorandums of Understanding (MoUs) (European Commission 2016, p. 37), for the goal to foster the spread of rules concerning respect of democracy and rule of law.

4.4.3.2. The normative "idealtype"

After having defined what normative power means and what the methods applied to favour the spread of norms in the international community are, it is now time to evaluate if the EU can be configured as such a power, bearing in mind its actorness in the specific field of electoral support. The methodology employed for this assessment will be equal to that adopted with regard to civilian power and will therefore focus on the concept of "idealtype" (Smith K. 2005, p. 5).

By drawing mainly on Nathalie Tocci (2008, pp. 4-16), it is possible to indicate three useful criteria for the identification of a normative actor in foreign policy. First, a normative power is different from the others in the sense that it aims at the achievement of normative objectives (Tocci 2008, p. 5), whose correct definition is all but easy because of various border line

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[28] In this respect, democracy, human rights and rule of law are considered, together with peace and liberty, the five normative basis of the EU and therefore these are the norms diffused in the international scenario (Manners 2002, pp. 242-244).

[29] On this matter, see the section '3.3. EU democracy support, protection of human rights and rule of law', in the text of this final dissertation.

cases (Lieven and Hulsman 2006). Normative objectives are defined as "milieu goals" (Wolfers 1962, p. 73), those related to the achievement of values, in opposition to the prosecution of strategic interests, that do not experience changes over time and that are widely recognized (Tocci 2008, pp. 5-7).

Second, a normative power is not identified only for the pursuit of normative ends since the ways undertaken to achieve the mentioned goals embodies a crucial significance. However, this statement does not imply a return to the aforesaid distinction between civilian and military means retained by international actors in the performance of their actorness. Rather, this section will focus on the modalities in which operations are conducted, leaving aside the discussion concerning the means (Tocci 2008, p. 9). In this domain, the distinction between coercion and cooptation (Nye 2004, p. 5) is particularly fruitful in order to identify the latter as the favoured method employed by a normative power, whose action in the international scenario relies upon instruments like persuasion, the promise of benefits and rewards and the recourse to punishments (Holsti 1995, pp. 125-126). Despite the fact that several commentators (Cortright 1997; Dorussen 2001; Smith K. 2003) have tried to better define when a method of action can be considered normative, no agreement has been found and these modalities are commonly described as those grounded within the law (Tocci 2008, p. 10).

Finally, a power is deemed normative if the direct outcomes of its actions are normative (Tocci 2008, p. 11). Even though this criteria may be criticized as extremely consequentialist (Manners 2006c), its added value lies in the contribution to the comprehension of the causal chain referring to the activities of an entity. However, taken alone, it is not sufficient to establish if an actor is a normative power since it could happen that its activities produce normative outcomes while a serious commitment in this direction is absent (Tocci 2008, pp. 11-13).

In light of these requirements, it is possible to state that the EU behaves as a normative power in the field of electoral support and in the performance of Election Observation Missions. Actually, its main goals in this frame, namely promotion of democracy and respect of rule of law and human rights, are certainly enclosed in the category of normative objectives (Tocci 2008, p. 6). Additionally, the compliance and the subordination to the laws are undoubtedly a requirement owned by the EU while performing its Election Observation Missions, as better clarified in the next chapter dealing with the methodology used for the activities of election observation. Lastly, the outcomes of EU operations in this domain are frequently normative

because they aim at the introduction of regulations in the country hosting the electoral process and, consequently, in the international system.

4.4.4. Comibining the two powers

As shown by this discussion, the actorness of the EU in the framework of election observation can be defined as an example of both normative and civilian power. However, before definitively attributing this double configuration to the actorness of the EU, it is worth reviewing the differences between the two types of power exerted by the EU since they seem, at first glance, closely related (Diez 2005, p. 617). To this end, five main points are deemed to be highlighted.

First, while the EU civilian power can be interpreted as a neo-colonial aspiration to foster the development of the world, the notion of EU normative power clearly rejects this possibility (Manners 2006b, p. 175). Second, while the theorizations of the concept of civilian power are frequently engaged with its material, especially economic, instruments, normative power is described with reference to immaterial assets and to its potential of contamination (Gotterson 2011, p. 2). Third, in stark contrast with the final goal of civilian power, directed at the satisfaction of national prerogatives, the EU normative power is located in a "cosmopolitan dimension" (Manners 2006b, p. 176), fostering the diffusion and the respect of principles recognized worldwide (Manners 2002, p. 241). Fourth, when talking about normative power, the international society is considered as unique and all-encompassing, in line with the abovementioned cosmopolitan aspiration (Manners 2006b, p. 176). Conversely, dealing with civilian power, scholars have emphasised a Westphalian connotation of the international system, focusing on the concept of State sovereignty (Duchêne 1971, p. 82). Fifth, while civilian power is commonly perceived as the relationship among agents in the international scenario, the concept of normative power is slightly different since it has been formulated to describe the new features of international relations, modified by the same EU (Manners 2006b, pp. 176-177).

In sum, even though there have been arguments claiming that the concept of normative power, albeit different from that of civilian power, "is already embedded in the latter" (Diez 2005, p. 635), the last part of this chapter has clarified why these two expressions should be retained as distinct. Moreover, the coexistence between different kinds of power in the same international actor does not constitute a stretch, given the fact that the EU has been defined an "ethical power" (Aggestam 2008; Ferreira Nunes 2011) or a "quite superpower" (Moravcsik

2009) because of its peculiar endowment of civilian, normative and military power at the same time (Kohl 2009, pp 16-17). Furthermore, although there have been critics related to the real ownerhsip of a power by the EU because of its apparent unwillingness to pursue real objectives (Keukeleire and MacNaughtan 2008, p. 227), it has been noted that "in addition to civilian or military conceptions, the EU should be considered a normative power" (Manners 2002, p. 253).

4.5. Conclusions

This chapter has finally depicted the specific frame of foreign policy in which EU Election Observation Missions are located, emphasising the publication of the *Communication on EU Election Assistance and Observation* (Commission of the European Communities 2000), intended as a turning point for the evolution of the subject, in line with the theoretical approach of historical newinstitutionalism. It has then shown the distinction between the kindred topics of election observation and electoral assistance and has specified why it makes sense to affirm that the actorness of the European Union, while engaged in the Election Observation Missions, is an example of both civilian and normative powers.

However, although the contribution of this chapter for the continuation of this final dissertation is not enormous, its drawing up has been foreseen in order to distinguish the particular matter of election observation in the context of electoral support and to define the power through which the European Union manages these activities, in line with the premises set in the introductive chapter of this work. While doing this, the chapter has succeeded in proving the worthiness of the choice of the newinstitutional approach to highlight changes in the domain related to elections, clarifying that the adoption of the 2000 *Communication* by the European Commission has represented a crucial step for the successive evolution of the matter.

In sum, once having furnished an appropriate contextualization of the EU EOMs in the domain of EU foreign policy, it is easier to carefully describe the phases of elaboration and implementation of the missions, the central theme of the final dissertation, discussed in the next chapter.

5.   The European Union Election Observation Missions

5.1.   Introduction

This chapter is intended to deeply investigate the crucial phases of elaboration and implementation of EU Election Observation Missions, in line with the basic features of the chosen theoretical approaches of historical newinstitutionalism and political sociology. Because of this reason, the moment related to the elaboration of the missions will be analysed here by focusing on the procedures existing since the adoption of the Lisbon Treaty in order to make easier, in the successive chapter, a comparison with the practices regulating the roles of EOMs designers before the occurrence of the previously mentioned "critical juncture" (Hall and Taylor 1996; Goetz and Meyer-Sahling 2009; Fabbrini 2015). Additionally, the investigation concerning the implementing stage of the EU EOMs will take place by underlining the interactions and links that different EOMs players are supposed to maintain during their period of deployment. In this way, the following empirical analysis concerning the roles performed by individual actors in the missions in Sri Lanka is more likely to highlight which are the relevant EOMs players and if their power may be attributable to the cooperation fostered and/or to their particular experiences.

With these objectives in mind, this chapter will first describe the methodology adopted by the EU during the conduct of its activities and will provide a brief enumeration of the various areas subjected to evaluation by EU civil servants during the observation, in line with the theorization provided by the so-called "Electoral Cycle Approach" (Tuccinardi *et al.* 2008, pp. 15-17; European Commission 2006, pp. 45-46). After the supply of information useful to understand what election observation actually is, the chapter will turn to the substance of this work, through an exhaustive depiction of the elaborating and the implementing stages of the EU EOMs. Finally, in order to offer a complete description of the missions, a brief look will be devoted to the activities implemented by observers during the election day and in the crucial moments following the electoral round, with particular regard to the communication of the main findings of their observation, even though these are not objects of the study in the last chapter.

However, it is the right moment to say that one of the most difficult challenges in writing this chapter has been the almost total absence of academic sources related to the domain of EU election observation and, in particular, to the detailed depiction of the roles of both EOMs designers and EOMs players involved. Accordingly, because of the extremely technical

nature of the issues covered, the drawing up of these pages has been almost entirely inspired by primary sources and mainly by the official documents provided by the EU.

This notwithstanding, thanks to the opportunity to increasingly familiarise with the EU EOMs according to the frames of historical newinstitutionalism and political sociology, this chapter will pave the way for the successive and ultimate investigation dealing with the change of institutional framework upon which the EU EOMs have been entrenched and with the experiences and working interactions (Georgakakis and Weisbein 2010, p. 94) of EOMs players of core team and service provider in the two missions performed in Sri Lanka.

5.2. Observing the elections

As anticipated by the *incipit* of this chapter, this section will cover the general topic of election observation in the way it is tackled by the EU. Before starting with this analysis, a straightforward but not immediate clarification touching the concept of elections is required.

Accordingly, the meaning of election observation, the official noun retained to indicate this matter, is slightly different from that of electoral observation. The distinction between the terms 'electoral' and 'election' pertains to both the semantic and the methodological dimension since, while the first term is intended to refer to a process, emphasising the biggest temporal dimension of the electoral period, the second is more often associated with the effective moment of voting, lasting one or two days (Tuccinardi *et al.* 2008, p. 5). In line with this reasoning, unlike the matter of electoral assistance, a short-term support to the host country seems to be preferred in the field of election observation. Nevertheless, the EU, claiming that "elections are not one-day events" (Commission of the European Communities 2000, p. 6), has specified that the "Electoral Cycle Approach" (Tuccinardi *et al.* 2008, pp. 15-17; European Commission 2006, pp. 45-46) will be applied also to the latter area (European Commission 2016, p. 35), as this chapter will meticulously show.

In sum, the domain of election observation is endowed with a broader meaning with respect to what its concept foreshadows at first glance and that is the reason why this brief explanation has been provided before dealing with the investigation of the phenomenon.

5.2.1. The methodology of election observation

The genesis of the EU involvement in election observation took place in 1993, when it observed the parliamentary elections in Russian federation under the responsibility of the OSCE (Meyer-Resende 2006, p. 2). However, this and the immediately following activities of

election observation held during the 1990s have been widely criticised because of the lack of a clear and all-encompassing methodological plan (Meyer-Resende 2008; Gawrich 2015, p. 124). In response to these comments, at the turn of the century the OSCE, through its Office for Democratic Institutions and Human Rights (ODIHR), proposed the first guidelines to follow in assessing and observing an electoral process (Meyer-Resende 2006, pp. 2-3; Gawrich 2015, p. 137). On the wake of this initiative, the EU decided to adopt the already cited *Communication on EU Election Assistance and Observation* (Commission of the European Communities 2000) in 2000 that represents the point of departure for the investigation of the methodology retained by the EU while observing elections (Meyer-Resende 2006, p. 3).

5.2.1.1.   *The guidelines for electoral observers*

As explained in the next section, the methodological approach adopted by the EU for the observation of elections encapsulates all the relevant steps of an electoral process along the lines of a standardized model that covers the function to avoid sectarian evaluations by EOMs players (European Commission 2016, pp. 34-36). Nevertheless, a special and deeper look is dedicated to the voting phase (Council of the European Union 1998, pp. 4-5), occuring throughout the election day(s), during which observers are deployed in groups of two and are committed to go to the polling stations in order to supervise the correct completion of the operations (European Commission 2016, p. 36).

Moreover, the observers deployed to host countries to observe electoral processes must obey to a *Code of Conduct* (Commission of the European Communities 2000), incorporated as an annex by the *Communication* of the 2000, according to which they are banned from reporting inaccurate or weakly confirmed information and are forced to behave in a neutral, integral and autonomous fashion (Council of the European Union 1998, pp. 2-3). The substantial autonomy of individual actors observing the electoral processes is echoed by the fact that they are not bound by the mandate of other European bodies (like the EEAS or the European Commission) present in the country or to which they belong since the missions observing elections are endowed with a separate authority, notwithstanding a close collaboration with these entities is guaranteed (European Commission 2016, p. 37). Furthermore, they are obliged to comply with the laws of the host country (Council of the European Union 1998, p. 2).

Lastly, EU observers, as will be shown in the last section of this chapter, have the opportunity and the duty to show findings related to their works (Commission of the European Communities 2000, p. 7) by means of introductory statements, diffused in the aftermath of the voting process, and through a concluding report, covering all the relevant aspects of the observed electoral process, that is drafted within sixty days after the announcement of the electoral results (European Commission 2016, p. 38).

5.2.1.2. *Coordination with other international observers*

As already emphasised in this work[30], the need of coordination with other international observers, in addition to the demanded cooperation among EU institutional actors involved in election observation (Commission of the European Communities 2000, p. 8), is an expression of a precise methodological commitment of the EU. Accordingly, the European Commission, the EP and the EEAS have worked, together with a great deal of IOs, NGOs and other relevant actors, to institutionalize a comprehensive set of guidelines regulating the international discipline of election observation (European Commission 2016, p. 23), by resorting to the idea of liberal democracy through an assimilation of the concepts of rule of law and human rights (Meyer-Resende 2006, p. 3). The fact that the methodology developed to universally manage election observation refers to liberal democracy is consistent with the choice of connecting the concepts of human rights, democracy and rule of law, made in the chapter dealing with EU foreign policy and democracy support[31].

Moreover, the efforts of this profusion of international actors have resulted in the adoption, in 2005, of the *Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers* (European Commission 2016, p. 23) that, among other things, points out the goal to progressively achieve synergies among different international bodies in the process of election observation (United Nations 2005). In line with this objective, the EU has fostered the creation of a unique approach to the matter and is strongly seeking to enhance the exchange of information with other actors (European Commission 2016, p. 23), passing from simple coordination to real cooperation.

Additionally, the EU has been really active in the process of making also citizens capable of observing elections in third countries since it firmly believes that this involvement can positively contribute to increasing the transparency and thus the credibility of the procedures

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[30] On this point, see the paragraph '4.2. EU electoral support' in the present final dissertation.
[31] On this matter, see the paragraph '3.3. EU democracy support, protection of human rights and rule of law'.

(European Commission 2016, p. 24). To attain this goal, the EU has been one of the promoters of the 2012 *Declaration of Global Principles for Nonpartisan Election Observation and Monitoring by Citizen Organizations* (Tuccinardi and Balme 2013) that contains a series of standards determining the competences and the accountability of citizen observers (United Nations 2012). However, although after the endorsement of the *Declaration* the EU is part of the Global Network of Domestic Election Monitors (GNDEM), a structure whose *modus operandi* is based on the continuous transfer of information (Tuccinardi and Balme 2013, pp. 94-95), it relies exclusively upon its own evaluations in the presentation of the findings (European Commission 2016, p. 24).

5.2.2. The stages observed

As already stated in the introduction to this section dealing with the topic of election observation, the elections should not be confused with the single moment of voting. In line with this statement, the cyclical nature of the electoral process has been highlighted through its split in three successive moments covering also the phase preceding and that following the electoral period (Tuccinardi *et al*. 2008, p. 17). This systematization of the topic results from the formulation of the "Electoral Cycle Approach" (Tuccinardi *et al*. 2008 pp. 15-17; European Commission 2006, pp. 45-46), a useful device for the comprehension of this multifaceted process.

The mentioned approach, as clearly depicted by the figure in the next page, has also foreseen a further distinction of the electoral cycle in eight subsequent stages (European Commission 2016, p. 39), each deserving its description. Before starting with this analysis, it is worth noting the never-ending conformation of the electoral process, bearing in mind the fact that the period immediately after the elections is doomed to merge with the first moments of the new electoral round thus causing a restart of the cycle (European Commission 2006, p. 120; Tuccinardi *et al.* 2008, p. 18).

According to the figure, the period prior to the opening of the ballot boxes includes the most conspicuous number of areas to be assessed since it is characterized by the succession of five different stages. First, the investigation of the legal framework is not only confined to the constitutional or legislative provisions since it englobes also an assessment of the electoral system adopted by the third country (International Institute for Democracy and Electoral Assistance 2008) and of its Election Management Body (EMB) (European Commission 2006,

pp. 74-80) in order to detect eventual distortions like gerrymandering[32] or the lack of independence of EMBs (Van Aaken and Chambers 2009, pp. 560-565; European Commission 2016, pp. 46-50). Second, the stage concerning planning and implementation typically deals with the procurement by the host country of required materials for the correct carrying out of the electoral process and is therefore more related to electoral assistance than to election observation (European Commission 2006, pp. 82-83). Consequently, the role of the observers is limited to a simple assessment of the procedures employed (Tuccinardi *et al.* 2008, p. 17).

Figure 1. <u>The Electoral Cycle Approach</u>

Source: Tuccinardi D., Guerin P., Bargiacchi F., Maguire L. (2008). *Focus On ... Effective Electoral Assistance*. ACE Electoral Knowledge Network (Eds.), p.17.

