A Global Force for Human Rights?
An Audit of European Power at the UN

Richard Gowan & Franziska Brantner
POLICY PAPER

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A GLOBAL FORCE FOR HUMAN RIGHTS? AN AUDIT OF EUROPEAN POWER AT THE UN

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Executive Summary

The European Union (EU) is suffering a slow-motion crisis at the United Nations (UN). The problem is not a lack of internal cohesion, which has improved markedly since the nadir of the Iraq War. The problem is fading power to set the rules of the game. The EU's members insist that the UN is central to their vision of international order and universal human rights – but the UN is increasingly being shaped by China, Russia and their allies. This paradox has come to the fore in 2008 as the EU has tried to work through the UN on Burma and Zimbabwe, yet been unable to get Security Council resolutions for action. These defeats come on top of previous setbacks for the EU at the UN in cases from Kosovo to Darfur.

This is partially due to geopolitical shifts. But this report shows that the EU has also been the architect of its own misfortune. Europe has lost ground because of a reluctance to use its leverage, and a tendency to look inwards – with 1,000 coordination meetings in New York alone each year – rather than talk to others. It is also weakened by a failure to address flaws in its reputation as a leader on human rights and multilateralism.

The EU has many interests in the UN, from nuclear proliferation to climate change. This report does not give an overview of them all. It concentrates on the universal values that European states believe should underpin the UN system.

If Europe can no longer win support at the UN for international action on human rights and justice, overriding national sovereignty in extreme cases, it will have been defeated over one of its deepest convictions about international politics as a whole. This is particularly true in cases involving the Responsibility to Protect against genocide and mass atrocities, when the humanitarian consequences of inaction are most severe.

The crisis facing the EU is apparent in the declining support among the UN's members for European positions on human rights and the responsible exercise of sovereignty. That has been highlighted by 2008's vitriolic Security Council debates, which have not only been about immediate crises but the principles of UN action. Russia justified its decision to veto action on Zimbabwe – despite an apparent promise to support it from President Medvedev at the G8 summit – as a defence of the UN Charter's definition of sovereignty.

While the anecdotal evidence of European weakness has mounted, it has not been measured more rigorously. This report analyses voting on human rights issues at the UN to quantify the scale of the problem. It is sizeable. In the 1990s, the EU enjoyed up to 72% support on human rights issues in the UN General Assembly. In the last two Assembly sessions, the comparable percentages have been 48 and 55%. This decline is overshadowed by a leap in support for Chinese positions in the same votes from under 50% in the later 1990s to 74% in 2007-8. Russia has enjoyed a comparable leap in support. The trend away from the Europeans is markedly worse on the new Human Rights Council (HRC) where EU positions have been defeated in over half the votes.

Based on the voting record from its last two sessions (2006-8), the General Assembly can be divided into four groups:

• *"Wider Europe"* comprises the 27 EU members and other European countries that vote more or less consistently with EU positions. This group has grown and become more consistent over the last decade. It now adds up to 44 states or 23% of UN members.[1]

• The group of *"Liberal Internationalists"* consists of countries voting with the EU more than half of the time. It has totaled 44 states or 23% of UN members during the last two sessions of the General Assembly and contains three distinct subgroups. One includes the US and its closest allies like Israel. The second includes non-European advanced economies, such as Canada and South Korea, that are generally situated between US and EU positions on human rights. The third consists primarily of Latin American democracies that perceive themselves as supporters of a UN human rights agenda but argue that this requires accommodating the views of the South.

1 Statistical divisions of the General Assembly may not always add up to precisely 100%, due to rounding.

- The largest group in the assembly can be described as *"Swing Voters"* – countries which vote with the EU on human rights only between 36% and 50% of the time. In 2006-7, this group included 85 states or 44% of UN members. It comprises the majority of G77 states and includes three subgroups. Members of the Organisation of the Islamic Conference (OIC) are the most hard-line of these, opposing EU positions in most cases. Other African and Asian states tend to be less dogmatic, often abstaining or voting against EU positions out of loyalty to the G77. India and South Africa are the most prominent of the "Alienated Emerging Powers", unhappy with their place in the UN.

- The last group is also the smallest, bringing together those countries whose human rights stance is most hostile to that of the EU. With only 19 states or 10% of UN members, the influence of this "*Axis of Sovereignty*" stems less from its size than from its membership: countries such as China and Russia and regional powers like Egypt.

The EU's diminishing influence over the last decade is all the more surprising given the amount of money that it invests in multilateral processes, and its strong representation within the UN system. EU states finance the lion's share of the UN budget and are collectively the world's biggest aid donor, committed to disbursing $80 billion a year by 2010. The fact that the EU holds four or five seats on the Security Council at any given time should be another source of leverage.

Yet the EU is losing political credibility. It confronts a changed international context, with China and Russia emerging as alternative poles of attraction, and blocs of states from the Middle East, Africa and elsewhere setting themselves in opposition to the values that Europe espouses. And the West is in disarray: the EU's rifts with the US on many human rights issues at the UN in the Bush era have weakened both.

Faced with these challenges, the EU has not communicated its vision of multilateralism to others in a politically compelling way. The EU has tied human rights and political dialogue into its aid and trade agreements, but failed to connect this approach to its UN diplomacy. It often seems defensive where it should be visionary.

The EU's decline at the UN is apparent in three key forums: the *General Assembly*, the *Human Rights Council*, and the *Security Council*.

Europe's declining power: the evidence

The EU is now united in three-quarters of votes at the *General Assembly* – an impressive achievement requiring huge diplomatic energy. But the EU's voting coincidence on human rights – the frequency with which other states have voted with the EU – dropped from 72% in the 1997-8 General Assembly session to 48% in the 2006-7 session. It rebounded to 55% in the 2007-8 session, demonstrating that its decline is not inevitable, but its position is still fragile. In recent votes on human rights in Belarus, Iran and Burma, the EU only managed to muster an average of 80 supporting countries. Since the late 1990s, the EU has lost the regular support of around one-quarter of UN members: 41 countries have gone from typically voting with the EU on human rights to voting against it within the past decade. The US has suffered a worse collapse, as its support has tumbled from 77% in the 1997-8 session to as low as 30% in 2007-8.

This represents a set of converging challenges for the EU. The primary defenders of traditional sovereignty have grown more assertive. In 2007-8, China and Russia now enjoyed voting coincidence scores on human rights of 74% and 76% respectively, and both have surpassed 80% in recent sessions. This reflects not only their outspoken commitment to sovereignty, but their diplomatic skill in playing the UN system.

> Since the late 1990s, the EU has lost the regular support of around one-quarter of UN members

But the EU's decline is not down to great power politics alone. It has also suffered a rift with the 56 members of the OIC and there are now only three Muslim-majority states among the EU's human rights allies (Afghanistan, Bosnia and Herzegovina, and Turkey). This reflects not only disputes over the Middle East, but a fundamental clash over cultural and religious values.

The EU has lost much support from African states since the 1990s, despite common policies in some specific cases like Darfur. While African leaders are increasingly sympathetic to some forms of humanitarian intervention, they feel alienated by the European approach to matters like immigration.