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[32] The term gerrymandering is intended to refer to an unfair delimitation of electoral districts in order to allow certain individuals or parties to take advantage with respect to the other candidates (Sauer 1918, p. 404).

Third, the step of voter education and civic information, complemented by training activities to which electoral officials are submitted in order to develop the skills required for the position to cover during the electoral rounds (European Commission 2006, pp. 88-89), foresees an evaluation of the operations conducted by national governments and EMBs since the overall responsibility for the spread of knowledge and for the capacity-bulding falls within the competences of these actors (European Commission 2016, pp. 53-54). Fourth, the examination of the issues concerning the registration of voters, candidates and political parties considers the fairness of the procedures employed and the presence of eventual flaws or mistakes in the process (European Commission 2006, p. 106; European Commission 2016, pp. 60-67). Fifth, the phase of electoral campaign is painstakingly monitored by observers in order to assess the compliance with the rules and the presence of frauds or gimmicks in the retrieval of funds with a particular focus on the allocation of statal resources (European Commission 2006, p. 109; European Commission 2016, pp. 73-74).

Moreover, the voting period depicted in the above figure is characterized by the presence of two moments, investigated also in the following sections. First, the voting operations, constituting the "culminating stage of every electoral process" (European Commission 2006, p. 112), are strictly monitored by observers, endowed with the task to assess the regularity and the trasparency of the operations also with regard to the immediately following moment of counting of votes (European Commission 2006; European Commission 2016, pp. 107-114). Second, the verification of the results, during which observers assess if the EMBs have specified in advance the procedures retained for the activities regarding the tabulation and the publishing of outcomes (European Commission 2016, p. 118) and if there is the possibility for stakeholders to question the legality of results through filling complaints to the competent authorities (European Commission 2006; European Commission 2016, pp. 118-119)

The electoral cycle ends with the post-electoral moment that is frequently considered as an "in between elections period" (European Commission 2006, p. 120). However, by analogy with the stage of planning and implementation, in this period the weight of observation is rather limited since EU observers have the only duty of monitoring the situation in the host country (European Commission 2016, pp. 119-120). Nevertheless, the importance of this stage should not be underestimated since it could contribute to the accumulation of knowledge on that specific country in view of a future observation concerning the next electoral round.

In sum, noting that all the investigated stages can be extremely sensitive in the cases of countries that have recently experienced a conflict within their borders (European

Commission 2006, pp. 71-122), election observation is a crucial activity throughout all the electoral cycle even though it is effectively performed on the territory of the host country for a limited amount of time (European Commission 2016, pp. 39-120), as explained in the section dealing with the deployment of EU observers.

After having clarified the methodology adopted and the issue areas investigated in the specific domain of election observation, it is finally time to start with the study of the EU EOMs, intended as the missions conducted by the EU after the methodological turn brought about in 2000 (European External Actions Service 2017, p. 13) and performed without the concurring involvement of the OSCE. To this end, the following sections will firstly deal with the embryonic phase for the establishment of an EU EOM and, then, with the effective fulfillment of the missions.

5.3. The elaboration of an EU Election Observation Mission

By referring to the premises made in the introductory part of this work, the study of the EU EOMs will be divided in the phases of elaboration and of implementation because of the different research questions and in light of the involvement of different types of actors. Accordingly, while in the moment of elaboration of missions there is the preeminence of EOMs designers, the successive step will focus on the EOMs players that are endowed with specific functions in the performance of the missions. Therefore, this section, while examining the European institutional actors, will describe the procedures leading to the establishment of the EU EOMs after the adoption of the Lisbon Treaty.

Before starting with this investigation, a brief description of other three types of electoral missions conducted by the EU is required in order to avoid confusion in defining an EU EOM. First, the EU deploys Election Assessment Teams (EATs), consisting of a low number of experts, in countries where the feasibility to develop an EU EOM is threatened (European Commission 2016, p. 126; European External Action Service 2017a, p. 15). Second, when there is the need to evaluate particular aspects in an electoral process, the EU relies upon two or three experts sent to a given country in an Election Expert Mission (EEM) (Ronceray 2017, p. 4; European External Action Service 2017a, p. 15). Third, in order to estimate the application of the recommendations of an EU EOM, the EU often resorts to Election Follow-up Missions (EFMs) (Meilán and Tuccinardi 2015, p. 79; European External Action Service 2017a, p. 55). With these clarifications in mind, it is time to approach the analysis of the EU EOMs.

5.3.1. The choice of observing an election

Given that the phase of elaboration of an EU EOM is strictly dependent upon the initial decision to observe an electoral process in a given country, it is worth clarifying from the outset the EOMs designers that have decision-making power in this domain. Accordingly, an EU EOM is elaborated after a decision of the High Representative[33] that, in his/her judgment, has to take into consideration the recommendations provided by an Exploratory Mission (ExM) headed by the EEAS on the territory of the country in question (European Commission 2016, p. 121). However, as shown below, the recommendations of the ExM are not the only preconditions preceding the final decision of the High Representative.

5.3.1.1. The selection of countries with priority

The EEAS, in particular through its Democracy and Election Division, is in charge of selecting, through the reliance upon a series of indicators including political concerns and budgetary assessments, countries in which the deployment of an EU EOM is overriding with respect to others (European Commission 2016, p. 121). In performing this activity, aiming at producing an agenda of the forthcoming elections (European Commission 2016, p. 121), the EEAS is assisted by EU Member States gathered in the Political and Security Committee and can consult the European Parliament (European External Action Service 2017a, pp. 20-21). However, the final decision on the priority list is taken by the High Representative (European Commission 2016, p. 122).

The EU has demonstrated its willingness to consider countries in which presidential or parliamentary elections are held as those deserving to be put on the list (European Commission 2016, p. 122). Apart from this, the identification of countries in which the performance of an EU EOM is a priority is dependent upon the presence of the following elements: the possibile amelioration of the electoral process, the opportunity to consolidate EU activities supporting democracy in that country, the receipt of an invitation by the host country, the commitment to develop a significant political initiative or to foster a democratic transition in that country (European Commission 2016, p. 122). These conditions are complemented by those established by the mentioned Decision adopted by the Council in 1998 and referring to the opportunity for electoral observers to be tempestively accredited

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[33] The decision to initiate the procedures bringing to the establishment of an EU EOM does not imply that the credibility or the regularity of an electoral process is undermined and, vice versa, the refusal to conduct a mission does not constitute a evidence of the correct functioning of an electoral process (European Commission 2016, p. 121)

(European Commission 2016, p. 125) and to safely move throughout the country (Commission of the European Communities 2000) in order to meet potential useful interlocutors during their period of deployment (Council of the European Union 1998).

In cases of identification of problems hampering the fulfillment of these basic requirements, the High Representative may decide not to install an EU EOM or, if these conditions were not met any more during an already deployed mission, to suspend the activities because of unexpected lack of feasibility (European Commission 2016, p. 125).

Lastly, the identification of priority countries is purposeful for the optimization of resources needed to conduct an Election Observation Mission (European Commission 2016, p. 122), such as those coming from the already depicted EIDHR[34], that has financed more than sixty operations in the last decade, spending a total amount of fifteen million euros (European External Action Service 2017a, p. 59)

5.3.1.2. The Exploratory Mission

Following the selection of priority countries, the EU, after a request made by the host country to observe, sets up an ExM in charge of evaluating if an eventual EU EOM would respect the criteria of utility, advisability and viability (European Commission 2016, p. 122; Gya 2010, p. 20), already explained in the section dealing with election observation and electoral assistance[35]. These Exploratory Missions, conducted for about ten days in the pre-electoral period, envisage the involvement of six individual actors, two of which working in the EEAS, one belonging to the FPI of the European Commission and the remaining three recruited among experts in the fields of elections, logistics and security (European Commission 2016, p. 123). These individuals, massively helped by the EU delegation present in that country (European External Action Service 2017a), have the duty to undertake several conversations with officials that cover significant roles in the electoral process in order to assess the feasibility of the future mission (European Commission 2016, pp. 123-124).

At the end of the ExM, the group of six people has to disclose its opinions concerning the predicted incisiveness of an EU EOM in the country under investigation (Darnolf 2011, p. 377) and, therefore, through a report it transfers its conclusions to the European bodies and

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[34] Concerning the EIDHR, see the paragraph '3.3. EU democracy support, protection of human rights and rule of law', in the text of this final dissertation.
[35] See the paragraph '4.3. Election observation vs. electoral assistance' in the text of the present final dissertation.

formulates a recommendation in which suggestions about particular issue areas are provided[36] (European Commission 2016, p. 124). The recipient of the report and the recommendation is the High Representative, the person in charge of deciding for the implementation of the mission, but also Member States and the European Parliament can assess the findings contained in the report of the Exploratory Mission (European Commission 2016, p. 124; European External Action Service 2017a, p. 18).

5.3.2. The procedures followed to install a mission

Once the HR decides for the deployment of an EU EOM, there are different steps to be followed by the various EOMs designers in order to allow the effective establishment of a mission. However, it is worth reminding that, although this section will mention the procedures of nomination of EOMs players, the broader explanation of their roles will take place in the following paragraphs because of their participation in the implementing stage of the missions.

5.3.2.1. *The signature of the Memorandums of Understanding and terms of reference*

The first operation to accomplish after the decision to establish a mission is the signature, by the host country's electoral authorities and the EU, of the Memorandums of Understanding that contains their reciprocal responsibilities in guaranteeing the correct functioning of the electoral process (European Commission 2016, pp. 124-127). While during the 1990s the European actor endowed with the power of negotiation in this frame was the European Commission (Olsen 1998, p. 354), following the entry into force of the Lisbon Treaty it has been replaced in the performance of this activity by the EU delegation in the country hosting the elections (European Commission 2016, p. 127).

The second activity to perform is the formulation, on the basis of the findings diffused by the Exploratory Mission, of the terms of reference, whose function is that of paving the way for structuring the EU EOM (European Commission 2016, p. 127). The EOMs designers with the task of providing the terms of reference, to be agreed upon by the host country (Council of the European Union 1998, pp. 1-2), are the EEAS and the European Commission's FPI (European Commission 2016, p. 127; European External Actione Service 2017, pp. 18-19).

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[36] Among the data furnished, the Exploratory Mission is useful to estimate the number of observers needed for the future EU EOM, to understand the possible weaknesses to face in the electoral process and to provide a first evaluation of security concerns (European Commission 2016, pp. 122-124).

Terms of reference are set for two different aims, the first dealing with the role of experts and observers and with a call for application for the prestigious position of Deputy Chief Observer (DCO) and the second referring to the service provider (SP), the entity responsible for backing the mission in administrative and security matters, with particular regard to the definition of its length and of the plan of deployment (European Commission 2016, p. 127).

5.3.2.2.   Selecting the participants to the mission

The third stage to install a mission embodies the designation of the individual actors to be deployed (European Commission 2016, p. 128). These appointments foresee the concurrent participation of different EOMs designers, as shown in details by the explanation below.

First, in line with the text of the *Declaration by the High Representative on political accountability* (Koutrakos 2017, p. 48), the designation of the CO, made by the High Representative, takes place after the expression of an opinion by the European Parliament (European Commission 2016, p. 129). The CO, generally a Member of the European Parliament, has to remain in contact with the High Representative and his/her staff troughout all the phases of the missions and, in some cases, of the electoral process to guarantee the consistency of the operations[37] (European Commission 2016, p. 129).

Second, the DCO, the head of the core team, is recruited by the Director of the Foreign Policy Instrument, following a consultation with the EEAS, among three people that have passed a preliminary selection of all the potential candidates registered into the EU Election Observer Roster (European Commission 2016, p. 128; European External Action Service 2017a, p. 19). The jury nominating shortlisted candidates is composed by one member of the EEAS and two belonging to the FPI (European Commission 2016, p. 128).

Third, members of the core team are selected by the FPI (European External Action Service 2017a, p. 19) in a way that could ensure gender equity and an equilibrium between different degrees of experience (European Commission 2016, p. 128). Notwithstanding the presence of a standard model for the configuration of the various core teams[38], there could be circumstances in which it is preferable to rely on specific experts or to foresee, particularly in

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[37] Before the adoption of the Lisbon Treaty, such consistency was ensured by close connections among the Chief Observer, the Presidency of the EU, the delegation of the European Commission in the country hosting the elections and the European Parliament (Commission of the European Communities 2000, p. 22).

[38] Accordingly, the core team, headed by the Deputy Chief Observer, normally includes the following functions that will be later investigated: political analyst, legal analyst, election analyst, human rights analyst, observer coordinator, data analyst, media analyst and press officer (European Commission 2016, p. 126).

missions involving a high number of observers, the appointment of additional members (European Commission 2016, p. 126).

Fourth, the service provider, a role that can be covered by NGOs, private enterprises or other international entities, is selected by the European Commission's FPI (European External Action Service 2017a, p. 19) on the basis of a choice, carried out among various alternatives, taking into duly consideration the specific conditions existing in the country hosting the electoral process (European Commission 2016, pp. 127-128).

Fifth, observers, further separated as either of long-term or short-term[39] (European External Action Service 2017a, p. 15), are appointed by a jury composed of members of both the FPI and the EEAS in accordance with the same requirements considered in the case of the core team, namely those of gender equity and of different levels of experience (European Commission 2016, p. 128). However, candidates selected by the FPI and the EEAS are already shortlisted, among those who submitted an application, by the Focal Points of the various Member States (European External Action Service 2017a, p. 21)

In order to allow the EEAS and the FPI to select core team members, LTOs and STOs, specific criteria have been defined by a Decision of the Council adopted in 1999 and concerning *EU Guidelines on Common Criteria for the Selection of Electoral Observers* (European Commission 2016, p. 129). Given the different significance of these functions in the performance of the missions, stricter requirements are envisaged for the selection of core team members while observers can be recruited also among people without experience in the sector (Council of the European Union 1999c, pp. 1-2).

However, in cases of particular missions to be deployed, there could be the recourse to supplementary criteria for the selection of observers and core team members, such as their previous contact with risky living conditions, the prior performance of work in contexts where there has been a lack of reassurances concerning the security of the people or the participation in training courses specifically focused on security issues (European Commission 2016, p. 130). According to the cases, these requirements can be integrated with an exhaustive proficiency regarding the political situation of the country hosting the electoral rounds, with accurate knowledge of the official language of that country and with adequate physical conditions (Council of the European Union 1999c, p. 2).

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[39] For the distinction between LTOs and STOs see the paragraph '5.4.1. The EOMs players deployed on the territory', included in the following section of the present final dissertation.
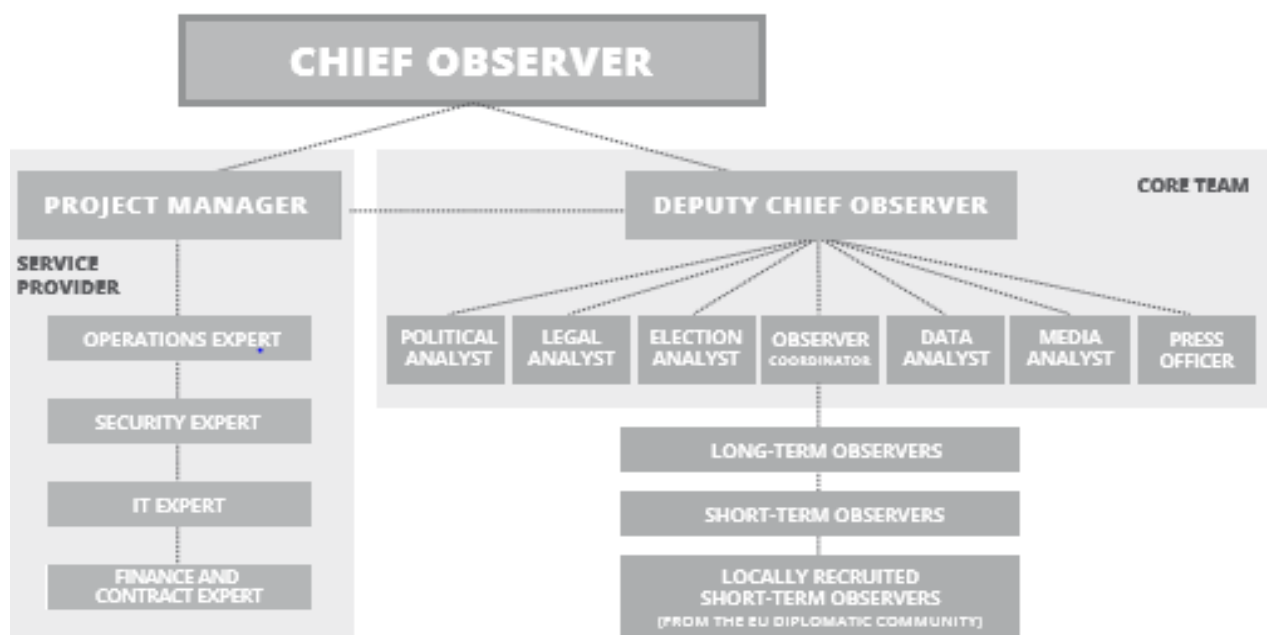
5.4. The implementation of an EU Election Observation Mission

Having provided all the information regarding the first phase of an EU EOM, it is now the moment to investigate its implementing stage. Accordingly, this section will firstly introduce the functions covered by the various EOMs players deployed in a third country by emphasising their working connections, in accordance with the chosen approach of political sociology, and will then turn to the depiction of the means used to observe the electoral process. During this section, particular emphasis will be devoted on the members of the core team and of the service provider, while 'simple observers' will be only briefly introduced since their connections and experiences are not investigated in the following chapter.

5.4.1. The EOMs players deployed on the territory

By analogy with what has been done for the European institutions operating in the domain of foreign policy, a brief introduction of the EOMs players involved in the EU EOMs is required. As summarized by the figure below, with the exception of the prominent role covered by the Chief Observer, the other individual actors can be regrouped in different categories depending on their functions (European Commission 2016, p. 126). For this reason, the following investigation will proceed by consequently looking at the various groups.

Figure 2. The architecture of EU EOMs

Source: European Commission (2016). *Handbook for European Union Election Observation*, 3rd edition. Publication Office of the European Union, p. 126.

5.4.1.1.   The Chief Observer

In the implementing phase of an EU EOM the most relevant role is covered by the Chief Observer, who is reponsible for the conduct of all the operations and in charge of ensuring the development of the activities in accordance with the international provisions regulating election observation, with the methodological guidelines elaborated by the EU, and with the Memorandums of Understanding signed with the host country (European Commission 2016, p. 143). He/she also has the duty to coordinate the observers with the EP delegation (Gawrich 2015, p. 130) and to represent the mission in the external contacts with media and officials of the country hosting the elections (European Commission 2016, p. 144).

Additionally, although his/her presence in the territory of the mission is often limited to the crucial moments because of the charges deriving from the original function as member of the European Parliament (European External Action Service 2017a, p. 20), the CO must guarantee that all the conclusions of observers and experts are grounded in verifiable data and, moreover, is in charge of assessing the work of the core team (European Commission 2016, p. 144), after having supervised the process of evaluation of the observers (Commission of the European Community 2000, p. 21).

Lastly, the person performing as Chief Observer must be consulted in cases of decisions or actions concerning security issues (European Commission 2016, p. 144), even though the overall responsibility on this matter pertains to the European Commission's FPI (European External Action Service 2017a, p. 19). As will be shown in the final section of this chapter, the CO must return to the third country after the electoral process because of the presentation of the concluding report (European Commission 2016, p. 144).

5.4.1.2.   The functions in the core team

The core team, led by the Deputy Chief Observer, is generally composed by eight experts[40] that are briefed by the EEAS and the European Commission before their departure, usually planned about fifty days before the voting day, and that are in turn responsible for discussing with the observers about the development of their activities during the course of the mission (European Commission 2016, pp. 144-145; European External Action Service 2017a, p. 37).

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[40] As previously said, it could happen that the composition of the core team of an EU EOM is slightly divergent from the provided model. On this topic, see the paragraph '5.3.2. The procedures followed to install a mission'.

In this group, the most notable figure is the Deputy Chief Observer, the "principal political and technical advisor" (European Commission 2016, p. 145) of the Chief Observer, that is empowered with the task of coordinating all the aspects of an EU EOM (Willi 2011, p. 43), in particular the discussion of security concerns with the project manager, and that of assuring its complete adherence to the arrangements formulated in the Memorandums of Understanding (European Commission 2016, p. 145). Furthermore, he/she is in charge of daily guiding and monitoring the activities performed by members of the core team in order to then assess their conduct together with the Chief Observer (Commission of the European Communities 2000, p. 21; European Commission 2016, p. 145). In addition, the DCO accompanies the CO in the country hosting the elections for the transmission of the concluding report (European Commission 2016, p. 146).

Besides the DCO, the core team relies upon the work of other experts such as an election analyst, covering a relevant role especially during the election day since it is responsible for maintaining the contacts with the Election Management Body of the host country and other significant entities (European Commission 2016, p. 146) and for assessing their impartiality (Willi 2011, p. 43). Moreover, a mission commonly envisages the participation of a legal analyst, in charge of estimating the legitimacy of the legal framework, in light of the international provisions regulating elections, and of controlling the relations with the judiciary bodies of the host country (European Commission 2016, p. 146). In addition, he/she has the duty to investigate eventual complaints regarding the electoral process and to refer his/her opinions on that matter to the CO (Willi 2011, p. 43). These two functions perform their activities in close cooperation with each other (European Commission 2016, p. 146)

An Election Observation Mission normally also includes a human rights analyst, a political analyst and a media analyst. The first, working in close cooperation with the media analyst (European Commission 2016, p. 147) has to assess the respect of human rights and fundamental freedoms in the host country (Willi 2011, p. 43) with particular regard to discriminated groups and is therefore the guarantor of the contacts with civil society organizations (CSOs) active on the territory[41] (European Commission 2016, pp. 146-147). The second is the function that needs to become acquainted with the political development of the country hosting the elections (Willi 2011, p. 43) and, since it monitors the activities of political parties and their electoral campaigns, is responsible for interacting with candidates

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[41] When an EU EOM does not foresee the presence of a human rights analyst, its role is covered by the legal analyst (European Commission 2016, p. 147).

and political factions (European Commission 2016, p. 147). In the performance of its functions, the political analyst frequently collaborates with the legal and the election analyst (European Commission 2016, p. 147). Conversely, the media analyst, working in combination with political, legal and election analysts and through the help of a Media Monitoring Unit (Nicholl 2007, pp. 61-62; European Commission 2016, p. 147), is empowered to supervise the activities of local media during the electoral process and to communicate with local agencies and CSOs while monitoring the fairness and impartiality of media (European Commission 2016, p. 147).

Furthermore, in the core team of an EU EOM there are a press officer and an observer coordinator. The first individual actor covers the function of ensuring the visibility of the mission and maintain relationships with national and international stakeholders (European Commission 2010; Willi 2011, p. 43). He/she is endowed with the task of preparing press releases in conjunction with the CO, the DCO and the EEAS and, in some cases, is allowed to pronounce public statements on behalf of the entire mission (European Commission 2016, pp. 147-148). The second, as readily noted, is the supervisor and the director of the work of long-term and short-term observers (Willi 2011, p. 43), in charge of preparing the deployment plan of a mission with the DCO and of appraising the observers, again paired with the DCO (European Commission 2016, p. 148). During the performance of its functions, the observer coordinator works in cooperation with all the other members of the core team (European Commission, p. 148). Lastly, EU EOMs foresee the presence of a data analyst whose function is significant since it promotes the development of statistical information, useful for an *ex-post* analysis of the electoral process, on the basis of the observations collected on the ground thanks to the help furnished by the election analyst (European Commission 2016, p. 148).

5.4.1.3. *The composition of the service provider*

The service provider of an Election Observation Mission relies upon the work of five experts, even though its composition may vary according to the circumstances faced in the country hosting the elections (European Commission 2016, p. 126).

The leading figure of the SP is certainly the project manager, the supervisor of the operations of his/her team, who must plan the administration of all the concerns related to the EU EOMs, not excluded security or financial checks (European Commission 2016, p. 149). In line with this broad task, the role of the project manager is also that of furnishing all the logistical guarantees in order to ensure that the core team and the observers, once arrived in the country,

have the immediate possibility to start working (Commission of the European Communities 2000; European Commission 2016, p. 149). Because of this preparatory work, the project manager, and the entire service provider, must be on the soil of the country hosting the elections about two months before the election day (European Commission 2016, p. 133).

Moreover, in performing its duties, the project manager, that maintains regular contacts with the DCO and the legal analyst, is backed by an operation expert and a security expert (European Commission 2016, p. 149). The former is responsible, together with the observer coordinator, of the implementation of all the basic conditions allowing for an effective deployment of the observers and, additionally, of the closing phase of the EU EOM, during which it has the duty to transfer the filed material to the European Commission (European Commission 2016, p. 149; European External Action Service 2017a). The latter, since in charge of taking care of the personal security of EU observers, is in steady contact with the police authorities of the country hosting the elections in order to provide the best possible security plans (European Commission 2016, pp. 149-150). The person covering this function, in the conduct of his/her work, must be in close contact with CO, DCO, project manager and, on pressing occasions, with the FPI (European Commission 2016, p. 150) that, as already affirmed when describing the role of the Chief Observer, has the "duty of care for all mission members" (European External Action Service 2017a, p. 19).

Furthermore, the remaining two members belonging to the service provider are the informational technology (IT) expert and the finance and contract expert that constitute its support branch by performing the mentioned activities with a specific focus, together with the data and the media analysts, on the new forms of communication put in place or on financial issues underlying the appointment of observers (European Commission 2016, p. 130). However, between the two functions, that of the IT expert has been considered more in recent years because of the growing significance of technologies in the field of election observation (Schuler 2008).

5.4.1.4. The other actors

Other relevant actors involved in the implementing stage of the EU Election Observation Missions are the long-term and short-term observers, the delegation of the European Parliament and the observers contracted *in loco*. Nevertheless, their depiction is here provided only for reasons of completeness since they will not be investigated in the next chapter.

The long-term observers, belonging to the first category of 'simple spectators' deployed to an Election Observation Mission, are recruited to perform a series of functions that, together with the length of their work, allow their distinction from the short-term observers since they hold responsibility for the dislocation of STOs and for the supervision of their operations (European Commission 2016, pp. 150-151). Moreover, in analogy with the discipline provided by other international organizations active in the field of election observation (Organization for Security and Co-Operation in Europe 2007 p. 2), the LTOs work in a given geographical area of the host country in groups of two people, drawn in a way that could ensure a balance in terms of gender, age and experience (European Commission 2016, p. 152), that are physically on the soil of the host country from more than one month before the election day to nearly fifteen days after the closure of the polls (Commission of the European Communities 2000, p. 6). During this period, LTOs are main interlocutors of regional actors of the host county (European Commission 2016, p. 152).

Short-term observers are located in a position of subordination with respect to the LTOs, since the latter EOMs players provide them detailed information about their tasks and then decide for their deployment into specific territorial and electoral districts in a given area (European Commission 2016, pp. 153-158) where they have to assess that no violations occur in the crucial stages of voting and counting (European External Action Service 2017a, p. 15). By analogy with the LTOs, the STOs work in pairs and the criteria for the composition of the groups are identical to those listed above, while their permanence on the territory of the country hosting the elections is limited to about ten days starting from one week before the election day (European Commission 2016, p. 158). During this limited period, STOs are asked to become acquainted with the area in which they are assigned and to duly report their findings in the regional meetings with the LTOs, in turn in charge of referring the issues to the observer coordinator (European Commission 2016, pp. 150-161).

The delegation of the European Parliament, generally consisting of seven politicians working under the supervision of the EU EOM, is allowed to observe elections in a third country by the Conference of the Presidents of the EP (European Commission 2016, p. 163) and its operations must be conducted in compliance with the *Code of Conduct for International Election Observers* (Gawrich 2015, p. 129). In addition, the delegations, showing similarities with the short-term observers even though their members may be defined as political observers rather than technical ones (Gawrich 2015, p. 124), are sent to the host country for a period of about one week and the plans concerning the dislocation of politicians and the

activities to accomplish are provided by the Election Observation Mission (European Commission 2016, p. 163). Although the delegations of the European Parliament, due to their limited presence in third countries, are unable to discover violations of rules throughout all the electoral cycle (Bjornlund 2004, p. 129), their added value derives from the huge publicity and visibility conferred to the whole EU EOM, in light of the political resonance generally owned by MEPs (European Commission 2016, p. 163).

National observers are instead selected, among people not involved in the electoral competition, by the service provider with the specific task to help the observers and the members of the core team in matters of difficult comprehension, whether for political, linguistical or logistical reasons (European Commission 2016, p. 164). In accordance with the various needs, national observers can be assigned to different positions, being employed as assistants or translators for core team members, LTOs or STOs, as security officials or as drivers during the whole mission or even for a limited timeframe (Organization for Security and Co-Operation in Europe 2010, pp. 47-48; European Commission 2016, p. 164).

5.4.2. Assessing the voting operations

Once familiarised with the EOMs players deployed to the country hosting an Election Observation Mission and having specified the relationships they maintain, it is convenient to clarify in which ways they monitor the procedures and the activities performed during the voting period since it embodies the most crucial stage in the whole process, as already stated in the first part of this chapter dealing with the "Electoral Cycle Approach" (Tuccinardi *et al.* 2008, pp. 15-17; European Commission 2006, pp. 45-46). Although these assessments are primarily conducted by EOMs players that have not been analysed in the next chapter, this step envisages significant tasks also for members of the core team and the service provider, in charge of supervising the correct development of the operations.

In this domain, the guidelines set by the EU are not dissimilar from those adopted by the OSCE and, therefore, the handbooks of both the international organizations will be considered as optimal sources in the drafting of this section.

5.4.2.1. *Observing voting and counting procedures*

The day of the elections, LTOs, STOs, MEPs and national observers are in charge of inspecting the various polling stations in order to evaluate the compliance with the established procedures regulating the electoral process (European Commission 2016, pp. 165-166). To

this end, it is necessary to have a high degree of coordination between different teams so that each group of observers arrives at a given polling station in time to analyse the opening of the gates in order to monitor if there are hurdles for the effective development of the operations (Organization for Security and Co-Operation in Europe 2010, p. 71; European Commission 2016, pp. 166-172). Following this step, EU observers must remain in that polling station for more than thirty minutes and can then go to another polling place thus being able to visit an average of ten districts during the whole day (European Commission 2016, pp. 166-167).

Once in the last polling station, EU observers have to wait to the end of voting operations to assess the respect of the rules and to find out potential violations before investigating the counting phase that can also take place in an *ad hoc* centre (Organization for Security and Co-Operation in Europe 2010, pp. 79-81; European Commission 2016, p. 174-176). However, the official results certified in each polling station, or directly into the mentioned centre, are then registered in a protocol whose draft allows EU observers to control their quality and accuracy (Organization for Security and Co-Operation in Europe 2010, p. 80; European Commission 2016, p. 176).

The protocols are afterwards transferred to a unique centre in order to be classified in the stage of tabulation, during which the observation of EU civil servants is required since there may be mistakes or breaches of the rules in reporting data (Organization for Security and Co-Operation in Europe 2010, p. 82; European Commission 2016, p. 177). However, given the widespread reliance of the tabulation process on electronic sotfwares, EU observers are frequently forced to ask electoral authorities to be included in the restricted group of people who have the faculty to supervise these operations (European Commission 2016, p. 177).

All these activities conducted by the aforesaid EOMs players are coordinated by the service provider and the core team of the mission in order to avoid an overload of observers in certain polling stations and a loophole into others and, at the same time, to guarantee that evaluations concerning the development of the operations are not arising from only one group of observers but from a comprehensive understanding, grounded on the sum of numerous independent assessments (European Commission 2016, p.166).

5.4.2.2. *Recording and transferring the information*

During the observation of these processes, EOMs players can count on dedicated forms, available for each group of observers, so that they can guide and standardize their assessments thus making the final analysis of the results easier, notwithstanding the presence of white

sections that observers can fill in with other relevant reflections (Organization for Security and Co-Operation in Europe, p. 75; European Commission 2016, p. 167). The forms are prepared by core team members, under the responsibility of election and data analysts, in order to be suitable for the analysis of that given electoral round (European Commission 2016, pp. 167-168). In critical circumstances, EU observers may need to tempestively draft a "flash report" (European Commission 2016, p. 167) to explain a problem to the core team of the mission or, if necessary, to EU institutional actors (European Commission 2016, p. 167).

Once completed, forms are to be sent to the nerve centre of the EU EOM in modalities that may vary from exchange of e-mails to programmed meetings in person depending on the presence of electronic devices and on the availability of a stable and trustworthy internet connection (European Commission 2016, p. 169). The gathering of these forms into one centre is the essential condition allowing for their comparison and analysis through a database (Organization for Security and Co-Operation in Europe 2010, p. 84) closely monitored by the data analyst who can address specific worries and questions of the core team (European Commission 2016, p. 177).

The analysis of the forms compiled by the observers is useful for the core team to understand if there have been violations of the procedures and, in case of positive response to this question, if these alleged violations have occurred only in given moments of the electoral process or if they have been limited to defined geographical areas (Organization for Security and Co-Operation in Europe 2010, pp. 84-85; European Commission 2016, p. 178). However, the statistical conclusions are not only confined to substantial matters but take also into account procedural issues in order to evaluate potential shortcomings in the whole electoral process (European Commission 2016, p. 178).

5.4.2.3. *Communication of the findings*

The final step of all the Election Observation Missions is that concerning the spread of the main findings, a moment that always enhances the visibility of the missions and propose plans for the development of the political situation in a third country, in accordance with the EU involvement in the broader framework of democracy support and protection of human rights (Commission of the European Communities 2000; European Commission 2016). The drafting of the conclusions of a mission is a complex exercise that must be performed in a careful and accurate manner by drawing only on reliable sources detected by EU observers and without forgetting the need of being as pithy as possible and of strictly adhering to the instructions

furnished by the EEAS (European Commission 2016, p. 179), in line with the discipline established also by the OSCE for the reporting phase of its missions of election observation (Organization for Security and Co-Operation in Europe).

In addition to the abovementioned "flash reports" (European Commission 2016, p. 167) and to the "interim statements" (Commission of the European Communities 2000, p. 7), temporary communications periodically drafted to make European bodies and Member States aware of the functioning of the operations (European Commission 2016, p. 180), the EU publishes two documents that provide a synthesis of the main findings and of the activities conducted during the mission.

First, the "preliminary statement" (Commission of the European Communities 2000, p. 7; European Commission 2016, p. 181), usually released within two days after the closing of the ballot boxes, is a provisional document since it generally does not provide a full-scale assessment of the whole process (European Commission 2016, p. 181). However, by analogy with the documents drafted by the OSCE in its electoral missions (Organization for Security and Co-Operation in Europe 2010, pp. 85-86), it is useful to immediately clarify the compliance or noncompliance of the electoral round with the series of regulations governing the matter (European Commission 2016, p. 181). Lastly, the statement, drafted by the DCO under the supervision of the EEAS Democracy and Election Observation Division, is presented at a press conference in the host country and is then published on the website of the mission (European Commission 2016, pp. 181-182).