A greater effort to apply the Cotonou Agreement's measures on cooperation within international institutions might have bridged these divisions.

Even the EU's closest liberal Latin American allies are increasingly lukewarm towards the Old Continent at the UN. They believe that the Europeans are failing to prepare for a less Western world. Many of the world's democracies also show little enthusiasm for the EU's approach: European and Asian democracies may lean towards the EU on human rights votes but only a third of African ones do, while its strongest opponents include India, Indonesia and South Africa.

The pattern of votes in the General Assembly shows that opposition to the EU is growing across the board, spurred by a common resistance to European efforts at promoting universal human rights. There are still exceptions: the EU has just driven through a landmark resolution against the death penalty. But such successes are rare.

The EU is faring even worse in the 47-member *Human Rights Council* (HRC). This was formed in 2006 – with European support against US opposition – to replace the Commission on Human Rights (CHR), which was the object of widespread criticism. But the EU and its human rights allies actually enjoyed a small but workable majority in the CHR, which it has lost in the HRC, primarily due to a reallocation of seats by region that EU diplomats had failed to anticipate.

In the first elections to the HRC, EU states and allies received 19 seats as opposed to 27 for the EU's opponents. This ratio has been replicated in subsequent elections and while EU unity has been exemplary in the HRC, it has lost more than half the votes there. The greatest tests of strength have been over the HRC's right to address human rights abuses inside specific countries. In 2007, a group of the EU's opponents (with Russia and China to the fore) attempted to stop the HRC addressing any individual country's human rights record. The European members had to make a public threat to withdraw from the HRC altogether to halt this initiative, and accept an end to HRC-mandated monitoring of Belarus and Cuba as a quid pro quo.

Consumed by these disputes, the EU has had little opportunity to set the agenda at the HRC, frustrating not only its allies but also EU Member States who would prefer a more progressive stance. As in the General Assembly, the EU can boast some individual successes, including keeping Darfur on the

HRC's agenda and deftly outmaneuvering its opponents to push through a resolution on religious freedom. But it has been less effective on the particularly sensitive issue of racism and is widely accused of failing to address human rights abuses within the EU – a potent charge of double standards.

The EU's frustrations continue on the *Security Council*. Despite an even division among the current membership between the EU's friends and foes, the Russian and Chinese vetoes are a permanent impediment to progress on human rights issues. Neither country actually uses its veto very frequently (although a joint Chinese-Russian veto did block a UK-US resolution on Burma in early 2007 and another on Zimbabwe in 2008), but the threat is often sufficient to make the EU retreat or compromise.

> After nearly two decades in which the Security Council has been a relatively benign environment for the EU there is a threat that it will become an increasingly harsh one.

The EU has thus been forced to water down resolutions on subjects such as peacekeeping in Darfur to get them through; in 2007, a resolution on Kosovo had to be abandoned altogether because of Russian opposition. The 2008 Security Council debates on Burma and Zimbabwe resulted in further high-profile failures for the EU – the former was presented by some Europeans as a setback for the Responsibility to Protect, while the latter was celebrated by Russia's ambassador as a victory for traditional sovereignty.

After nearly two decades in which the Security Council has been a relatively benign environment for the EU – neither France nor the UK has cast a veto since 1989 – there is now a threat that the Council will become an increasingly harsh one. The EU will need to adapt to defend its principles in the face of increasingly combative foes.

How can Europe turn the tide at the UN?

Can the EU reverse the decline in its own influence and steer the organisation towards an agenda emphasising human rights and multilateralism?

It is not primarily a question of improving EU unity within the UN, which is already at an all-time high. The EU increasingly votes as one but the rest of the world has not followed; support for EU positions at the UN is steadily decreasing. European unity is necessary, but it is not sufficient.

The EU has the option of committing itself to an alliance with the next US administration, which would soon paint over the cracks of the Bush years. But this strategy, though important, will not be sufficient. Moreover, if pursued blindly, it risks a polarisation between the West and the Rest, which would paralyse the UN.

Some argue that the EU should develop a role as a bridge builder between developing countries and the US. However, trying to be all things to all men rarely proves to be a successful strategy. The US might even be tempted to cut a vacillating EU out of dealings with other powers.

Building an alliance of global democracies is, on its own, an equally implausible option, since the data in this report shows that many major developing democracies would be unlikely to accept European or Western leadership.

This leaves only one feasible option: Europe must erect a big tent at the UN, constructing broad, shifting coalitions capable of isolating the hard-line minority of states which resist all attempts to impose limits on national sovereignty. It needs an engagement strategy to win back the support of the African and Latin American countries that it has lost, and win over more moderate members of the Islamic bloc. This coalition-building policy should help put pressure on the Security Council to act in crises.

To this end, the EU needs to mobilise all the political and financial resources it can – as well as examining the sanctions it can impose – to persuade other countries to support an international rule of law based on human rights and justice.

Strategy and recommendations

The EU will not be able to reverse its decline at the UN through fragmented initiatives. It needs to define a new approach to human rights that will restore its reputation as a leader in the field, and develop a new political narrative that involves both creating widespread momentum for new rights initiatives and protecting established principles against the UN's sovereignty hawks. This will not be easy: the EU has to emphasise its openness to new ideas and new coalitions while simultaneously defining and defending its fundamental beliefs, not least concerning the Responsibility to Protect. But precisely this combination of openness and determination has the potential to break the mould of UN politics, which emphasises adversarial bloc politics over cooperation.

> The EU has to develop a political narrative around creating momentum for new human rights initiatives while protecting established principles against sovereignty hawks.

1. Creating greater mutual transparency

Europe should aim to make both the UN and the EU more transparent. Too often, governments at the UN hide behind technicalities and group affiliations to avoid addressing hard questions about human rights. Any new strategy must reduce their chances to do so. But the Europeans are as adept at avoiding scrutiny as members of any other bloc, and sometimes even more so (as we detail in our analysis of the HRC). The EU will not gain credibility for its new approach unless it takes the risk of increased transparency itself, overturning accusations of double standards. To achieve this:

- The European Council and Commission should prepare an *annual report on human rights at the UN*, offering an analysis of EU policies and their impact on voting patterns and coalition building at the UN. It should contain statistics and analysis enabling the European Parliament and national parliaments in the EU to debate EU Member States' policies at the UN, and raise their political profile.

- The EU should *appoint two to three human rights envoys* focused on the UN system to conduct outreach campaigns on behalf of the whole EU. Their remit should include lobbying widely outside the UN hallways, and promoting the EU's new strategy.

- Establish a *new independent fund for campaigns run by non-governmental organisations* (NGOs) (with a focus on national and local-level NGOs in developing countries) to focus on human rights issues at the UN in their domestic politics, raising scrutiny of their governments' policies and votes.

- Encourage EU members to *lead by example* in welcoming debate about European human rights issues at the UN and in bilateral negotiations, especially through the Universal Periodic Review (UPR) mechanism at the HRC. EU countries should also *review their individual foreign policies* (and, in many cases, their specific positions regarding US behavior) to avoid inconsistencies with positions taken at the UN.

2. Improving the EU's internal and external coordination

The EU should strive to further improve its internal coordination and, at the same time, become more open to working with others – challenging the belief, so strong at the UN, that bloc politics is about confrontation rather than coalition building.

- The EU should appoint a panel of senior Europeans with UN experience to review the way EU policy towards the UN is made and implemented, with a view to streamlining coordination and increasing policy coherence to improve its ability to build effective coalitions. The Commission and Council should appoint small expert advisory teams to offer coordination support in New York and Geneva.

- To expand its coalitions of friends, the EU can build on the French and British strategy of working through the Francophonie and the Commonwealth. Using the provisions of the Cotonou Agreement, it should also form a "Cotonou group" of African, Caribbean and Pacific states in New York and Geneva, focusing on human rights. The EU should work with moderate Muslim countries such as Jordan and Senegal to persuade the OIC to move away from its hardline positions or, if that is impossible, to reduce its influence.

- To increase the number of progressive states in the HRC, EU members should encourage competition for places by designating "Most Favoured Candidates" and actively campaign for their election to the HRC. EU members should also draw up a list of "Uncooperative States" and campaign against their election to the HRC.

- The EU should also work to increase the positive impact of HRC elections by promising to fund candidacy pledges made by candidates to improve their human rights situations.

*3. Enhancing European human rights dialogue –
and defending core principles*

The EU must strike a balance between its readiness to engage in serious dialogue on human rights and its continued resolve to defend its core principles, not least in the Security Council. This combination of dialogue and determination is essential to the EU's claim to believe in universal rights.

- At the centre of its new dialogue, the EU should engage on a new generation of human rights resolutions – on issues like immigrant rights, union rights and globalization – with "lead-up" processes that engage at an early stage with the widest possible range of developing countries, as well as a wide range of civil society actors.

- The EU should continue to push human rights-related security issues onto the Security Council agenda, and be prepared to call Russia and China's bluff on Security Council vetoes in cases where it will do them public political damage.

- The EU should highlight its commitment to fulfilling the Responsibility to Protect by conducting advance discussions on the tactics and sanctions available to the EU to defend the principle in cases where it is obstructed in the Security Council.

Introduction

The EU is undergoing a slow-motion crisis at the UN. The problem is not internal cohesion: coordination between EU members has improved markedly since the nadir of 2003, when their divisions over Iraq were dramatically exposed in the Security Council. The problem is one of influence and values. The EU is increasingly unable to get the rest of the world to support a vision of a global order in which international institutions defend individual human rights, and where respect for national sovereignty is ultimately dependent on countries' treatment of their citizens.

- In the Security Council, China and Russia have obstructed European initiatives on Darfur, Kosovo and – in two recent reverses – Burma and Zimbabwe.

- In the General Assembly, powers that oppose universal human rights are able to muster broad coalitions to back their positions, while Europe now lags behind.

- In the Human Rights Council, EU countries have been on the losing side in more than half the votes – and even threatened to withdraw from it in 2007.

A pattern is emerging which points to declining EU influence throughout the UN to promote an international rule of law based on human rights and justice. That is bad news for Europe and bad news for the world. It becomes even more urgent when, as over Darfur and the Burmese cyclone, European efforts to pursue a humanitarian response to a catastrophe are blocked by Chinese and Russian opposition in the Security Council.

A pattern is emerging which points to declining EU influence throughout the UN to promote an international rule of law based on human rights and justice.

The EU is committed to transforming the UN into a powerful, effective body capable of managing the world's most pressing problems: climate change, armed conflict, mass atrocities, and the threat of nuclear proliferation. The UN is central to the EU's ambition of creating a rule-based global order where even the strongest states operate through a multilateral framework and are bound by international law.

Beyond the persistence of an international rule of law, Europe has a further interest in the values that underpin it. Since the founding of the UN in 1945 and its adoption of the Universal Declaration of Human Rights in 1948, there has been a tension between those whose vision of world order depends on respect for sovereignty, and those who also believe that human rights should underpin peace and security. The EU has been at the forefront of efforts in the post-Cold War years to promote international action to defend individual rights, overriding narrowly defined national sovereignty in extreme cases.

In the 1990s, European states – led by Germany – campaigned in favour of the International Criminal Court (ICC). EU Member States caused a diplomatic ruckus in 2001 by refusing to support US membership of the UN Commission on Human Rights in response to the Bush administration's attempts to undermine the ICC.

The EU also threw its combined weight behind the Responsibility to Protect initiative, which was adopted at the 2005 World Summit. But the ultimate fate of this concept – that states should protect their populations from "genocide, war crimes, ethnic cleansing and crimes against humanity", and that the Security Council may have to act in *extremis* when they do not – remains uncertain. In 2008, EU Member States came under pressure from activists to cite the principle in response to events in Burma and Zimbabwe. But European diplomats feared that such efforts would go beyond the scope of the Responsibility to Protect and fall foul of Chinese and Russian opposition in the Security Council, doing the underlying concept terminal damage.

The fear that the tide is running against the EU goes beyond the Security Council. Using a new database and statistical analysis, this report calculates the level of support for EU positions on human rights in the UN General Assembly over the last ten years. In the 1997-8 session, over 70% of the UN membership voted with the EU on human rights issues. By 2006-7, this figure had fallen to 48% – although it rose to 55% in 2007-8, the last two General Assembly sessions (which this report highlights) have seen the lowest levels of support for EU positions since the immediate post-Cold War period. Support for Chinese positions on human rights has jumped from under 50% at the beginning of this decade to 74%, and both China and Russia have topped 80% in recent years.

If Europe were to lose its ability to muster support for a human rights agenda at the UN, it could still push for action on issues like climate change, nuclear proliferation or economic development. But it would have been defeated on its vision for the international system as a whole. That is why this report concentrates on European influence on human rights questions at the UN, and omits other areas in which European interests are also reflected. At the same time, it is important to recognise that the EU's other priorities can conflict with its support for human rights and force Europe to make difficult trade-offs.

If influence was based on money and institutional standing alone, the EU's ability to transform the UN according to its own priorities would be considerable. Member States contribute the lion's share of the UN's budget and enjoy structural advantages within the organisation, currently occupying five of the 15 seats on the Security Council. Europeans hold many of the UN's top jobs, overseeing its refugee agency, humanitarian and peacekeeping departments, and environmental programme.

The EU also has financial clout that could help it to win support. It is no secret that dollops of bilateral aid tend to grease the wheels of UN diplomacy: a Harvard University study found that a developing country taking up a Security Council seat can expect to see its annual aid from the US jump by nearly two-thirds[2]. The EU is the world's biggest aid donor – committed to disbursing $80 billion a year by 2010. Its members would hardly wish to propose a policy

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[2] Ilyana Kuziemko and Eric Werker, "How much is a seat on the Security Council worth? Foreign aid and bribery at the United Nations", Journal of Political Economy 114/5 (2006).

of bribery and blackmail at the UN, but they have the resources to fund new initiatives to make the organisation's mechanisms work better.