Second, within the limit of sixty days from the end of the elections, the EU EOM is bound to issue a "final report" (European Commission 2016, p. 182), a public note whose objectives spur an all-encompassing evaluation of the electoral process observed (European External Action Service 2017a, p. 16), the improvement of the next electoral cycle and the contribution to single out matters deserving a special post-electoral assistance (European Commission 2016, p. 183). This document, written thanks to the involvement of the same actors responsible for drafting the "preliminary statement" (Commission of the European Communities 2000, p. 7), is presented by the Chief Observer and the Deputy Chief Observer in a special press release organized after their return in the country that hosted the electoral process (European Commission 2016, p. 184).

Given that the most significant part of the concluding report foresees the presence of recommendations for the amelioration of the electoral process in the country, a concrete focus

during the press release is devoted to the practical explanation regarding how the host country is expected to move in order to positively implement the proposed recommendations (European External Action Service 2017a). The high significance of recommendations as the outcome of EU Election Observation Missions is exemplified by the recent efforts of the EU to better regulate this frame, culminating in the publication of the *Best practices for follow-up to EU Election Observation Mission* (European External Action Service 2017a).

5.5.   Conclusions

In sum, this chapter has dealt exhaustively with the EU Election Observation Missions, starting with a clarification concerning the methodology retained by the EU for the performance of these activities. After this introductory section, EU EOMs have been described in detail by emphasising in particular the procedures followed by EOMs designers involved in the phase of elaboration according to the frame shaped by the adoption of the Lisbon Treaty. The chapter has also analysed the roles of different EOMs players deployed to the host countries to observe elections, focusing in particular on the functions of members of the core team and of the service provider, paying attention to the professional relations they are expected to maintain. The brief presentation of EOMs players, coupled with the second chapter's description of bodies active in the field of EU foreign policy, is an essential precondition to start with the empirical analysis of roles of institutional and individual actors during the different stages of the missions. Finally, the chapter has briefly run through the operations conducted to assess the procedures and to communicate the findings in order to exhaust the depiction of the missions and to highlight the supervisory functions conducted by members of the service provider and of the core team in these crucial moments.

Having said this, it is the moment to abandon the theoric part of this final dissertation by giving the floor to the real investigation involving both the roles of EOMs designers before and after the adoption of the Lisbon Treaty and the power of EOMs players in the two missions held in Sri Lanka.

6. Investigating the roles of institutional and individual actors in the European Union Election Observation Missions

6.1. Introduction

Through the mentioned techniques of document analysis, social network analysis and semistructured interviews, this chapter has the objective to verify or falsify the hypotheses stated in the introductory chapter of this final dissertation and grounded into the theoretical approaches of historical newinstitutionalism and political sociology. Accordingly, the principal aims of this chapter are that of assessing if the novelties introduced by the Lisbon Treaty have affected the roles of EOMs designers in the elaborating phase of the Election Observation Missions and if the cooperative working connections among EOMs players deployed to the missions in Sri Lanka and/or their previous experiences have influenced their power during the performance of those specific missions.

In light of these goals, this chapter will start by briefly describing the political situation of the country hosting the missions chosen as the case to investigate during this thesis in order to define the electoral atmosphere in Sri Lanka. It will then focus on the document analysis, emphasising the differences introduced by the Lisbon Treaty with respect to the previous normative framework regarding the phase of elaboration of missions or the roles of EOMs designers involved. This investigation is further backed by the interviews, submitted to EOMs players belonging to the core teams of both the missions in Sri Lanka, during which they have been asked to evaluate if the Lisbon Treaty has brought changes in the ways Election Observation Missions have been and still are elaborated.

Subsequently, the chapter will turn to the process of verification of the second research question of this work by performing the social network analysis with the help of semistructured interviews submitted to EOMs players participating in both the 2005 and the 2015 missions in Sri Lanka. In this way, the indicators built to identify the significance of EOMs players in relation to their position within the core team or the service provider of the mission (*centrality*) or to their potential to reach external interlocutors (*brokerage*) can be validated by the concrete reference to the cooperative professional connections maintained by individual actors in the mentioned EU EOMs. Furthermore, interviews have also been useful to test the second causal relationship envisaged by the second hypothesis, namely the influence of past experiences on the roles exercised by EOMs players.

Lastly, the chapter will end by providing a summary of the findings and by assessing the verification or falsification of the hypotheses, leaving the discussion concerning the contribution of these findings for the whole subject to the following and last chapter.

6.2. The political context of Sri Lanka

Sri Lanka is a country located in the Indian ocean that became independent from the United Kingdom in 1948 (De Silva K. 1981, pp. 489-490). Since its emergence on the international arena, it has experienced several modifications that have shaped its legal framework, currently defined by a Constitution adopted in 1978 (Wilson 1980). This document has established a Parliament based on only one chamber and has institutionalized the figure of a President endowed with several competences (European Union 2005b, p.12), thus allowing to label Sri Lanka's form of government as a semi-presidential one (Elgie 1999).

However, the adoption of the Constitution has not been able to reconcile the separation between the Sinhalese majority and the Tamil minority, the two ethnic groups in which the population is divided because of linguistic and religious reasons (Tambiah 1986, pp. 4-5). Therefore, in 1983 there was the starting point of an enduring civil war fought by the Sinhalese government and the rebel group of Liberation Tigers of Tamil Ealam (LTTE or Tamil Tigers) (Rotberg 2010) that lasted until 2009, when the insurgents were defeated (Ministry of Defense of Sri Lanka 2009).

This brief introduction concerning the evolution of the political and social situation in Sri Lanka is useful to understand the two electoral rounds that have been observed by the European Union, emphasising the distinctive features of both the processes.

6.2.1. The 2005 presidential elections

The first mission deployed by the EU in Sri Lanka was particularly tricky since, as mentioned above, a civil war was still ongoing in that country. However, the presence of the conflict was not the only concern of EU and national observers[42] in that time since other factors contributed to make the political climate tense before the election day, in spite of the establishment, after the seventeenth constitutional amendment in 2001, of an independent commission for the administration of electoral issues and the publication of specific guidelines aiming at regulating the electoral process (European Union 2005b, pp. 13-15).

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[42] In addition to the EU, other two organizations headquartered in Sri Lanka, namely the Centre for Monitoring Election Violence (CMEV) and the People's Action for Free and Fair Elections (PAFFREL), were accredited by the government of Sri Lanka to observe the electoral round (European Union 2005b, p. 3).

Concerning the political sphere, the 2001 parliamentary elections certified the victory of the United Nation Party (UNP) and the defeat of the Sri Lanka Freedom Party (SLFP), to which the then President, Chandrika Bandaranaike Kumaratunga, belonged (Goodhand *et. al* 2005, p. 7). Because of this outcome, a period of political *cohabitation* was inaugurated and lasted until 2004, when the Parliament was dissolved thus making the third round of elections in the last four years necessary (European Union 2005b, p. 9). Nevertheless, this electoral process produced unpredicted results since the expression of popular support for smaller parties like the People's Liberation Front (JVP) allowed for their participation to the government, although their basic thoughts were incompatible with the views of the President (Goodhand *et. al* 2005, pp. 38-39). Therefore, the JVP decided to abandon the governing coalition in 2005, thus leaving the country with a minority government in the period preceding the presidential elections (European Union 2005b, p. 11).

In this overheated atmosphere, the EU performed well since clashes were limited in number with respect to previous years and were noticed only in geographical regions where Tamil Tigers were present (European Union 2005a, p. 1). However, the electoral process that saw the appointment of Mahinda Rajapakse as new President was characterized by several drawbacks, such as the improper use of public resources by the candidates during the electoral campaign, the low reliability of voting registers and the high politicization of the media system (European Union 2005b).

6.2.2. The 2015 parliamentary elections

During the ten years between the two electoral rounds, the depicted legal framework was partially modified by the introduction of two significant novelties. First, in 2013 the Registration of Electors Act was approved to substitute the namesake act drafted in the early 1980 and to install particular procedures concerning the modalities according to which internally displaced people were allowed to go to the ballot boxes (European Union 2015b, p. 27). Second, the nineteenth amendment of the Constitution, approved in 2015, drastically reduced the powers of the President that were increased by the preceding constitutional amendment that came into force in 2010 (De Silva C. 2016). According to the new provisions, the President cannot dissolve the Parliament, whose term was reduced to five years just like that of the President, unless there are less than six months before new elections (European Union 2015b, p. 9).

Moreover, the 2015 parliamentary elections were crucial because of a political reason since they immediately followed the presidential electoral round that brought to the appointment of the New Democratic Front (NDF) candidate, Maithripala Sirisena, that marked the end of ten years-government of President Rajapaksa (DeVotta 2016, p. 152). After his settlement, President Sirisena became the spokesperson of SLFP but he asked the leader of the opposing party, the UNP, to form a minority government that was not put in the perfect conditions to rule (European Union 2015b, p. 6). Therefore, the President, being afraid of a no-confidence motion, dissolved the Parliament by calling for new elections, extremely important in testing the support for the new deal of Sirisena (DeVotta 2016, p. 160).

Notwithstanding the delicate political situation, the second EU Election Observation Mission in Sri Lanka was deployed and the electoral process revealed itself as the "the most peaceful and most efficiently conducted" (European Union 2015b, p. 1) in the country's recent history because violence was almost eliminated (DeVotta 2016, p. 159). Nonetheless, the problems noticed in the 2005 elections were not solved and, actually, there was no legal provision regulating the modalities to perform the electoral campaign and the position of domestic observers[43] in the country (European Union 2015a, pp. 1-2).

In sum, the legal and political background of the two missions was quite similar, albeit the presence of differences related to innovations in the institutional framework in the period from 2005 to 2015 and to peculiarities concerning specific dynamics underpinning each electoral process. Moreover, despite the first support provided by the EU and the virtuous traditions of the country[44], the problems individuated in the second mission resembled those of the previous one (European Union 2005a; European Union 2015a) and this produces another point of continuity between the two Election Observation Missions. Because of these reasons, it makes sense to compare the role of EOMs players during these missions, since differences related to external factors are small.

6.3. Assessing the impact of the Lisbon Treaty

Once described the political situation of the country hosting the EU EOMs chosen as the case study for the test of the second research question, it is time to deal with the investigation of

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[43] During this electoral round, apart from the mentioned CMEV and PAFFREL, other national organizations were invited to observe the elections: Campaign for Free and Fair Elections (CaFFE), Transparency International Sri Lanka (TISL) and the National Pool Observation Centre (NPOC) (European Union 2015b, p. 28).

[44] Sri Lanka has always been among the leading Asian countries for democratic development since it was the first country of the area to adopt the universal suffrage (Jupp 1968) and the first in the world to elect a woman as Prime Minister in 1960 (DeVotta 2002, p. 88).

the first hypothesis formulated in the introductive chapter of this final dissertation and located within the theoretical frame of historical newinstitutionalism: *the more the number of changes in the institutional framework, the more the differences in the roles performed by EOMs designers in the phase of elaboration of EU Election Observation Missions*. The process of verification/falsification of the above hypothesis has been performed, as outlined in the second chapter, through the technique of document analysis, consisting in this case in a comparison between different normative provisions contained in the treaties (Bowen 2009, p. 27 ss.). In accordance with this statement, given that in the previous chapters the Lisbon Treaty has been defined as the fourth "critical juncture" (Hall and Taylor 1996; Goetz and Meyer-Sahling 2009; Fabbrini 2015) in the development process of EU foreign policy and since it has profoundly modified the activities of institutional actors in dealing with these issues (Wessels and Bopp 2008), the document analysis has investigated the dispositions established by this Treaty that has modified the previous normative references defined in Maastricht. The Amsterdam Treaty has not been considered in this analysis since the novelties it introduced were mainly related to the field of security and defence (Anderson 2000), to whom EU Election Observation Missions surely does not belong.

With these premises in mind, it is the right moment to begin the analysis of the changes brought about by the Lisbon Treaty on the roles of institutional actors. Once provided all the relevant information, the focus of this section will shift to other potentially contributing factors in the process of verification of the hypothesis. Lastly, a summary of the conclusions deriving from this investigation will follow.

6.3.1. Comparing the normative provisions

In addition to the previously mentioned commitments of the EU in the field of democracy, human rights and rule of law[45] that embody *de facto* a new version of the plegdes already expressed in Maastricht through the goal "to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms" (European Communities 1992, art. J.1), relevant provisions have been installed by the Lisbon Treaty in order to modify the roles of institutional actors in the conduct of foreign policy (Wessels and Bopp 2008). Assessing these differences before noting if these apply to the field of EU Election Observation Missions is the purpose of this section.

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[45] On this matter, see the paragraph '3.3.1. The legal basis' in the text of this final dissertation.

As already anticipated in this work, the most impressive novelty of the Lisbon Treaty in this domain is the creation of a new institutional figure, the High Representative (Koutrakos 2017), whose tasks and particular collocation are described by the following provisions.

> *The High Representative shall conduct the Union's common foreign and security policy [...] which he shall carry out as mandated by the Council. [...]. The High Representative shall preside over the Foreign Affairs Council [...] shall be one of the Vice-Presidents of the Commission [...] shall ensure the consistency of the Union's external action [...].* (European Union 2008, art. 18 TEU).

> *The High Representative [...] shall ensure implementation of the decisions adopted by the European Council and the Council [...] shall represent the Union for matters relating to the common foreign and security policy [...] shall be assisted by a European External Action Service [...].* (European Union 2008, art. 27 TEU).

Conversely, according to the Maastricht Treaty, the institutional actor that represented the Union in the CFSP was the Presidency (of the Council) (European Comunities 1992, art. J.5), while the European Council and the Council already performed relevant roles in the adoption of decisions (European Communities 1992, art. J.8). In line with the text of the previous excerpts, the High Representative has also effectively substituted the former Commissioner for the External Relations in representing the European Commission outside the Union (Wessels and Bopp 2008, p. 19), a statement further validated by the incorporation of the old Directorate General of the European Commission for External Relations in the newly born EEAS (Vanhoonacker and Reslow 2010).

Moreover, apart from the EEAS, other bodies directly linked to the figure of the High Representative have been introduced by the Lisbon Treaty to administrate the complex domain of EU foreign policy, as summarised by the disposition below.

> *Union delegations in third countries and at international organisations shall represent the Union [...] shall be placed under the authority of the High Representative of the Union for Foreign Affairs and Security Policy. They shall act in close cooperation with Member States' diplomatic and consular missions.* (European Union 2008, art. 221 TFEU).

Since the tasks of the EU delegations are practically identical to those assigned to the delegations of the European Commission by the Maastricht Treaty (European Communities 1992, art. J.6), it is possible to argue that the new delegations have replaced the old offices of the European Commission in third countries (Wouters and Duquet 2011, p. 7).

Furthermore, the High Representative, while being the President of the Foreign Affairs Council (Koutrakos 2017, p. 35), is closely linked to the Council and to its Political and Security Committee in the conduct of its tasks related to the foreign policy arena (Wessels and Bopp 2008, p. 21), as outlined by the following provisions of the Lisbon Treaty.

> *[...] When the European Council or the Council has defined a common approach of the Union [...] the High Representative of the Union for Foreign Affairs and Security Policy and the Ministers for Foreign Affairs of the Member States shall coordinate their activities within the Council [...].* (European Union 2008, art. 32 TEU).

> *[...] a Political and Security Committee shall monitor the international situation in the areas covered by the common foreign and security policy and contribute to the definition of policies by delivering opinions to the Council at the request of the Council or of the High Representative [...] It shall also monitor the implementation of agreed policies, without prejudice to the powers of the High Representative [...]* (European Union 2008, art. 38 TEU).

The reported excerpts are not dissimilar from the normative dispositions of the Maastricht Treaty, except for the reference to specific institutional actors that in 1992 did not exist. Accordingly, the need for coordination between the various bodies involved in EU foreign policy was already stated at that time (European Communities 1992, art. J.6) and the role of the Political Committee, the predecessor of the PSC (Juncos and Reynolds C. 2007, pp. 127-128), was the same depicted above, as demonstrated by the article below.

> *[...] a Political Committee [...] shall monitor the international situation in the areas covered by common foreign and security policy and contribute to the definition of policies by delivering opinions to the Council at the request of the Council or on its own initiative. It shall also monitor the implementation of agreed policies, without prejudice to the responsibility of the Presidency and the Commission.* (European Communities 1992, art. J.8).

Once having clarified how the Lisbon Treaty has modified the roles of the Council and of the PSC after the establishment of the new High Representative, it is time to look at other institutional actors whose tasks have been partially revised, namely the European Commission and the European Parliament. Concerning the first mentioned actor, the following articles clearly demarcates its competences in the field of foreign policy.

> *[...] The Union shall ensure consistency between the different areas of its external action and between these and its other policies. The Council and the Commission, assisted by the High Representative of the Union for Foreign Affairs and Security Policy, shall ensure that consistency and shall cooperate to that effect.* (European Union 2008, art. 21 TEU)

On the basis of the principles and objectives set out in Article 21 [...] the High Representative of the Union for Foreign Affairs and Security Policy, for the area of common foreign and security policy, and the Commission, for other areas of external action, may submit joint proposals to the Council. (European Union 2008, art. 22 TEU).

As depicted above, the European Commission is in charge of ensuring consistency in EU external action, a task previously performed only by the Council (European Communities 1992, art. J.8). Additionally, it seems evident that the European Commission is now endowed with the opportunity to propose actions to the Council in the fields related to external action but its actorness in the pressing matter of CFSP has been drastically reduced (Wessels and Bopp 2008, p. 17) with respect to the period in which it was "fully associated with the work carried out" (European Communities 1992, art. J.9).

Regarding the European Parliament, whose substantial noninvolvement in the frame of foreign policy has already been highlighted during this work[46], two provisions of the Lisbon Treaty need to be taken into account to define its role.