The EU could also achieve greater influence by using its members' ties to other countries through traditional bodies such as the Commonwealth and Francophonie – as Britain and France have done over Darfur – as well as European institutional mechanisms for cooperation with Africa or Latin America. Europe has so much potential leverage that the notoriously hostile former US Ambassador to the UN John Bolton was convinced he faced a European agenda aimed at "making UN institutions into replicas of the deadening Brussels bureaucracies . . . devoted to decreasing the authority of nation-states."[3]

EU diplomats hold 1,000 coordination meetings a year in New York alone.

If we are to believe Bolton, any such conspiracy must be singularly incompetent. During his term at the UN, he cut a deal on the organisation's biannual budget with the G77 that excluded the EU. In future, the EU may find itself cut out of increasingly important debates if it cannot articulate and advocate its principles more effectively. In 2003, the European Commission pronounced that the EU "falls short of its economic and combined political weight, or indeed its contribution to the funding of UN organisations."[4] James Traub, author of an in-depth study of Kofi Annan, puts the problem more bluntly: "the EU's on the side of the angels, but you don't always pull your weight for them."[5]

That's not for lack of diplomatic energy. In recent years, the EU has made real progress on improving its internal cohesion at the UN. Europe, taken as a geographical entity, is increasingly voting as one on human rights. Sixteen non-Member States from the European region, ranging from Andorra to Turkey and Georgia, vote with the EU so consistently as to be de facto members of this bloc. Achieving this consensus demands endless discussions and paperwork: EU diplomats hold 1,000 meetings a year in New York (across all issue areas) in addition to coordination drives in Geneva and Brussels.

3 John Bolton, Surrender Is Not An Option: Defending America at the United Nations and Abroad (New York: 2007), p. 446.

4 European Commission, The European Union and the United Nations: The Choice of Multilateralism, COM (2003) 526.

5 Comments at ECFR conference at the Greentree Estate, New York, September 2007.

At one level, this coordination works. The EU has a far more concrete identity at the UN than in many other aspects of international affairs. But this brings risks. Many states from other regions find such cohesion suspicious and are inclined to counterbalance the EU. Diplomats representing major players such as the US and China grumble that the EU may be coherent, but seems unable to talk about interests rather than generalities.

This is doubly problematic because those major players are all too ready to stand up for their interests. The EU has been alienated from the US at the UN time and again over the last eight years as the Bush administration has tried to block even limited increases in the strength and reach of international law. China has grown increasingly assertive – where once it abstained on many sensitive votes, it is now a powerful pole of attraction for the EU's opponents. Chinese diplomats are rated the best-trained in New York.

There is also a growing fissure between the Organisation of the Islamic Conference (OIC) and the EU over human rights. While there was an alliance between Western and Muslim states during the Balkan wars, in favour of the Bosniaks and Kosovo Albanians, this alliance has now vanished and countries like Egypt or Pakistan are among the staunchest opponents of international action at the UN to protect individual rights (while the US and EU avoid criticising them for fear of losing allies in the "war on terror").

Traditional supporters of European positions, such as the Latin American democracies, have started to underline differences in their approach by advancing their interpretation of human rights and international law, insisting on a stronger development focus. And the EU has had difficulty building a stable relationship with the African countries, which account for over a quarter of the UN's membership. While they have found common ground on the crisis in Darfur, they split over Zimbabwe as many African governments accused the EU of using human rights as a cover for colonial-style interference.

Accusations of colonialism are a permanent fixture at the UN. Rising powers such as Brazil, India and South Africa are demanding greater influence, especially through taking permanent seats on the Security Council. These democracies should be natural partners for Europe – outside the UN, they are. There are many issues negotiated through UN frameworks – from climate change to the Law of the Sea – on which these countries are willing to be flexible, and some of these issues are European priorities.

But at the very core of the UN system, tensions over the organisation's underlying principles lead these rising powers to clash with the EU. They do not feel they are accorded the respect and organisational status they deserve, and thus prefer to stand with the G77 or regional groups as a way to increase their leverage.

In sum, the EU can no longer be fully confident that any other bloc will automatically follow its positions on issues of human rights and humanitarian values at the UN.

This report – looking in turn at the General Assembly, Human Rights Council and Security Council – highlights a series of recurrent dilemmas that the EU must resolve if it is to regain a leading role on human rights at the UN.

One is that the decline in support for EU positions at the UN – and its implications for human rights and progressive multilateralism – is often underestimated or obscured by one-off successes. Our analysis clarifies the problem. But it is also true that the EU members have been insufficiently transparent about their own human rights records at the UN, contributing to a climate of mistrust and accusations of double standards. Greater transparency is required of both the UN and the EU on human rights.

A second dilemma is that the EU, while maintaining and improving its own coordination, urgently needs to develop mechanisms through which it can build broader coalitions at the UN. It has to look inwards and outwards at once. Our analysis shows the extent to which its natural partners have drifted away: the EU needs to reconnect with these partners if its own coordination is to win results in the UN system.

Finally, the EU can only regain these partners if it is prepared to listen to their concerns and adapt its policies to reflect them – but without sacrificing the underlying principle of the universality of human rights. The EU has to be both open to change and constructive engagement at the UN, and ready to mount a defence of its priorities in an increasingly hostile environment. The EU must be hard-headed in defining its core principles at the UN.

Our recommendations address these dilemmas, and suggest how the EU's members can adopt a strategy and political narrative aimed at resolving

them. It is a strategy that is meant to be adopted in the near to medium term – this report deliberately avoids theoretical speculation on how the EU and UN might relate to each other further ahead.

Ultimately, achieving European goals will require an overhaul of the Security Council, an objective recently restated by both Nicolas Sarkozy and Gordon Brown. Europeans are divided about how this should be done, while China, Russia and the US are all sceptical of reform. Europeans will only be capable of advancing the case for reform if they can overcome their internal divisions. Recent British moves to foster more flexible European discussions of Security Council reform should be seriously pursued. But a focus on the UN's structures can distract from the substance of the debates at the UN today – and the underlying trends in who is winning and losing there. These debates are our focus here.

# The General Assembly: Charting the decline of human rights

The UN General Assembly is often dismissed as a talking shop, and many of its resolutions – such as declaring 2008 the Year of the Potato – are of little consequence. But there are at least three reasons why the Assembly is still relevant: it is a forum for significant human rights votes (including motions on specific countries and international conventions); it elects the members of the Security Council and Human Rights Council; and its resolutions are a useful barometer of the collective mood of the UN's members.

The US State Department prepares an annual report for Congress measuring "voting coincidence" – the frequency with which the rest of the world votes with the US in the General Assembly. This shows that support for US positions has fallen from a peak of 50.6% in 1995 to 23.6% in 2006. These figures are open to challenges – they exclude statistically and politically significant abstentions, for example, only tallying "yes and "no" votes – but the trend is undeniable.[6]

What are the comparable figures for the EU? It is impossible to make an exact comparison because the EU continues to split on some issues at the UN, most notably nuclear disarmament. But the number of divisions is now low. Aside from a period of disarray around the Iraq War, the EU has maintained an impressive level of unity in the General Assembly. Indeed, there have been fewer splits since enlargement than before.