The High Representative of the Union for Foreign Affairs and Security Policy shall regularly consult the European Parliament on the main aspects and the basic choices of the common foreign and security policy and [...] inform it of how those policies evolve. He shall ensure that the views of the European Parliament are duly taken into consideration [...]. The European Parliament may ask questions of the Council or make recommendations to it and to the High Representative [...]. Twice a year it shall hold a debate on progress in implementing common foreign and security policy [...]. (European Union 2008, art. 36 TEU).

[...] The Council shall adopt a decision establishing the specific procedures for guaranteeing rapid access to appropriations in the Union budget for urgent financing of initiatives in the framework of the common foreign and security policy[...]. It shall act after consulting the European Parliament [...]. (European Union 2008, art. 41 TEU).

By comparing the text of these articles with the normative disposition of the Maastricht Treaty regulating the role of the EP in foreign policy, as demonstrated by the following excerpt, it can be argued that, apart from the contacts with the newly established High Representative and the right to be heard on matters related to the allocation of funds in this domain (Wessels and Bopp 2008, pp. 12-14), it has not experienced relevant variations.

The Presidency shall consult the European Parliament on the main aspects and the basic choices of the common foreign and security policy and shall ensure that the views

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[46] On the role of the European Parliament in foreign policy, see the paragraph '3.2.2. The institutional actors involved' in the text of this final dissertation.

of the European Parliament are duly taken into consideration. The European Parliament shall be kept regularly informed by the Presidency and the Commission of the development of the Union's foreign and security policy. The European Parliament may ask questions of the Council or make recommendations to it. It shall hold an annual debate on progress in implementing the common foreign and security policy. (European Communities 1992, art. J.7).

Lastly, the Lisbon Treaty has enhanced the powers and the competences of the European Council and its President in dealing with foreign policy issues (Wessels and Bopp 2008, p. 18; Koutrakos 2017, pp.32-34). Nevertheless, the marginality of this institutional actor to the phase of elaboration of EU Election Observation Missions renders the reference to the changes of its functions brought about by the Lisbon Treaty useless.

6.3.2. Additional relevant factors

The aforementioned modifications to the roles of institutional actors in the frame of foreign policy need now be applied to the particular field of the EU Election Observation Missions. To this end, in order to understand if the adoption of the Lisbon Treaty has actually affected the functions covered by EOMs designers, two issues must be raised.

First, through a transversal reading of the recently published *Handbook for European Union Election Observation* (European Commission 2016) and of its previous drafts, occurred respectively in 2002 (European Commission 2002) and 2008 (European Commission 2008), it is possible to ascertain the absence of significant modifications in the elaborating phase of the EU Election Observation Missions. Rather, a sort of turnover in the key positions is detectable since before the adoption of the LT the EOMs designer in charge of deciding for the establishment of a mission and for the appointment of the Chief Observer was the Commissioner for External Relations (European Commission 2008, pp. 92-97), replaced by the High Representative in the current setting (European Commission 2015, p. 121-128). Similarly, the Directorates of the European Commission have been substituted by the EEAS Democracy and Election Division in the procedures of consultation for the selection of countries with priorities (European Commission 2008; European Commission 2015) and the delegation of the Union is the entity signing the Memorandums of Understanding, an activity for which the European Commission was competent before the entry into force of the LT (European Commission 2008; European Commission 2015). Lastly, the almost identical structure of the last two published handbooks constitutes more evidence concerning the absence of relevant changes introduced by the Lisbon Treaty (European Commission 2008; European Commission 2015).

Second, as inferred by the description of the elaborating phase of EU Election Observation Missions[47], a prominent role in this policy field is currently performed by the Foreign Policy Instrument of the European Commission, responsible, together with the EEAS, for the conduct of the exploratory mission, for the setting of the terms of reference and for the appointment of EOMs players active in the implementing phase of the missions (European Commission 2015, pp. 123-128). Nevertheless, despite the fact that the mentioned activities were managed before by other services of the same EOMs designer (European Commission 2008, pp. 94-97), in the text of the Lisbon Treaty there is no reference to the FPI, since this department was subsequently created to manage "public diplomacy and election observation" (Duke 2013, p. 5). Therefore, given that the establishment of one of the new key EOMs designers was not envisaged by the LT, it seems arduous to demonstrate that this normative framework has deeply affected the stage of elaboration of EU Election Observation Missions.

6.3.3. Summary of the findings

In sum, although the novelties brought about by the Lisbon Treaty and its connotation as "critical juncture" (Hall and Taylor 1996; Goetz and Meyer-Sahling 2009; Fabbrini 2015) for the foreign policy of the European Union are indisputable, the document analysis has shown that this normative framework has not introduced relevant modifications to the management of the bargaining process to establish an Election Observation Mission. Accordingly, it seems plausible to state that the Lisbon Treaty has changed the 'nicknames' of EOMs designers rather than their functions. Moreover, the installation of the Foreign Policy Instrument, albeit a consequence of the entry into force of the LT because of the establishment of the EEAS (Helwig *et al.* 2013), has been promoted in the 2010s thus reducing the weight of the normative framework in the attribution of new functions to EOMs designers.

These conclusions are further validated by the answers of three interviewed EOMs players participating to the deployment of the mentioned EU EOMs in Sri Lanka who, when asked to evaluate if the adoption of the LT has affected the framework of the missions or the roles of EOMs designers in the elaborating moment, have undoubtedly replied (Interview 1; Interview 3) or were inclined to answer (Interview 2) negatively[48]. Therefore, given the absence of interviewed people supporting the view according to which the Lisbon Treaty has actually

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[47] On this matter, see the section '5.3. The elaboration of an EU Election Observation Mission', in the present final dissertation.

[48] Conversely, interviewed EOMs players have argued that the Lisbon Treaty has introduced novelties in the implementing stage of the missions because of changes related to the use of technologies and means of communication (Interview 1; Interview 3), thus validating the assumed link between the selected theoretical approaches, as stated in the second chapter of this final dissertation.

affected the roles of EOMs designers[49] and in light of the performed document analysis, the hypothesis predicting that *the more the number of changes in the institutional framework, the more the differences in the roles performed by EOMs designers in the phase of elaboration of EU Election Observation Missions* is falsified. Rather, it can be argued that "modifications constantly affect the elaborating phase of EU Election Observation Missions as part of a gradual process of improvement, regardless of the entry into force of new normative bases" (Interview 1).

6.4. Evaluating the power of EOMs players

This section is devoted to test the second hypothesis of the present final dissertation, grounded into the theoretical framework of political sociology and already formulated during this work: *the more the cooperative working connections of one individual actor with other EOMs players during the implementing stage of EU Election Observation Missions and/or the more his/her previous experiences in this field, the more powerful his/her role during the missions.* The process of verification/falsification of the above reported hypothesis has been conducted through the reliance upon the techniques of social network analysis and semistructured interviews submitted to EOMs players participating to the missions in Sri Lanka in 2005 and in 2015. Since this "empirical statement" (Johnson and Reynolds H. 2012, p. 109) is composed of two related but different independent variables, the discussion concerning its validity is articulated in different sections, according to the plan below.

The first part of the section will investigate the professional connections (*capital*) among EOMs players of core team and service provider during the missions in Sri Lanka. To this end, an index related to the expected power of individual actors will be constructed through the indicators of centrality and brokerage (De Nooy *et al.* 2005, p. 131; Mérand *et. al* 2011, p. 128) on the basis of the relationships predicted by the *Handbooks* (European Commission 2002; European Commission 2016) and will then be tested by looking at the *cooperative* working ties through the help of the interviews. If the results are not those envisaged by the *Handbook* and if EOMs players experience high levels of power (*habitus*) because of their proven cooperation, it may be concluded that the first causal relationship is validated.

Subsequently, semistructured interviews will be presented also for their contribution in testing the other relationship between variables that is present in the second hypothesis. Accordingly,

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[49] The fourth EOMs player interviewed decided not to answer these questions since he has never been involved in EU Election Observation Missions before the adoption of the Lisbon Treaty (Interview 4).

interviewed people have been requested to identify the presence/absence of a connection between the experiences or skills accumulated during previous missions in the domain of EU election observation and the power of EOMs players in the implementing stage of the missions in Sri Lanka. At the end of this demonstration, this section will terminate with a brief recap related to the issues raised.

6.4.1. Building the indicators

As anticipated in the preceding paragraph, the power of EOMs players, defined as *the capacity to influence the behavior of other actors* (Guzzini 2005, p. 505), can be expressed according to two indicators measuring levels of centrality or brokerage (De Nooy *et al.* 2005, p. 131). Both the measures are relevant in defining the power of EOMs players since the first describes the number of interactions *within* the core team and the service provider of the missions while the second shows the number of exclusive connections individual actors maintain with relevant stakeholders of the host country or with other mission members that without their presence would be unattainable (Mérand *et al.* 2011, pp. 128-129).

Accordingly, defining the expected levels of centrality and brokerage of EOMs players during Election Observation Missions on the basis of the professional ties they are supposed to maintain with each other is an essential precondition in order to develop the analysis regarding the *cooperative* working connections in the missions in Sri Lanka. In line with this reasoning, the two tables below summarise the power that, according to the new *Handbook* (European Commission 2016) and to its older version (European Commission 2002), EOMs players are endowed with in the performance of the missions. Values from one to five have been chosen to refer to increasing degrees of power, going from 'minimum' to 'maximum' and including 'slight', 'moderate' and 'high' as middle-range options.

Concerning the levels of centrality, high values of the scale have been assigned to almost all the EOMs players since their frequent working connections are envisaged by the *Handbooks* (European Commission 2002, pp. 29-33; European Commission 2016, pp. 143-150). However, given the pivotal positions occupied by the Chief Observer, the Deputy Chief Observer and the project manager, these functions, together with that of the press officer, recipient of information from the whole mission since he/she is in charge of guaranteeing its external visibility (European Commission 2016, p. 148), have received the highest rank of the scale. Nevertheless, a lower score has been attributed to the IT expert and the finance and contract expert of the service provider since their connections with the other members of the

mission are limited to the management of their specific tasks (European Commission 2016, p. 130).

Table 1. <u>Expected level of centrality of EOMs players in core team and service provider</u>

EOMs player	Level of centrality	EOMs player	Level of centrality
Chief Observer	5	Observer coordinator	4
Deputy Chief Observer	5	Data analyst	4
Election analyst	4	Project manager	5
Legal analyst	4	Operations expert	4
Human rights analyst	4	Security expert	4
Political analyst	4	IT expert	3
Media analyst	4	Finance and contract	3
Press officer	5	Expert	

Source: Mérand F., Hofmann S., Irondelle B. (2011). Governance and state power: a network analysis of European security. *JCMS: Journal of Common Market Studies*, 49(1), p. 130 (Revisited).

Conversely, the grades of brokerage, although relying upon the same typology of scale, present divergences if compared with those referring to centrality in the above table. Accordingly, apart from the EOMs players covering leading roles in the missions, whose presence is essential in the contact with relevant national and international stakeholders and with all the other mission members (European Commission 2016, pp. 143-144), also the observer coordinator, in charge of supervising the work of LTOs and STOs (European Commission 2016, p. 148), has been assigned the highest possible value. Moreover, in addition to the marginal members of the service provider, a 'moderate' level of brokerage has been attributed to data analyst and human rights analyst since their 'external links' with other actors of the mission are limited (European Commission 2016, pp. 147-148).

Table 2. <u>Expected level of brokerage of EOMs players in core team and service provider</u>

EOMs player	Level of brokerage	EOMs players	Level of brokerage
Chief Observer	5	Observer coordinator	5
Deputy Chief Observer	5	Data analyst	3
Election analyst	4	Project manager	5
Legal analyst	4	Operations expert	4
Human rights analyst	3	Security expert	4
Political analyst	4	IT expert	3
Media analyst	4	Finance and contract	3
Press officer	5	expert	

Source: Mérand F., Hofmann S., Irondelle B. (2011). Governance and state power: a network analysis of European security. *JCMS: Journal of Common Market Studies*, 49(1), p. 131 (Revisited).

As clearly shown by the above tables, none of the EOMs players of core team and service provider has been assigned a low level of centrality or brokerage. This outcome is not a

coincidence, bearing in mind the numerous working ties among core team and service provider members and the fact that they "are all essential since they cover very important roles and the absence of any of them would have a negative impact on the ability to deliver (our) mandate" (Interview 4).

Having defined the expected levels of centrality and brokerage of EOMs players, it follows that individual actors endowed with the highest scores on both the scales are expected to be more powerful during the EU Election Observation Missions. This assumption is now tested by referring to the *cooperative* working ties of EOMs players involved in the missions in Sri Lanka, as outlined in the following section.

### 6.4.2. The relevance of cooperative working ties

Before starting with the investigation of the working connections that EOMs players have maintained in a cooperative fashion during the EU Election Observation Missions in Sri Lanka in 2005 and 2015, it is important to note that cooperation, as stated into the chapter dealing with the presentation of the research design, is here intended as *"the intensive exchange of important information and joint work"* (Mérand *et al.* 2011, p. 127) *among different EOMs players*. Moreover, readers need to be informed that, due to the limited amount of time and in light of the difficulties found in reaching EOMs players that have participated in the mentioned missions as members of the core team or the service provider, this work relies only upon the contributions of four individual actors, two involved in the first mission and the other two deployed to the second. Because of this reason, the social network analysis related to the cooperation of EOMs players in the implementing stage of the missions in Sri Lanka cannot claim to build a reliable model since more interviews would have been necessary for this purpose. Nonetheless, in spite of this shortcoming, the social network analysis has been able to investigate if high degrees of cooperation correspond to elevate levels of power in the mentioned missions.

As briefly anticipated in the chapter presenting the research methods, these four individual actors have been requested, after having defined their power and their cooperation according to a growing scale going from one to five, to indicate three cooperative and three powerful functions with whom they have worked during the mission and to assign a value on the same scale to the power or cooperation they showed. In addition, they have also been asked to identify key functions in connecting different or separated parts of the network and to attribute them a value from one to five related to their 'gatekeeping power' (De Nooy *et al.*

2005, p. 151). Through the answers to these questions, it has been possible to establish if cooperative EOMs players were also powerful ones according to the indicators of centrality and brokerage. Moreover, in line with precise methodological suggestions, questions related to cooperation have always followed those related to power in order to avoid problems of causal influence in the answers of respondents (Strack 1992, p. 24).

Concerning the mission observing the 2005 Sri Lankan presidential elections, the EOMs players interviewed performed the functions of media analyst and press officer[50] and observer coordinator. According to their answers to the mentioned questions, the individual actors showing higher levels of cooperation during the missions, depicted by the figure below, were not necessarily those considered as more powerful. This statement relies upon the fact that, while service provider's operation expert (Interview 2) and IT expert (Interview 1) have been named as cooperative functions, they have not been listed among the powerful individual actors. Conversely, as predicted by the previously introduced indicator of centrality, EOMs players endowed with the *highest capacities to influence the behaviour of others* were the Chief Observer and the Deputy Chief Observer (Interview 1; Interview 2).

Figure 3. <u>Cooperation among EOMs players in the 2005 mission in Sri Lanka</u>
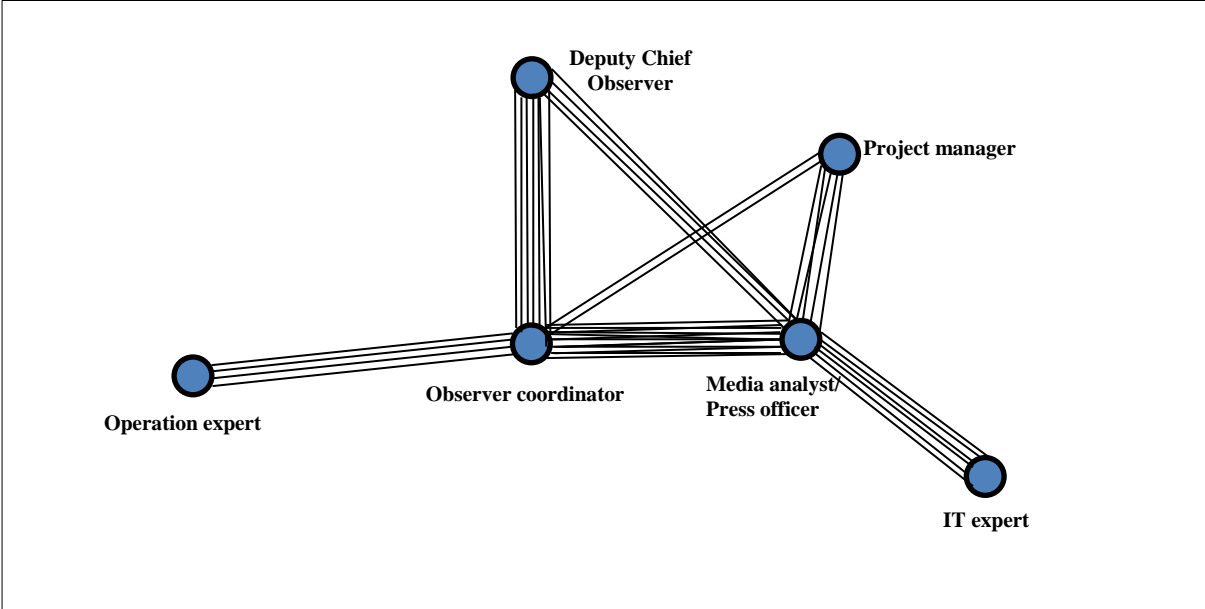
Source: Yang S., Limbocker S., Dowdle A., Stewart P., Sebold K. (2015). Party cohesion in presidential races: Applying social network theory to the preprimary multiple donor networks of 2004 and 2008. *Party Politics*, 21(4), p. 642 (Revisited).