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[6] Voting Practices in the United Nations is available at http://www.state.gov/p/io/conrpt/vtgprac/.The basic level of voting coincidence is calculated by dividing the number of votes cast in favour of a country or bloc's positions by the overall number of votes in a given General Assembly session. The same calculations can be applied to smaller samples of votes, as in this report's analysis of human rights. We have decided to use the State Department formula to calculate overall trends to permit direct comparison with the US, but use a different formula that reflects abstentions and failures to vote when categorizing states later in the report. For details of these formulae for calculating voting coincidence, information on how our database has been constructed, and where to get more data on UN voting patterns, see Annex 1.

EU splits as % of General Assembly votes

GENERAL ASSEMBLY SESSION
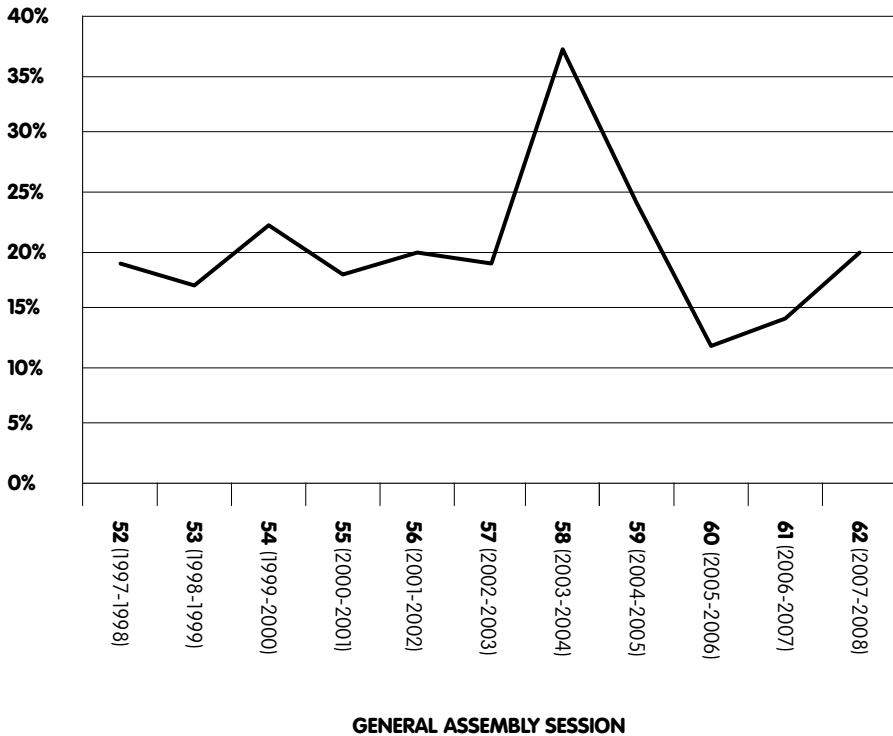
Given the high level of European cohesion, it is possible to apply the American formula to the cases in which it votes as a bloc. When the EU is united, the world normally is too. From 1997 to 2007, voting coincidence with common EU positions was between 70% and 80%. But China, Russia and India all do better across these votes: in 2007, China's score was 84%. And the divergence between the tumbling US score and buoyant EU symbolises a weakening of the West at the UN[7].

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7 Differences between our calculations and the State Department figures here reflect the fact that our figures do not cover votes in which the EU split, resulting in a different sample size.

Voting coincidence in the General Assembly when the EU is united, 1997-2008

GENERAL ASSEMBLY SESSION
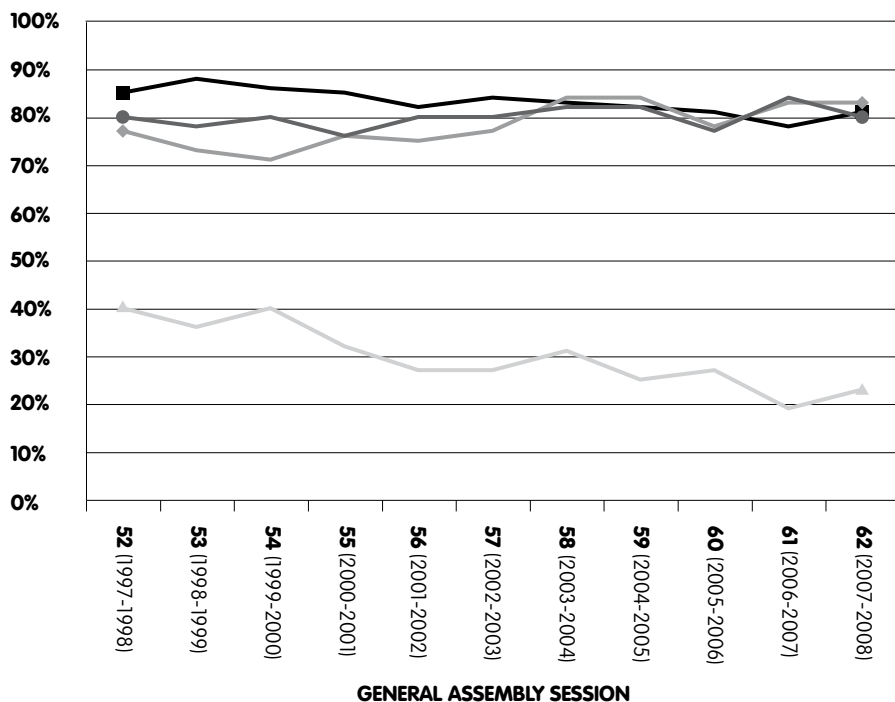
	■ EU	● RUSSIA	◆ CHINA	▲ US
52 (1997-1998)	85%	80%	77%	40%
53 (1998-1999)	88%	78%	73%	36%
54 (1999-2000)	86%	80%	71%	40%
55 (2000-2001)	85%	76%	76%	32%
56 (2001-2002)	82%	80%	75%	27%
57 (2002-2003)	84%	80%	77%	27%
58 (2003-2004)	83%	82%	84%	31%
59 (2004-2005)	82%	82%	84%	25%
60 (2005-2006)	81%	77%	78%	27%
61 (2006-2007)	78%	84%	83%	19%
62 (2007-2008)	81%	80%	83%	23%

The EU's overall score obscures a far more worrying performance in the area of human rights. On human rights votes, support for EU positions declined by a third from 72% in the 1997-8 General Assembly session to a low of 48% in the 2006-7 session - although it rose again to 55% in 2007-8, suggesting that the EU's decline is not absolutely inevitable.

It is a gradual rather than precipitous decline, and the EU and US had a significant boost in the later 1990s from a series of votes on the former Yugoslavia. But the EU's current level of support is also artificially high. It stands with the overwhelming majority of UN members on some human rights votes that the Bush administration opposes, in near-total isolation, to display its resistance to creeping global governance (a particularly high number of these cases in 2005 resulted in a one-off resurgence of EU support to 70%). But exclude these essentially symbolic votes – such as an annual EU-sponsored resolution on child rights – and the EU's support level on human rights is as low as 40%.