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[50] A peculiarity of the 2005 mission was the assignment of a double function to one EOMs player, in charge of analysing the activity of media and of guaranteeing visibility to the whole mission (Willi 2011, p. 43). This "double shirt" (Interview 1) needs to be taken into account when assessing the cooperation of the individual actor in order to reduce possible biases in the analysis.

Moreover, the two interviewed EOMs players defined the other colleague as the third powerful actor of the mission (Interview 1; Interview 2). Since A.M. has been regarded as a powerful EOMs player because he was covering the role of press officer (Interview 2) and since H.R. was the observer coordinator of the mission, also these 'nominations' are in line with the expected levels of centrality of individual actors during the missions. Furthermore, apart from the Chief Observer, A.M. and H.R. have assigned high values of brokerage to the Deputy Chief Observer and the project manager of the mission (Interview 1; Interview 2), allowing again for a confirmation of the aforementioned assumptions. Lastly, A.M. chose also H.R. as a "gatekeeper" (De Nooy *et. al* 2005, p. 151) of the mission, further contributing to certifying the prediction related to the expected brokerage potential of EOMs players, even though the observer coordinator selected the election analyst as the third figure having the significance to maintain links and ties with individual actors that were marginal or difficult to reach (Interview 2).

Conversely, the EOMs players interviewed among the participants to the last performed mission in Sri Lanka were the political analyst and the Deputy Chief Observer, whose answers to the questions have allowed for the identification of functions whose cooperative ties are summarised in the figure of next page. Through a comparison of the answers given by respondents when called to mention cooperative and powerful functions, it seems that a correlation between the two elements exist. Accordingly, apart from the omnipresent Chief Observer (Interview 4), the political analyst and the DCO have attributed high scores of centrality on the one hand to press officer and legal analyst (Interview 4) and on the other to election analyst and again to legal analyst (Interview 3). Moreover, M.G. has identified K.O. as another powerful individual actor during the mission (Interview 3). While the centrality of DCO and press officer was widely predicted, the power shown by legal analyst and election analyst is likely to be attributed to their high degrees of cooperation during the mission.

Regarding the indicator of brokerage, while the Deputy Chief Observer has not named any function whose presence was essential to reach potential useful interlocutors or to access particular information since, as previously reported, he believes that all the EOMs players of the core team and the service provider have the same importance (Interview 4), the political analyst has selected the same individual actors he already mentioned when dealing with centrality and cooperation, namely the Chief Obsevrer, the election analyst, the legal analyst and the DCO (Interview 3). This result in the second indicator measuring the social power of EOMs players, combined with the outcomes deriving from the questions concerning

centrality, undermines the assumptions providing for expected levels of centrality and brokerage thus enhancing the potential causal correlation between the cooperation of an individual actor involved in an Election Observation Mission and its power.

Figure 4. <u>Cooperation among EOMs players in the 2015 mission in Sri Lanka</u>
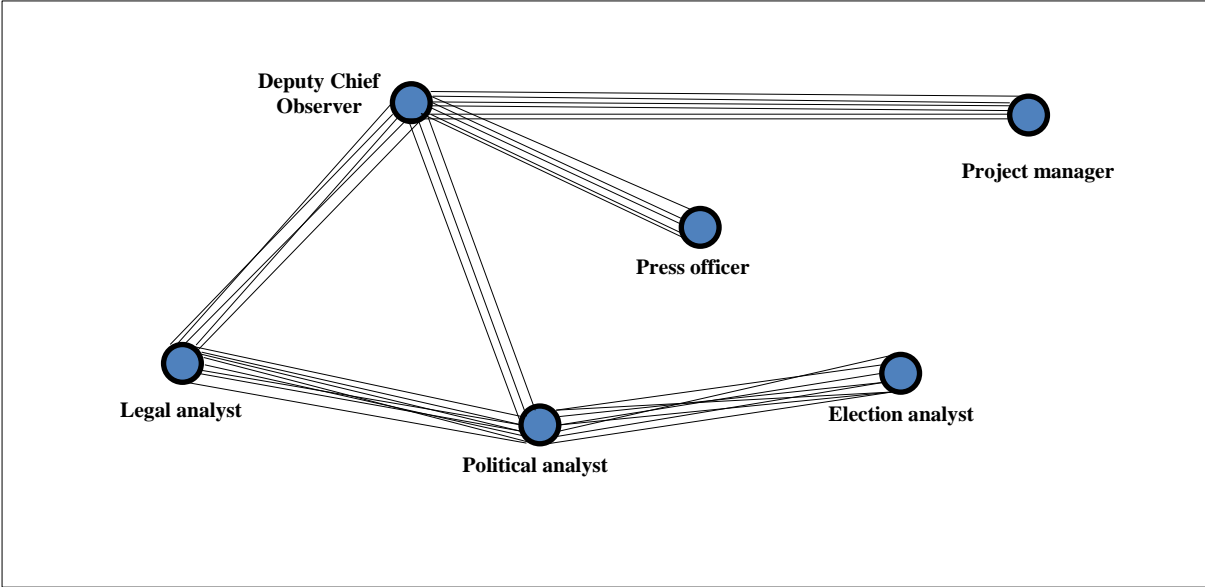
Source: Yang S., Limbocker S., Dowdle A., Stewart P., Sebold K. (2015). Party cohesion in presidential races: Applying social network theory to the preprimary multiple donor networks of 2004 and 2008. *Party Politics*, 21(4), p. 642 (Revisited).

Having graphically shown the cooperation among EOMs players in both the 2005 and 2015 missions, it is the moment to understand if their "*exchange of important information and joint work*" (Mérand *et al.* 2011, p. 127) is causally related to their power. In order to accomplish this task, it is convenient to build the indicators of *actual* centrality and brokerage on the basis of the interviews made to individual actors involved and moulded on the example of the tables referring to the expected values for both the indicators. It follows that if the values shown by the expected and the actual levels of power are similar, the cooperation may not have produced effects on the outcome and, vice versa, if the effective power of EOMs players is different from that hypothesised, there may be a causal correlation between cooperation of individual actors and their power. However, given that numerical values concerning centrality and brokerage have not been available for all the individual actors involved in the missions, the two following tables, including also a numerical value related to the cooperative working ties they have managed, are reported in a reduced but reliable version since they include the most cooperative and the most powerful EOMs players of both the Election Observation Missions.

Analysing the data referring to the roles of EOMs players in the first mission conducted in Sri Lanka, two comments arise. First, four individual actors, namely the Deputy Chief Observer, the observer coordinator, the press officer/media analyst and the project manager, have shown high levels of cooperation matched by notable degrees of power, while two EOMs players, the IT expert and the operation expert, albeit extremely cooperative, have scored a low degree of both centrality and brokerage. Second, the election analyst and, above all, the Chief Observer have been considered powerful actors even though their cooperative working ties have been scarce. Moreover, through a comparison of the actual levels of centrality and brokerage with the expected ones, little variations are traceable[51]. In light of these considerations, it seems plausible to argue that there is no correlation between levels of cooperation and levels of power.

Table 3. <u>Actual levels of centrality and brokearage of EOMs players in the 2005 mission</u>

EOMs player	Level of cooperation	Level of centrality	Level of brokerage
Chief Observer	2.5	5	4.5
Deputy Chief Observer	4.5	4.5	5
Observer Coordinator	5	4.5	4.5
Press officer/media an.	4.5	5	4
Project manager	4	4	4.5
Election analyst	3	3.5	4.5
IT expert	4	2.5	2.5
Operation expert	4	3	3

Source: Mérand F., Hofmann S., Irondelle B. (2011). Governance and state power: a network analysis of European security. *JCMS: Journal of Common Market Studies*, 49(1), p. 131 (Revisited).

Additionally, shifting the investigation to the mission of 2015, other observations may be formulated. First, the press officer, the project manager, the legal analyst and the election analyst, highly cooperative EOMs players, have been also considered powerful actors while, on the contrary, the political analyst has not been neither too cooperative nor powerful. Second, the Chief Observer and the Deputy Chief Observer, while being the most powerful actors of the mission, have not deeply relied on cooperative social relations with the other EOMs players. However, unlike the situation regarding the previous mission, in this case the actual levels of centrality and brokerage present discrepancies with those envisaged at the beginning of this section. This is particularly evident with regard to the roles of legal analyst and election analyst, whose increased centrality and brokerage in the mission may be

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[51] This statement is further validated if the centrality of A.M. is taken into consideration with regard to his function of press officer rather that of media analyst, a choice made in coherence with the words of H.R. that has defined his colleague a powerful actor since he was a press officer (Interview 2).

attributed to the elevated cooperative working ties they have maintained with other actors participating to the mission.

Table 4. <u>Actual levels of centrality and brokerage of EOMs players in the 2015 mission</u>

EOMs player	Level of cooperation	Level of centrality	Level of brokerage
Chief Observer	3	5	4.5
Deputy Chief Observer	3	5	4.5
Legal analyst	4.5	4.5	5
Project manager	4	4.5	4
Press officer	4.5	4.5	4
Political analyst	3.5	3.5	3.5
Election analyst	4.5	4.5	4.5

Source: Mérand F., Hofmann S., Irondelle B. (2011). Governance and state power: a network analysis of European security. *JCMS: Journal of Common Market Studies*, 49(1), p. 131 (Revisited).

Furthermore, through a cross-checking of the information deriving from the above tables, it is possible to formulate two additional remarks. First, in both the missions in Sri Lanka the figure of the Chief Observer has always been considered powerful notwithstanding minimum scores in the cooperative field. Second, and most importantly, the power of the Deputy Chief Observer has been recognized both in 2005 and 2015 even though the individual actor covering this position has been highly cooperative in the first case and uncooperative in the second, thus proving the limited influence of cooperation for the power exerted. Because of these reasons, the presence of a correlation between the two elements of cooperation and power appears to be absent. Accordingly, it may be argued that the causality link between the two attributes of EOMs players, found in the roles of legal analyst and election analyst in the mission of 2015, is actually spurious (Tanner 1949) and dependent on other factors.

6.4.3. The significance of experiences

The remaining hypothesised causal correlation between the experiences of EOMs players in the field of Election Observation Missions and the relevance of their roles needs to be tested now. To this end, interviewed individual actors have been pleased to confirm or to deny the presence of such a link with reference not only to their past experiences in the field of election observation but also to the knowledge of the country hosting the electoral process.

The answers to these questions have been emblematic since none of the respondents has emphasised the relevance of the prior familiarity with the political dynamics of Sri Lanka as an explanatory factor for the significance of their roles. Accordingly, past experiences in the country where the EU Election Observation Mission takes place are not a "crucial determinant

of power or cooperation" (Interview 2) since it happens to be deployed in a place "without knowing anything but being anyway capable of grasping the issues very quickly" (Interview 3). On the basis of this evidence, it may be stated that the preceding knowledge of the host country is irrelevant for the power of the functions performed by EOMs players.

Conversely, all four interviewed people have supported the thesis according to which the power or cooperation of individual actors during the missions is dependent upon their preceding experiences and their skills in the field of election observation. In line with this statement, it has been highlighted that the "familiarity with the methodology of election observation is the main reason for power or cooperation of individual actors" (Interview 4) since "it is the experience that allows you to be more cooperative or powerful" (Interview 1). Therefore, it may be argued that it is the *previous experience* or career, instead of the *cooperation*, the "crucial feature" (Interview 2) in the determination of the *power* of an EOMs player.

6.4.4. Summing up the findings

In sum, the social network analysis has demonstrated the irrelevance of cooperative working ties in explaining the power of individual actors during EU Election Observation Missions. Accordingly, although some EOMs players in both the 2005 and 2015 missions in Sri Lanka have experienced high levels of cooperation and power, their expected degrees of centrality and brokerage have been roughly replicated by the actual scores in the same indicators thus reducing the importance of cooperative ties as a variable intervening in the relationship. Moreover, the extreme power shown by the Chief Observer and the Deputy Chief Observer of both the missions, not always paired with frequent "*exchange of important information and joint work*" (Mérand *et al.* 2011, p. 127), constitutes another pertinent reason in rebutting the causal correlation between cooperation and power of individual actors.

Conversely, interviewed individual actors have considered previous experiences in the field of election observation as factors capable of explaining different levels of power or cooperation and, more precisely, they have stated that *the more the experiences of EOMs players in this field, the more cooperative or powerful their roles* (Interview 1; Interview 4). The unanimous consent of EOMs players concerning this correlation gives the opportunity to validate the causal link between the endowment of experiences and the power exerted. Furthermore, given that "the previous experiences have fostered the power and the cooperation of legal analyst and election analyst" (Interview 3) in the mission of 2015 and since the mentioned individual

actors were the only ones confirming the causality chain between power and cooperation, it may be definitively argued that no correlation exists between the two selected elements. Rather, it is the sum of experiences or skills that allows EOMs players to be more cooperative or powerful.

In line with these reflections, it is possible to conclude that the hypothesis assuming that *the more the cooperative working connections of one individual actor with other EOMs players during the implementing stage of EU Election Observation Missions and/or the more his/her previous experiences in this field, the more powerful his/her role during the missions* is partly validated and partly falsified. Accordingly, while there is no presence of a causal link between the cooperative working connections of EOMs players and the relevance of their roles in the missions, their amount of experiences is deeply connected with the significance of their functions. In sum, this section has demonstrated that *the more the previous experiences of individual actors in the field of election observation, the more powerful their roles during the missions*.

6.5. Conclusions

This chapter has conducted the analysis concerning the roles of institutional and individual actors in the EU Election Observation Missions, referring to the particular case study of the two missions deployed by the European Union in Sri Lanka. Because of this reason, the first section has been devoted to a brief presentation of the political climate of this country, underlining its constitutional development and the particular situations characterising the electoral processes of 2005 and 2015, in order to allow readers to contextualise the electoral moments under investigation and to legitimate the choice made in light of the small variations between the missions. Subsequently, the chapter has focused on the examination of the first assumption of this final dissertation, the influence of the new normative framework on the roles performed by EOMs designers, through a document analysis. The comparison of the normative provisions of the Treaties of Lisbon and Maastricht, underpinned by semistructured interviews and other relevant considerations, has certified the absence of a correlation between the selected variables. Moreover, the chapter has investigated the relationship between the cooperative working ties of EOMs players and/or the sum of their individual experiences and their power through the techniques of social network analysis and semistructured interviews. By referring to expected and actual levels of centrality and brokerage, indicators of power of individual actors, it has been possible to ascertain the lack

of a causal chain between cooperation and power of EOMs players. Conversely, the interviews submitted to four EOMs players have validated the hypothesised relationship between the previous experiences of individual actors in the field of election observation and their power during the missions.

In sum, employing the terminology adopted in the introduction, this chapter has falsified the assumptions stating that the *more the number of changes in the institutional framework, the more the differences in the roles performed by EOMs designers in the phase of elaboration of EU Election Observation Missions* and that *the more the cooperative working connections of one individual actor with other EOMs players during the implementing stage of EU Election Observation Missions, the more powerful his/her role during the missions*. Nevertheless, this chapter has validated the hypothesis claiming that *the more the previous experiences of an EOMs player in the field of election observation, the more powerful his/her role during the missions*.

In light of the outcomes of the research of this final dissertation, it is worth here moving to the concluding chapter, in which the whole plan of the work is resumed, the main findings of the investigation are restated and the contributions to the policy frame of EU election observation are highlighted.

7. Concluding remarks

7.1. Main topic and research design

This final dissertation has deeply investigated the subject of EU Election Observation Missions, a policy frame experiencing a continuous evolution and a constant update, as shown by the recent publication of the *Best practices for follow-up to EU Election Observation Missions* (European External Action Service 2017a), even though barely investigated by scholars in academic works. Because of this reason, the present study has certainly the potential to increase the available literature regarding this particular topic, although limited to the analysis of roles of institutional (*EOMs designers*) and individual actors (*EOMs players*) and withouth providing for assessments regarding the effectivity of the missions.

In line with the main focus of the work, two research questions have been formulated and have contributed to the definition of the hypotheses that have been tested. Accordingly, this study has investigated *how the adoption of the Lisbon Treaty has affected the conduct of EOMs designers involved in the elaborating phase of EU Election Observation Missions* and *how the academic and professional experiences and the cooperative working interactions of EOMs players have affected their conduct in the implementing stage of EU Election Observation Missions*. Moving from the concrete case to general statements (Johnson and Reynolds H. 2012, pp. 109-115), with regard to the roles of institutional actors it has been assumed that *the more the number of changes in the institutional framework, the more the differences in the roles performed by EOMs designers in the phase of elaboration of EU Election Observation Missions*, while, by reference to individual actors, the provisional answer to the research question stated that *the more the cooperative working connections of one individual actor with other EOMs players during the implementing stage of EU Election Observation Missions and/or the more his/her previous experiences in this field, the more powerful his/her role during the mission*.

The following step has been the process of case selection, conducted in accordance with the reported hypotheses and by attributing duly relevance to two main factors. First, since the study was intended to investigate the roles of institutional actors before and after the adoption of the Lisbon Treaty, there was the need to focus on missions deployed in distinct temporal periods. Moreover, emphasis on missions deployed in only one country in different timeframes could have, and effectively has, reduced the impact of extraneous factors in the determination of the outcome. Second, given that the final dissertation also aimed at analysing

the roles of individual actors deployed to observe electoral processes in third countries, choosing cases with regard to the numerical composition of the missions (Lijphart 1971, p. 682 ss.) would have been useful to avoid possible distortions in the investigation concerning cooperative working connections. For these reasons, after a long and tricky comparison of missions, the choice has reverted to the study of the EU Election Observation Missions deployed in Sri Lanka in 2005 and 2015.