The EU's internal cohesion has increased as its external support has eroded. There has not been a single EU split on human rights since the 2005-6 session.

> Overall support for EU positions obscures a far more worrying performance in the area of human rights.

## EU splits on General Assembly human rights votes, and voting coincidence with common EU positions, 1997-2008

GENERAL ASSEMBLY SESSION
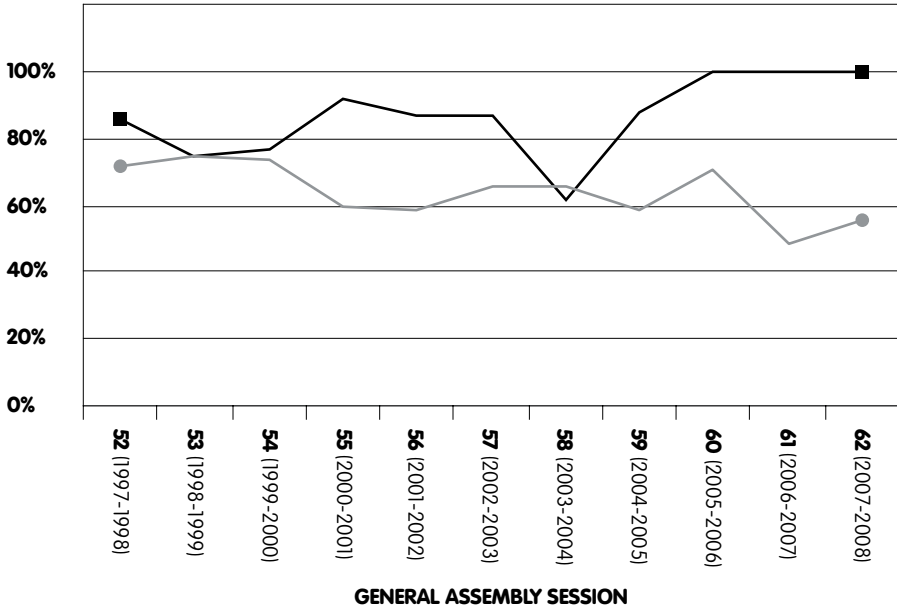
	● VOTING COINCIDENCE WITH EU POSITIONS (%)	■ LEVEL OF EU COHERENCE (%)
52 (1997-1998)	72%	86%
53 (1998-1999)	75%	75%
54 (1999-2000)	74%	77%
55 (2000-2001)	59%	92%
56 (2001-2002)	58%	87%
57 (2002-2003)	66%	87%
58 (2003-2004)	66%	62%
59 (2004-2005)	58%	88%
60 (2005-2006)	71%	100%
61 (2006-2007)	48%	100%
62 (2007-2008)	55%	100%

The 15-20 human rights resolutions involved each year fall into two parts. Most are thematic, setting out universal rights principles – including those that the US has dogmatically rejected. The EU abstains or votes against a number of thematic resolutions tying rights to development that it fears might place obligations on its members. Unfortunately for its image, it votes against resolutions promoting the rights of migrants. It also opposes repeated resolutions aiming to limit free speech on cultural and religious grounds (an issue that we will see has proved more divisive still in the HRC).

But its main focus has been on a relatively small number of votes raising concerns on human rights abuses in specific countries like Iran, Sudan and Burma. The EU can typically get around 80 nations on its side in these cases, in contrast to over 100 for votes on the Balkans in the 1990s – the rise of direct opposition to the EU on these votes has been gradual, not calamitous. But the trend lines conceal a growing sense of fragility in the European stance. Resolutions on Burma, previously passed unanimously, have been the subject of contentious votes in the last two years. Anticipating increased opposition, the EU also limits the number of case-specific votes it risks putting forward.

Average numbers of votes for and against country-specific human rights resolutions, 1997-2008

GENERAL ASSEMBLY SESSION

- ■ IN FAVOUR
- ● ABSTAIN
- ◆ AGAINST
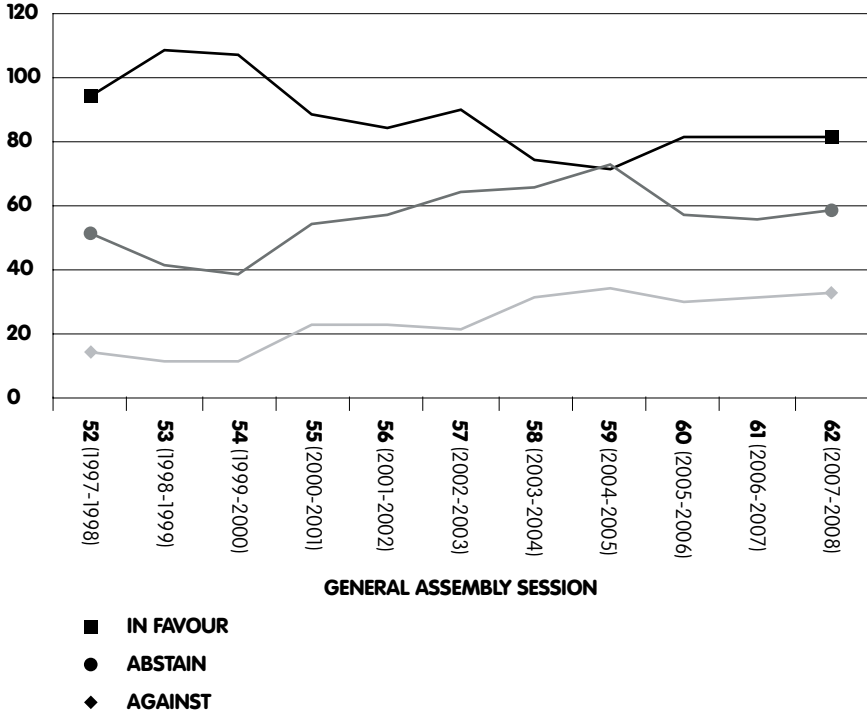
Note: in all votes included, all EU members were in favour of the resolution.

In these country-specific votes, the EU and US are usually lined up against other major powers like China and Russia. Although the Europeans may win in these cases, the overall level of support for China and Russia has grown significantly.

Exactly how significantly becomes clear when their performance on human rights involving a unified EU is tested. In 1996-7, China enjoyed a voting coincidence score of just 41% in these votes, in part reflecting its habit of abstaining on sensitive resolutions. As late as 1999-2000, it only scored 49%. Now, China's score is up by more than half at 74%, and it has passed 80% in previous sessions. Russia's score is up from 59% in 1996-7 to 76%. This rise in influence coincides with a growing assertiveness on human rights. China has given up its policy abstention, and Russia has left post-Soviet caution behind.

China and Russia have another advantage: on many votes they are ready to follow the line set by weaker members of the G77 to show solidarity, while the EU and US object or abstain. This not only leaves them on the winning side but builds goodwill – it is a telling fact that the Chinese are often seen as better listeners than the EU. The US is certainly not seen this way: its voting coincidence score on human rights fell from 77% in 1997-98 to 30% in 2007-8.