After the formulation of the hypotheses and the presentation of the case study of the work, the second chapter has contributed to define the research design retained as the more convenient to deal with this investigation. To this end, a review of the academic works concerning both the foreign policy of the European Union, the broad field in which EU Election Observation Missions are located (Kelley 2008b, p. 61), and the arena of international electoral support has been conducted with the aim of emphasising the sources that have been considered as more relevant in the writing of this work. This chapter has then introduced the theoretical approaches chosen for the analysis of the hypothesised relationships between variables, namely historical newinstitutionalism (March and Olsen 1983; Hall and Taylor 1996) and political sociology (Bourdieu 1977), clarifying the reasons according to which their union in the same final dissertation does not constitute a stretch. Moreover, the last section of this chapter has presented the methods selected to collect the data for the empirical analysis, namely the document analysis, the social network analysis and semistructured interviews, whose union has been depicted as an example of "triangular methodology" (Denzin 1970; Sandelowski 1995).

7.2. Election observation missions in EU foreign policy

The third chapter has been useful in light of a twofold objective. On the one hand, it has justified the adoption of the historical newinstitutionalist approach for the present work. On the other, it has partially contributed to the definition of the context in which EU Election Observation Missions are located.

Concerning the first observation, the path followed by the European Union in the development of its foreign policy has been articulated in four critical turning points that have radically modified its future evolution. Among these, the Lisbon Treaty has been identified as the last "critical juncture" (Hall and Taylor 1996; Goetz and Meyer-Sahling 2009; Fabbrini 2015) of this process, in accordance with a terminology often employed by historical newinstitutionalists (Hall and Taylor 1996, pp. 940-941), and the institutional actors

performing relevant functions in this domain have been briefly portrayed, with particular regard to their tasks during the EU Election Observation Missions. Because of this reason, this presentation has also been helpful in defining EU foreign policy as "multilocation" (Wallace 2005, p. 78) since it is formulated thanks to bargaining processes among supranational and intergovernmental institutional actors whose significance is not regulated by a hierarchical system (Keukeleire and Justaert 2008).

Regarding the systematization of Election Observation Missions in the arena of EU foreign policy, fundamental pledges of this international organization in the sector of democracy support and protection of human rights and rule of law have been reported, together with the progressive development of the subject. This overview of the activities conducted by the EU in the mentioned frame has been useful to handle the four different "conditionalities" (Youngs 2001b), tools aiming at shaping the external scenario and at enhancing the role of the European Union in the international arena and thus classifiable as pure instruments of foreign policy (Keukeleire and MacNaughtan 2008, p. 19), adopted in this frame in order to select those preferred when dealing with Election Observation Missions.

7.3. The power of the EU in the field of election observation

The fourth chapter has further contributed to the definition of the European framework in which the Election Observation Missions are settled and, in addition, has focused on the debates concerning the actorness exerted by the EU in the international scenario, trying to conceptualize the combination of power this international organization exerts in this particular policy field. Although readers may have thought at first glance that this section was somewhat separated from the general common thread of this final dissertation, its drawing up has been necessary to better clarify the tasks performed by the European Union in a specific area of its activities supporting democracy and protecting human rights and rule of law, namely electoral support. Without the specifications furnished in the chapter, it would have been more difficult to discuss about the phases of actual elaboration and implementation of EU Election Observation Missions.

Accordingly, the chapter has shown the commitments of the EU in the domain of electoral support, emphasising the weight of the *Communication on EU Election Assistance and Observation* (Commission of the European Communities 2000), adopted by the European Commission in 2000, as a crucial turning point for the development of the matter. This consideration, apart from conferring additional legitimacy to the theoretical frame of

historical newinstitutionalism given the reference to the notion of "critical junctures" (Hall and Taylor 1996; Goetz and Meyer-Sahling 2009; Fabbrini 2015), is backed by the fact that this instrument has helped scholars to distinguish between the two related dimensions of electoral support, namely electoral assistance and election observation. In this context, among the three reasons explaining the detachment between the two components of electoral support, the last one, dealing with the pratical discrepancy between the subjects, has pointed out the involvement of different institutional actors in the conduct of the activities. In accordance with this statement, it has been possible to confine electoral assistance in a purely supranational domain while the management of election observation pertains to both supranational and intergovernmental institutional actors, in line with the label of "multilocation" (Wallace 2005, p. 78) foreign policy introduced in the third chapter.

Additionally, the chapter has investigated the actorness of the EU in the performance of Election Observation Missions, starting from the reasons allowing for its definition as an international actor. The section has then analysed the concept of civilian power (Duchêne 1973, pp. 19-20) by referring to its "idealtype" (Smith K. 2005, p. 5), in contrast with that of military power (Smith K. 2005; Krohn 2009; Gotterson 2011), and has then taken into account the label of normative power (Manners 2002, p. 240) and its defining features (Tocci 2008). Moreover, a further paragraph has underlined the relevant features explaining the differences between normative and civilian power (Diez 2005; Manners 2006b) and, thanks to the recourse to examples, has defined the Election Observation Missions as an expression of a peculiar mixture of both civilian and normative power (Sjursen 2006a, p. 170) the EU shows in the international scenario.

7.4. The practice of EU Election Observation Missions

The fifth chapter has exhausted the description of the practice of election observation, paying attention to the methodological strategies employed and to the effective functioning of EU Election Observation Missions, emphasising both the crucial moments of elaboration and implementation in light of the successive analysis conducted in the sixth chapter. To this end, the first part of the chapter has been devoted to the presentation of the guidelines regulating the work of EU observers also with respect to the other international agents active in that sector. This portrayal has been coupled with the explanation of the "Electoral Cycle Approach" (Tuccinardi *et al.* 2008, pp. 15-17; European Commission 2006, pp. 45-46)

claiming the significance of all the stages of the process, whose observation is not only confined to the election day.

After having clarified the methodology retained for the performance of the missions, the section moved to the investigation of the elaborating phase of EU EOMs, highlighting the functions of different EOMs designers in the modalities they have been defined by the Lisbon Treaty in order to make the successive comparison with the previous normative framework easier. This section, apart from the study of the identification of countries in which missions need to be sent and of the procedural *iter* to follow, has also dealt with the methods established for the appointment of individual actors to be deployed to third countries since they are entirely administered by EOMs designers.

This chapter has then focused on the implementing stage of EU Election Observation Missions by providing a complete depiction of all the EOMs players involved, with particular reference to the members of the core team and the service provider, object of the investigation conducted in the successive chapter. However, the presentation of EOMs players have been made, in accordance with the chosen approach of political sociology, by devoting specific looks at the working connections that individuals are supposed to maintain according to the provisions set in the *Handbooks* (European Commission 2002; European Commission 2016). By doing this, the analysis concerning *actual* cooperative working contacts between individual actors deployed to the missions in Sri Lanka could have been compared to the working ties they were expected to manage in light of their specific functions.

Lastly, the fifth chapter has also briefly described the tasks performed by EU civil servants when called to observe the crucial moment of the election day in a given country, the standardized procedures according to which observations are transferred to the headquarters of the missions and the ways in which the main findings are communicated to external stakeholders and to the international community. Despite the low relevance of this small section in light of the research questions of this work, its inclusion in the text of the final dissertation reflects the need of accurately and completely depicting the EU Election Observation Missions.

7.5. Roles and power of EOMs designers and EOMs players

The sixth chapter has dealt with the empirical analysis of the hypothesised causal relationships between variables, formulated in the introductive chapter of this final dissertation. For this reason, the added value of this chapter for the whole work, in addition to

the short description of the political atmosphere surrounding the two Sri Lankan electoral rounds[52], has undoubtedly been the falsification of the first hypotheses and the partial validation of the second one by employing the techniques of document analysis, social network analysis and semistructured interviews, as briefly reported in the above synthesis.

Firstly, in conformity with the choice to select the theoretical approach of historical newinstitutionalism, the document analysis has compared the normative provisions of the Lisbon Treaty regulating the framework of democracy support, protection of human rights and rule of law and the roles of EOMs designers with those defined in Maastricht, emphasising the modifications concerning the High Representative, the European External Action Service, the EU delegations, the Political and Security Committee, the European Commission and the European Parliament. However, thanks to the recourse to the different versions of the *Handbook* concerning the practice of election observation (European Commission 2002; European Commission 2008; European Union 2016) and through the help of interviews submitted to individual actors involved in the missions in Sri Lanka and of other observations, it has been easy to prove the irrelevance of the adoption of the Lisbon Treaty for changes affecting the conduct of EOMs designers in the elaborating stage of EU Election Observation Missions.

Secondly, two distinct but related investigations have contributed to test the second hypothesis of this final dissertation. On the one hand, the relevance of EOMs players in light of their cooperative working ties has been analysed through a social network analysis, paired with interviews to four individual actors. In order to demonstrate the presence of a link between the mentioned variables, the *expected* power of EOMs players has been defined, on the basis of the relationships envisaged among them by the *Handbook* (European Union 2016), according to indicators measuring centrality and brokerage (Mérand *et al.* 2011, p. 128). After having highlighted the strength and the number of the cooperative working ties of EOMs players, the values of the aforesaid indicators have been compared with those referring to the *actual* power shown by individual actors. The results have shown that high scores of actual power were not dependent upon relevant cooperation, as demonstrated by the functions of Chief Observer and Deputy Chief Observer in both the missions, and that when discrete degrees of cooperation were associated with high levels of actual power, the last ones reflected significant scores of expected power, thus limiting the explanatory potential of

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[52] This portrayal has been useful for justifying the choice of a longitudinal research design (Burnham *et al.* 2008, p. 50) for this final dissertation in light of little variations occurred in the ten years between the two missions and of the consequent extraneousness of external factors in the verification of the second hypothesis.

cooperative working ties. On the other hand, the significance of previous experiences in the field of election observation as the factor explaining the relevance of EOMs players during the missions has been studied through semistructured interviews. All the interviewed people have argued that there is a causal connection between the two variables and, thanks to their unanimous answers, it has also been possible to certify that the link between cooperation and power found in the roles performed by election analyst and legal analyst in the last deployed mission in Sri Lanka was in effect spurious since it had to be attributed to the sum of previous experiences these EOMs players have done. Therefore, it may be concluded that experiences and skills are the factors shaping the power or cooperation of an individual actor during EU Election Observation Missions.

In sum, this chapter has falsified the first assumption according to which *the more the number of changes in the institutional framework, the more the differences in the roles performed by EOMs designers in the phase of elaboration of EU Election Observation Missions*, and has partly validated the second hypothesis, since *the more the previous experiences of EOMs players in the field of election observation, the more powerful their roles during the missions*, while the fact that *the more the cooperative working connections of one individual actor with other EOMs players during the implementing stage of EU Election Observation Missions the more powerful his/her role during the missions* has been refuted.

However, the test of the hypotheses does not represent the unique significant contribution of this work for the matter of EU election observation since other three issues are noteworthy. First, this final dissertation embodies the first study regarding the roles of institutional and individual actors in the performance of EU Election Observation Missions and can therefore set itself up as a point of departure for upcoming analysis concerning this theme. Second, this work has helped to systematize the practice of election observation in the complex domain of EU foreign policy, also providing a consistent explanation of its differences from the kindred topic of electoral assistance. In particular, it has been emphasised that there are different institutional regimes regulating these activities, "multilocation" (Wallace 2005, p. 78) in the case under investigation and entirely supranational in the other field. Such a distinction owns the right credentials to constitute a milestone for the definition of activities in the broad context of electoral support. Lastly, the thesis has defined the involvement of the EU in the domain of election observation as an example of both normative and civilian power, thus innovating with respect to the tradition that has always emphasised only the second expression of international actorness by reference to this matter (Jünemann and Schörnig

2003, pp. 111-112; Laïdi 2008; Fayler 2011). This novelty, in analogy with that regarding the systematization of election observation in the foreign policy of the EU, can surely represent another breakthrough in the studies grounded in the complex domain of election observation.

In sum, this final dissertation, assessing the irrelevance of both the changes in the normative framework for the roles of institutional actors and the cooperative working connections in light of the power shown by individual actors and proving the incidence of past experiences for the ownership of such power in the domain of the EU Election Observation Missions, also aims at filling the existing academic gaps in the subject of election observation and at better defining its features in the broader framework of EU foreign policy and electoral support.

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8.9. Interviews

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Interview 2. H. R.. Female, British. Observer coordinator during EU Election Observation Mission in Sri Lanka in 2005. 23 March 2017;

Interview 3. M. G.. Male, Slovakian. Political analyst during EU Election Observation Mission in Sri Lanka in 2015. 24 March 2017;

Interview 4. K. O.. Male, Polish. Deputy Chief Observer during EU Election Observation Mission in Sri Lanka in 2015. 3 May 2017.

9. Appendix

9.1. Template for interviews

What do you think about the EU involvement in the field of electoral support?

Why did you decide to participate in the implementing stage of the EU EOM in Sri Lanka?

Did you find constraints in the phase of implementation of the mission? Which have been the most difficult tasks to conclude?

Do you think that the mission has been successful? Why?

Could you suggest improvements for the implementation of future Election Observation Missions?

Do you think that the framework of the EU EOMs has been modified after/was different before the adoption of the Lisbon Treaty? In which sense?

Do you think that the adoption of the Lisbon Treaty has modified the roles of institutional actors in charge of deciding upon the elaboration of EU EOMs? In which aspects?

What do you think about your position in the implementation of the EU EOM in Sri Lanka?

Could you tell me, in a scale from 1 to 5, how powerful was your function in the determination of the outcome?

Could you tell me, in a scale from 1 to 5, how cooperative was your function in the determination of the outcome?

Could you identify three powerful functions in the implementation of the mission? Could you attribute a value from 1 to 5 to the power of these actors?

Could you attribute a value from 1 to 5 to the strength and the number interactions you had with the individuals precedently identified? With whom have you had the highest number of social ties?

Could you identify three cooperative functions in the implementation of the mission? Could you attribute a value from 1 to 5 to the cooperation fostered by these actors?

Could you attribute a value from 1 to 5 to the strength and the number of interactions you had with the functions identified? With whom have you had the highest number of social ties?

Could you identify figures essential in connecting different or separated parts of the network? Could you say, in a scale from 1 to 5, how much these actors were powerful in mantaining the structure together?

Were the functions you mentioned the most cooperative or powerful because of their prior knowledge about Sri Lanka?

Were the functions you mentioned the most cooperative or powerful because of their previous participations in EU Election Observation Missions?

Abstract

1. The focus of the work

Since the early 1990s, election observation has become a significant concern for sovereign States and international organizations (IOs) engaged in activities supporting democracy and rule of law in third countries and preventing potential abuses of human rights. In this field, a relevant place has gradually been covered by the Organization for Security and Co-Operation in Europe (OSCE) and by the European Union (EU). In particular, the latter has intensively focused on this sector in recent times, as demonstrated by the establishment of the Division of the European External Action Service (EEAS) on Democracy and Election Observation and by the disclosure of the *Best practices for follow-up to EU Election Observation Missions* (European External Action Service 2017a), thus making an analysis concerning the aforementioned Election Observation Missions (EOMs or missions) interesting.

However, the choice of understanding EU EOMs in this work does not rely uniquely upon the current development of the topic since there is the presence of other relevant explanatory factors listed below. First, the belated resonance acquired by election observation in the academic scenario has indirectly generated a wide room of manoeuvre for new research in the field, creating the opportunity to examine unprecedented or neglected aspects of the phenomenon. Second, bearing in mind that EOMs belong to the broad domain of EU foreign policy (Kelley 2008b), whose complexity is caused by the vastness of the topics considered and by the high number of institutional actors involved, their analysis has the potential to contribute to a more correct definition of the missions in this intricate arena. A further incentive for the study of EU EOMs, without leaving aside the personal interest for the subject, is represented by the concrete possibility to describe the typology of actorness the EU retains in the conduct of the missions, referring to the concepts of normative and civilian power.

Having specified the elements taken into account in the process of selection of the topic, it is now convenient to unravel the preliminary considerations allowing for a restriction of the field of analysis of the study and for a clarification of the procedure adopted. First, in order to proceed with an investigation concerning only the missions led by the EU, not including those performed under the leadership of the OSCE, this work deals exclusively with the EOMs the EU has deployed after 2000, year in which the *Communication* regulating the discipline of election observation came into force (Commission of the European Communities 2000).

Second, in the domain of the EU EOMs, the specific concern of this study involves the roles of institutional and individual actors, in light of the final objective of providing a comprehensive depiction of their activities, power and social ties. In accordance with this statement, the present work, not investigating the effectiveness of the missions and their outcomes, devotes attention to the moments of elaboration and implementation of the EU EOMs. While the first phase relates to the bargaining process among European institutional actors in order to establish a mission, the second deals with the deployment of individual actors to the country in which election observation is required and with the actual conduct of the EU EOM. Third, in order to provide a complete investigation of the roles performed during EU EOMs, it would be preferable to discuss all the EU bodies, institutional and individual actors involved. Nevertheless, since it would be difficult to study all the roles of individuals deployed to observe missions in third countries, this thesis, briefly describing the whole spectrum of functions involved, deeply analyses only the roles of actors belonging to the core team and to the service provider of the EU EOMs, as well as the function of Chief Observer (CO), in order to avoid the risk of ending up with a work purely descriptive and complex to manage. Lastly, in order to help distinguish between institutional and individual actors, during the work the expression 'EOMs designers' refers to the functions operating in the stage of elaboration of the missions, while the label 'EOMs players' indicates the individuals acting in the implementing phase.

2. Research questions, hypotheses and case selection

Having said this, the dependent variable, that is the role of EOMs designers and EOMs players in the conduct of the missions, is assumed to be explained through two distinct independent variables, each applicable to one of the two stages in which EU EOMs have been distinguished. Primarily, since the decision-making process of institutional actors can surely be affected by the entry into force of a new normative framework, it is reasonable to hypothesise that the adoption of the Lisbon Treaty (LT) has caused modifications in the functions covered by EOMs designers. Therefore, the first research question of this work investigates *how the adoption of the Lisbon Treaty has affected the conduct of EOMs designers involved in the elaborating phase of EU Election Observation Missions.*

Secondly, whereas the activities of individual actors are attributable to their previous professional or academic experiences, as well as to their cooperative working connections, it is possible to assume that the roles performed by EOMs players during the missions are

directly related to their exchange of information and to their personal background (Georgakakis and Weisbein 2010; Mérand *et al.* 2011). For this reason, the second research question of this study analyses *how the academic and professional experiences and the cooperative working interactions of EOMs players have affected their conduct in the implementing stage of EU Election Observation Missions.*

The research questions lead to the formulation of the hypotheses, general and conceivable assertions to be verified or falsified during the ultimate analysis. Accordingly, while the provisional answer to the first research question predicts that *the more the number of changes in the institutional framework, the more the differences in the roles performed by EOMs designers in the phase of elaboration of EU Election Observation Missions*, the second research question is assumed to be explained by the hypothesis stating that *the more the cooperative working connections of one individual actor with other EOMs players during the implementing stage of EU Election Observation Missions and/or the more his/her previous experiences in this field, the more powerful his/her role during the missions.*

In close connection with the process culminating in the setting of research questions and hypotheses there is that of case selection, during which different aspects need to be considered in this specific context. Firstly, since this work is intended to investigate the impact of the Lisbon Treaty on the elaborating phase of the missions and, consequently, the modifications occured after its entry into force, it is essential to consider the temporal dimensions in the choice of the case study. For this reason, the focus on two missions deployed to only one country, one performed before the adoption of the LT and the other after, in line with a longitudinal research design (Burnham *et al.* 2008), would be the preferred solution because of the isolation of external factors in the explanation of the outcomes. Secondly, since the other focus of the present work is on the role of individual actors active in the moment of implementation of the missions, a basic requirement for the choice of the case study is embodied by the comparable numerical composition of the EU EOMs. By doing this, it would be possible to compare the connections among core team and service provider members by reducing the probability of biases deriving from unbalanced numerical discrepancies.

In light of these considerations, and notwithstanding several difficulties in finding two missions in the same country that respected the above criteria, this thesis focuses on two EU Election Observation Missions deployed to Sri Lanka for the presidential elections of 2005 and for the parliamentary ones of 2015. Since the two missions have taken place respectively

before and after the entry into force of the LT, they are appropriate to detect eventual modifications occurred in the bargaining process among EOMs designers in the elaborating stage of the EU EOMs. Furthermore, the first mission was composed by 7 core team members, 22 long-term observers (LTOs) and 51 short-term observers (STOs) for a total of 80 people (European Union 2005b), while the second one included 85 observers, among those 8 were part of the core team (European Union 2015b), thus making possible an unbiased comparison between them.

3. The theoretical framework

The clarification of the starting points of this work is not sufficient to give readers a complete overview regarding the research design since it also incorporates the subsequent choices related to theoretical approaches and methods of data collection and analysis. Regarding the first domain, although it would be better to circumscribe the study to the identification of only one theoretical frame in order to avoid problems of uniformity or coherence, this thesis is based on the adoption of both the historical newinstitutionalist approach and that of political sociology, whose union needs to be discussed and rationalized after a brief description.

According to the basic features of the first paradigm, a significant place in shaping political outcomes is covered by institutions, defined as "the formal or informal procedures, routines, norms and conventions embedded in the organizational structure of the polity" (Hall and Taylor 1996, p. 937). By referring to this definition, the Lisbon Treaty can surely be considered an institution, thus perfectly legitimizing the choice of this theoretical framework to deal with the first research question of this work. This link is further backed by the fact that historical newinstitutionalism relies upon the concept of path-dependency, closely associated with the idea of "critical junctures" (Hall and Taylor 1996; Goetz and Meyer-Sahling 2009; Fabbrini 2015), moments in which, thanks to the choices of decision-makers, it is possible to modify previous courses of action because of institutional changes occurred.

Conversely, the approach of political sociology focuses on the social relations among individuals through the use of three key concepts, namely field, habitus and capital (Bourdieu 1977). While field is intended as a specific and autonomous frame of activity, habitus means the human disposition to act in a defined way and capital refers to the sum of working connections, resources and skills accumulated over time. In light of these conceptualizations, it is possible to link the second formulated research question of this final dissertation to the theoretical approach of political sociology since the study concerning the conduct of EOMs

players (*habitus*) on the basis of their academic and professional experiences, as well as cooperative working connections (*capital*) is grounded into the context of EU Election Observation Missions (*field*). The definition of the missions as an autonomous policy sector derives from the fact that individual actors deployed in third countries perform their actions independently from the instructions of their belonging European institutions.

As said before, it is noteworthy to list here the reasons according to which the two mentioned theoretical approaches of newinstitutionalism and political sociology can or should fit together in the same work. Firstly, by analysing individual actors according to their working connections and their academic and professional culture, there is the possibility to discover a higher number of implications in their conduct because a great deal of processes cannot be understood by looking only at the institutions. Therefore, the focus on social interactions or on the previous career of EOMs players, within the approach of political sociology, can be helpful in developing a more complete analysis of EU Election Observation Missions.

Secondly, institutions are not detached from individuals and are not external realities having their own will. Accordingly, even though the old literature tends to describe institutions as "anthropomorphized" (Schimmelfennig 2003, p. 161), they are not able to produce outcomes without the presence of individuals (Kauppi and Madsen 2008). For this reason, the analysis concerning the role of individual actors thanks to the paradigm of political sociology can be considered an added value for the investigation related to the impact of the Lisbon Treaty on the EU EOMs since it can also contribute to the evaluation of the concrete and practical changes that have occured.

Thirdly, a sociological investigation about individual actors is essential to complement the analysis of formal institutions in order to study the EU from a different point of view. Indeed, while newinstitutionalists are inclined to see the communitarian mechanisms "from afar" (Guiraudon 2000, p. 6), political sociologists tend to develop an analysis of the European Union "in situ and in action" (Guiraudon 2000, p. 6). The substantial difference between these two types of investigations lies in the perspectives adopted since in the newinstitutionalist approach scholars are concerned with a superficial observation of the formal institutional dynamics, while political sociologists study phenomena in their practical manifestations and individuals according to their detectable actions (Saurugger and Mérand 2010).

Fourthly, despite the fact that the methods adopted in the theoretical approaches of newinstitutionalism and political sociology are entirely different and notwithstanding the

initial choice of sociologists not to join the institutionalists in the study of the EU, the split between these two different schools was more apparent than real since the leading characters in the development of the newinstitutional schools were sociologists (Jenson and Mérand 2010). Moreover, historical newinstitutionalism benefits from a central theoretical position, by being able to rely upon assumptions borrowed by other schools (Hall and Taylor 1996). For this reason, in recent years it has shown a degree of openness towards different theoretical frameworks, including that of political sociology.

Lastly, by also taking into account the presence of other types of research developed with the union of these two theoretical approaches, putting together historical newinstitutionalism and political sociology is not a hazard. On the contrary, it should be considered the correct path to develop in a study focused on the roles of both EOMs designers and EOMs players in the stages of elaboration and implementation of a given policy.

4. The methods of data collection

Moving to the methods of data collection and analysis retained as the more convenient to deal with the themes of this work, the two different research questions and theoretical approaches does not allow for the creation of a comprehensive analytical design since they foster a peculiar mixture of different strategies. In accordance with this statement, the union in this work of document analysis, social network analysis (SNA) and semistructured interviews can be graphically depicted with a triangle conceived as "the combination of methodologies in the study of the same phenomenon" (Denzin 1970, p. 291) and whose added value lies in the limitation of the presence of possible distortions that are usually detectable in a study based on only one methodological choice.

First, the document analysis, a technique that allows the extrapolation of excerpts from documents and their following comparison (Bowen 2009), is the method chosen to investigate the institutional changes brought about by the adoption of the Lisbon Treaty. Since the word 'document' refers to "any kind of source whether written, oral, pictorial or archeological" (Gottschalk 1969; Caulley 1983, p. 19), treaties are included in this broad category, thus making possible to locate the analysis concerning the LT in the domain of document analysis without creating problems of compatibility between the subject and the research method. As already anticipated by the mentioned hypotheses, the concept referring to *changes in the institutional framework* is operationalised through the recourse to the variable dealing with *the number of changes introduced by the new treaty and affecting either the role of European*

institutional actors or the field of EU EOMs. Therefore, it is sufficient to compare the institutional frameworks before and after the adoption of the LT in order to conduct this type of investigation.

Second, the social network analysis, a method facilitating the identification of schemes related to social connections between individuals in a given framework (Knoke 1994; De Nooy 2003), embodies the preferred design to study the cooperative working ties and the previous experiences of individual actors participating to the missions. In this context, the empirical focus on *cooperative working interactions among EOMs players* is specified through the variable studying *the number and strength of interactions of certain EOMs players with others involved in the phase of implementation of the EU EOMs*. This process of operationalisation makes possible to analyse cooperative working connections by relying upon the indicators of centrality and brokerage, both measuring social power (De Nooy *et al.* 2005). However, while the first looks at the number of social ties that a certain actor produces in a given structure, the second refers to the number of links that an individual actor has with parts of the network that without his/her presence would be separated (Mérand *et al.* 2011). The latter measure is useful to overcome possible biases since an EOMs player can be powerful or marginal in a particular arena while being irreplaceable in the contact with a certain group of actors.

Lastly, the mentioned mehods of data collection are complemented by semistructured interviews submitted to EOMs players participating in the implementing stage of the 2005 and the 2015 missions in Sri Lanka. Apart from linking together the two different hypotheses of this work by asking EOMs players if, in their opinion, the adoption of the Lisbon Treaty has affected the functions they covered, the added value of such interviews for the whole work is threefold. First, individual actors have been called to evaluate if the LT has introduced differences in the framework of EU EOMs or in the roles covered by EOMs designers during the elaborating phase of such missions, thus contributing to supporting/rebutting the findings of the document analysis. Second, the interviews are functional in testing the results of the SNA since EOMs players have been pleased to reply to a questionnaire composed of closed questions in which their task was to attribute a value from one to five (on a crescent scale by going from 'not at all' to 'extremely') to the power or cooperation shown by themselves or by other individual actors of the mission towards others. In addition to this assessment, interviewed people have been asked to identify the most cooperative or powerful functions, the figures essential in connecting separated or distant

sides of the network, and the EOMs players with whom they have had the highest number of professional ties during the EU EOM in Sri Lanka. In this respect, there is the need to clarify the listed concepts: power, in line with the chosen approach of political sociology and emphasising the element of communication among individuals is here intended as *the capacity of an EOMs player to influence the behavior of other actors* (Guzzini 2005, p. 505), while cooperation is defined as "*the intensive exchange of important information and joint work*" (Mérand *et al.* 2011, p. 127) among different EOMs players. Third, and most importantly, interviews allow for the verification/falsification of the portion of the second hypothesis not investigated by the SNA, namely the power of the backgrounds and the skills of EOMs players in the determination of their roles in the implementing stage of the missions. Accordingly, individual actors have been requested to indicate if EOMs players have conducted their activities in defined ways because of their prior knowledge of the country or because of their previous involvement in other EU EOMs.

5. The structure of the work

Having exhausted the depiction of the research design, presented in detail in the first and second chapter of the work, it is now time to briefly look at the structure of the thesis, emphasising the basic elements taken into account in each chapter.

The third chapter firstly introduces the foreign policy of the EU through the identification of four "critical junctures" (Hall and Taylor 1996; Goetz and Meyer-Sahling 2009; Fabbrini 2015) in its historical development, the last one being the Lisbon Treaty, and then focuses on the institutional actors performing relevant roles in this domain, with particular regard to the Election Observation Missions. In so doing, the chapter helps defining EU foreign policy as "multilocation" (Wallace 2005, p. 78) since it is formulated thanks to bargaining processes among supranational and intergovernmental institutional actors whose significance is not regulated by a hierarchical system. Moreover, in the last section, the commitment of the EU in the sector of democracy promotion, protection of human rights and rule of law is reported in order to select the type of "conditionality" (Youngs 2001b) used by this international organization in the conduct of the Election Observation Missions.

The fourth chapter shows the pledge of the EU in the domain of electoral support, emphasising the weight of the *Communication on EU Election Assistance and Observation* as a crucial turning point for the development of the matter, thus conferring further legitimacy to the theoretical approach of historical newinstitutionalism. The chapter then devotes attention

to the distinction between the kindred topics of election observation and electoral assistance, pointing out the involvement of different institutional actors in the performance of these activities. Accordingly, the discussion allows to confine electoral assistance in a purely supranational domain while the management of election observation pertains to both supranational and intergovernmental institutional actors, in line with the label of "multilocation" (Wallace 2005, p. 78) foreign policy introduced in the preceding chapter. Furthermore, the last part of the chapter investigates the actorness of the EU in the conduct of the Election Observation Missions, ending up defining it as an expression of a peculiar mixture of both normative and civilian power.

The fifth chapter carefully describes the European Union Election Observation Missions, providing a comprehensive overview of both the phases of elaboration and implementation after some methodological clarifications regarding the "Electoral Cycle Approach" (Tuccinardi *et al.* 2008, pp. 15-17; European Commission 2006, pp. 45-46), claiming the significance of all the stages of the observation process. Concerning the first moment of the missions, the chapter highlights the functions of the EOMs designers in the modalities defined by the Lisbon Treaty, thus making the successive comparison with the previous normative framework easier. Conversely, with regard to the second phase of the missions, EOMs players are described by devoting specific looks at the working connections that individuals are supposed to maintain in accordance with the provisions set in the *Handbooks* regulating the missions. This focus is useful to compare the *expected* levels of cooperation with the *actual* cooperative working contacts among individual actors deployed to the missions in Sri Lanka.

The sixth chapter, in addition to the description of the political context of Sri Lanka in which elections have taken place, deals with the ultimate analysis concerning the verification/falsification of the hypothesis through the methods of data collection previously introduced.

Firstly, the document analysis, performed to compare the normative provisions of the Lisbon Treaty regulating the framework of democracy support, protection of human rights and rule of law and the roles of EOMs designers with those defined in Maastricht, demonstrates that the entry into force of the LT did not introduce relevant modifications to the management of the bargaining process to establish an Election Observation Mission. Moreover, thanks to the recourse to different versions of the *Handbook* and through the help of semistructured interviews, as well as of other observations regarding the Foreign Policy Instrument (FPI), it

seems easy to prove the irrelevance of the adoption of the Lisbon Treaty for changes affecting the conduct of EOMs designers in the elaborating stage of EU Election Observation Missions.

Secondly, the social network analysis, coupled with interviews submitted to four individual actors participating in the missions in Sri Lanka, investigates the relevance of EOMs players in light of their cooperative working ties by drawing upon their level of *expected* power, defined on the basis of the relationships envisaged among them by the last published *Handbook*. Accordingly, the values of the *expected* levels of centrality and brokerage are compared with those highlighting the *actual* power shown by individual actors. The following results demonstrate that high scores of actual power are not necessarily caused by relevant cooperation, as shown by the functions of the Chief Observer and the Deputy Chief Observer in both the missions, and that when discrete degrees of cooperation are associated with high levels of actual power, the last ones reflect significant scores of expected power, thus limiting the explanatory potential of cooperative working ties.

Thirdly, semistructured interviews analyse the significance of previous experiences in the field of election observation as a factor explaining the relevance of EOMs players in the implementing stage of the missions. In this frame, all the interviewed people argue that there is a causal connection between the two variables and, thanks to their unanimous answers, it may be concluded that experiences and skills are the factors shaping the power or cooperation of an individual actor during EU Election Observation Missions.

6. Findings of the thesis and concluding remarks

In sum, the last reported chapter has falsified the first assumption according to which *the more the number of changes in the institutional framework, the more the differences in the roles performed by EOMs designers in the phase of elaboration of EU Election Observation Missions*, and has partly validated the second hypothesis, since *the more the previous experiences of EOMs players in the field of election observation, the more powerful their roles during the missions*, while the fact that *the more the cooperative working connections of one individual actor with other EOMs players during the implementing stage of EU Election Observation Missions the more powerful his/her role during the missions* has been refuted.

However, the test of the hypotheses does not represent the unique significant contribution of this work for the matter of EU election observation since other three issues are noteworthy. First, this thesis embodies the first study regarding the roles of institutional and individual actors in the performance of EU Election Observation Missions and can therefore set itself up

as a point of departure for upcoming analysis concerning this theme. Second, this work helps to systematize the practice of election observation in the complex domain of EU foreign policy, also providing a consistent explanation of its differences from the kindred topic of electoral assistance. In particular, it has been emphasised that there are different institutional regimes regulating these activities, "multilocation" (Wallace 2005, p. 78) in the case under investigation and entirely supranational in the other field. Such a distinction owns the right credentials to constitute a milestone for the definition of activities in the broad context of electoral support. Lastly, this study defines the involvement of the EU in the domain of election observation as an example of both normative and civilian power, thus innovating with respect to the tradition that has always emphasised only the second expression of international actorness by reference to this matter. This novelty, in analogy with that regarding the systematization of election observation in the foreign policy of the EU, can surely represent another breakthrough in the studies grounded in the complex domain of election observation.

In sum, this work, assessing the irrelevance of both the changes in the normative framework for the roles of institutional actors and the cooperative working connections in light of the power shown by individual actors and proving the incidence of past experiences for the ownership of such power in the domain of the EU Election Observation Missions, also aims at filling the existing academic gaps in the subject of election observation and at better defining its features in the broader framework of EU foreign policy and electoral support.