Voting coincidence with China, the EU, Russia and the US on human rights votes in the General Assembly, 1997-2007 (in cases of EU consensus)

GENERAL ASSEMBLY SESSION

- ■ EU
- ● US
- ◆ CHINA
- ▲ RUSSIA
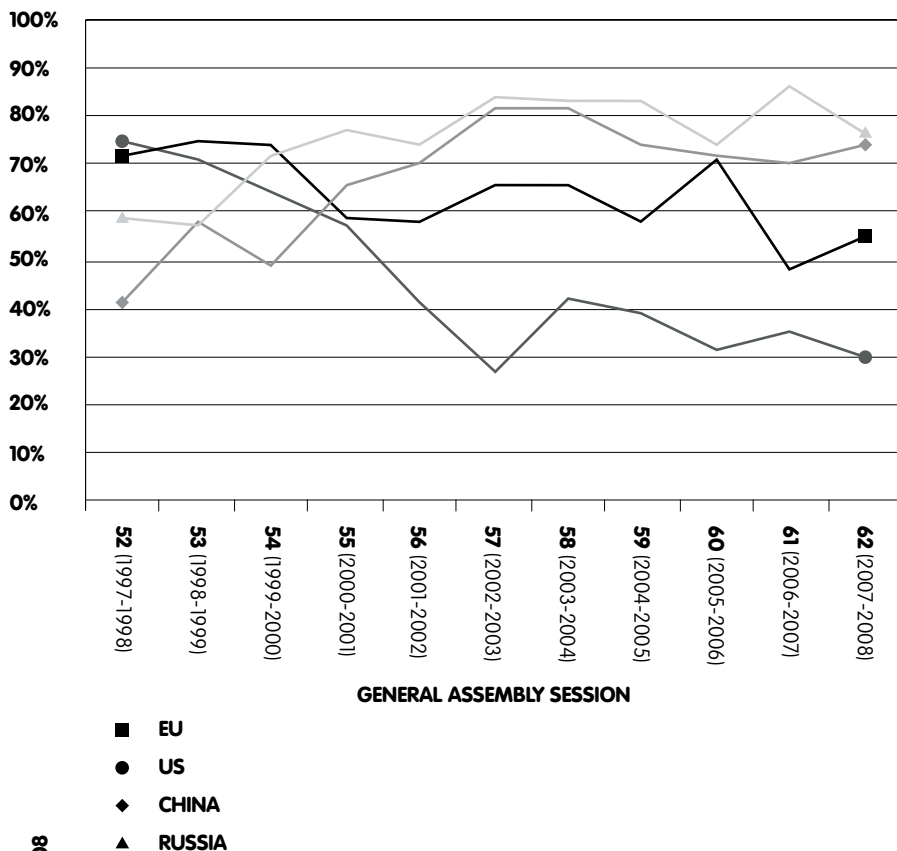
What of the bulk of states in the General Assembly? To analyse trends within it, the Assembly can be roughly divided into four groups as the basis for further investigation. The following categories are based on voting patterns in the 2006-7 and 2007-8 Assembly sessions. To give a full picture of each country's behaviour, they factor in abstentions and no-shows, unlike the State Department formula for voting coincidence.[8]

8 See the explanation of data and methods at www.ecfr.eu.

- Wider Europe (European countries outside the EU that vote more or less consistently with EU positions – this has grown and become more consistent over the last decade): the EU and its European allies add up to 44 states (23% of UN members).[9]

- Liberal Internationalists (countries with a voting coincidence score with the EU of more than 50%): this group totals 44 states (23% of UN members). It contains three distinct subgroups. One is the US and its circle of allies, some of which (like Israel) will almost always vote with the Americans. The second includes the "Rest of the West" – advanced democracies like Canada, South Korea and Japan that are positioned between the EU and US on human rights. The third group consists of the Latin American democracies that perceive themselves as upholders of UN rights mechanisms and vote with the EU on crisis issues, but back the developing world on development resolutions[10].

- Swing Voters (countries with a voting coincidence score with the EU of 36%-50% on human rights): this is now the largest group in the General Assembly, including the majority of G77 members. This group totals 85 states (44% of UN members) and can also be divided into subcategories. The Organisation of the Islamic Conference (OIC) represents a hardening bloc opposed to EU positions in nearly all areas. Most African and Asian states among the Swing Voters are less dogmatic, typically voting against the EU on development matters but abstaining on crisis issues in countries beyond their own neighbourhoods. Finally, India and South Africa represent "Alienated Emerging Powers" within the Swing Voters, unhappy with their place in the UN.

- Axis of Sovereignty (countries with a voting coincidence score with the EU of 35% or less on human rights): a small but influential group that includes China and Russia and regional powers like Egypt and Pakistan. This group totals 19 states – 10% of UN members.

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9 Statistical divisions of the General Assembly may not always add up to precisely 100%, due to rounding.

10 A small number of outliers – like Afghanistan and Timor-Leste – are also found in this group, often reflecting their reliance on the US or the EU.

The four key groups on human rights

Wider Europe:
all EU members and Albania, Andorra, Bosnia and Herzegovina, Croatia, Georgia, Iceland, Liechtenstein, Macedonia, Moldova, Monaco, Montenegro, Norway, San Marino, Serbia, Switzerland, Ukraine and Turkey.

The Liberal Internationalists
*(countries marked with a * typically vote with the US):*
Afghanistan, Argentina, Australia, Bahamas, Brazil, Burundi, Canada, Chad, Chile, Costa Rica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Fiji, Guatemala, Haiti, Honduras, Israel*, Japan, Kiribati*, Madagascar, Marshall Islands*, Mexico, Micronesia*, Nauru*, Nepal, New Zealand, Nicaragua, Palau*, Panama, Papua New Guinea, Paraguay, Peru, Samoa, Seychelles, South Korea, Tanzania, Timor-Leste, Tonga, Tuvalu, United States*, Uruguay and Vanuatu*.

The Swing Voters:
Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahrain, Bangladesh, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Central African Republic, Colombia, Comoros, Congo, Côte d'Ivoire, Democratic Republic of Congo, Djibouti, Dominica, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, India, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Laos, Lebanon, Lesotho, Liberia, Malawi, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Namibia, Niger, Nigeria, Oman, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Suriname, Swaziland, Tajikistan, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, Venezuela, United Arab Emirates, Yemen and Zambia.

The Axis of Sovereignty:
Algeria, Belarus, Burma, China, Cuba, DPR Korea, Egypt, Indonesia, Iran, Libya, Malaysia, Pakistan, Russia, Somalia, Sudan, Syria, Uzbekistan, Vietnam, Zimbabwe.

The current situation is not all bad news. The fact that the European group is a coherent force could not have been predicted with certainty a decade ago. And while its majorities may be waning, it should not be forgotten that the EU does still have the numbers to win many tough votes with the support of wider Europe and liberal internationalists.

But there are obvious gaps in this coalition: 41 nations that qualified as rights allies during the 1998-9 General Assembly session no longer do so. The fact that South Africa is among them highlights the disturbing fact that the bulk of rising powers are now opposed to the EU on human rights.

> The fact that the European group is a coherent force could not have been predicted with certainty a decade ago.

Absent friends:

former allies on human rights no longer typically voting with EU
(current Axis of Sovereignty members in *italic*)

Africa (18 countries): *Algeria*, Angola, Botswana, Cape Verde, Central African Republic, Comoros, *Egypt*, Gabon, Gambia, Lesotho, Malawi, Mauritania, Mauritius, Rwanda, Senegal, South Africa, Swaziland and Togo

Asia (13 countries): Armenia, Azerbaijan, Bahrain, Bhutan, Jordan, Kazakhstan, Kuwait, Mongolia, Saudi Arabia, Tajikistan, Thailand, United Arab Emirates and *Uzbekistan*

Latin America and the Caribbean (10 countries): Barbados, Bolivia, Costa Rica, Dominica, Guyana, Jamaica, Saint Kitts and Nevis, Suriname, Trinidad and Tobago and Venezuela

What patterns are visible among the countries that have shifted against the EU on human rights – and what forms of influence might the EU use to win their support in future? Some of the "absent friends" that have drifted away from the EU on human rights over the last decade have clearly done so for country-specific or narrow reasons. Under Hugo Chavez, for example, Venezuela has shifted from a liberal pro-Western position on rights to a virulently anti-Western stance. In other cases, there is not much ideology involved: poorer countries with small missions in New York frequently fail to vote on resolutions.

Two trends are identifiable among the absent friends. The first is the increasing detachment of African states from European causes. Ten years ago nearly half of the countries in Africa (22 out of 52) counted as EU human rights allies. Today, only six do.

The African group has consolidated its activities, increasingly speaking together, which often leads to lowest common denominator positions. This typically means agreeing to abstain on, or oppose resolutions against African countries. Although the African Union (AU) has allied with the EU on Darfur, its members are more ready than before to oppose the EU on issues that involve sovereignty and development – as became clear over Zimbabwe. African states are also wary of becoming embroiled in issues unrelated to their own continent: in a vote on Burmese human rights in 2008, four-fifths of the African bloc either abstained or did not vote at all (the rest were evenly split over the resolution).

The second major trend shown by the absent friends is a fundamental shift among Muslim nations, which work together through the OIC. In the 1990s, the OIC was not a very coherent grouping and even some of its deeply undemocratic members, like Saudi Arabia and Egypt, sided with the EU on human rights in the Balkans, out of sympathy for the Bosniaks and Kosovo Albanians.

In the worsening climate since 9/11 the OIC has hardened into a coherent and active group. The only Muslim-majority nations among the EU's human rights allies are Turkey, Bosnia and Herzegovina and Afghanistan. The next chapter shows that the OIC has formed an effective front against the EU in the HRC.

Thus, while the EU has consolidated its position at the UN, the organisation's membership as a whole is becoming more polarized. The Israel/Palestinian question has been a particularly divisive one, with developing countries showing strong group solidarity on the issue. This polarisation is the reverse of the political flexibility needed for the UN to be able to tackle crises more effectively.

Yet it is still possible for the EU to cut across bloc politics. In December 2007, the EU won a signal victory when the General Assembly voted for a resolution calling for a moratorium on the death penalty. This had been devised by the EU, but was introduced by a mixture of Latin American and African states alongside EU members – by contrast normal EU allies that maintain capital punishment, like Japan, opposed the motion. The US was also opposed – the EU had managed to create an unprecedented coalition.

What openings are there for the EU to repeat this success? To assess this, we can compare our voting data with broader indicators of countries' relations with the EU. We now look at three sets of these factors. The first is the linkage between aid, trade and human rights – and how these are mediated through EU institutional structures like the Cotonou Agreement. The second is countries' levels of democracy. The third is the ways in which other countries are subjects for European human rights and democracy campaigns.

Aid and contractual frameworks

Tying foreign aid to human rights votes has a controversial history at the UN. In 1986, the US Congress authorised the State Department to reduce aid to countries with "unacceptable" voting records in the General Assembly – what was acceptable was left deliberately vague. This initiative ran out of steam with the end of the Cold War, and most analyses agree that it had no significant impact on overall voting patterns, although it may have given the US additional leverage on a number of sensitive votes.

The EU has never attempted to make such a direct linkage between aid and votes. But it has insisted that human rights and "common values" should be a central element of its frameworks for aid and trade, including the European Neighbourhood Policy (ENP) and the Cotonou Agreement, with 77 African, Caribbean and Pacific (ACP) countries.

The potential relevance of these frameworks to the UN is clear: they offer mechanisms for addressing human rights issues bilaterally that cut across the divisions in New York and Geneva. Although neither is directly concerned with UN affairs, the Cotonou Agreement states that political dialogue between the EU and the other signatories "shall facilitate consultations between the Parties within international fora". It emphasises that this should "also encompass a regular assessment of the developments concerning the respect for human rights, democratic principles, the rule of law and good governance."

European officials are still considering if and how these clauses could be applied to cooperation at the UN – and there is no comparable basic text agreed by all ENP countries. But our data allows us to map the current relationship between European aid and countries' voting patterns, and asks whether the Cotonou and ENP countries represent a natural constituency for European positions on human rights. If they were, their combined weight in UN forums would make them formidable coalition partners.

ENP/Cotonou members in major UN forums, 2007

RELATIONSHIP WITH EU	GENERAL ASSEMBLY	SECURITY COUNCIL	HUMAN RIGHTS COUNCIL	ECONOMIC AND SOCIAL COUNCIL
ENP	16 (7%)	0 (0%)	4 (9%)	1 (4%)
COTONOU AGREEMENT	77 (40%)	2 (14%)	12 (26%)	18 (34%)

Yet an examination of voting records points to a divergence between the EU's developing aid relationships and support for human rights at the UN. Thirty-two of the absent friends that have shifted away from EU human rights positions are ENP or Cotonou countries. Most have relatively aid-reliant economies (measured by aid as a percentage of Gross National Income). For nearly all, the European Commission and EU members are key donors.

If aid flows have failed to halt so many countries shifting away from the EU on human rights, snapshots of voting by the full ENP and Cotonou memberships also find high overall opposition to European positions. Among those countries that have signed Association Agreements with the EU as part of the ENP, only Moldova, Georgia and the Ukraine vote consistently with the EU –

all three want to join the EU one day. ENP countries from the OIC typically take anti-EU positions – although there is a distinction between "moderates" like Morocco and Jordan, and members of the Axis of Sovereignty like Algeria and Egypt.

Voting coincidence with the EU on human rights of ENP Association Agreement Signatories, 2006-8

UKRAINE	100%
MOLDOVA	99%
GEORGIA	96%
ISRAEL	81%
ARMENIA	56%
JORDAN	48%
MOROCCO	45%
LEBANON	43%
TUNISIA	43%
AZERBAIJAN	42%
ALGERIA	35%
EGYPT	31%

Of the 77 countries covered by the Cotonou Agreement, meanwhile, 22 are among the EU's human rights allies – all the rest are "swing voters". It is difficult to argue that those who support European positions are significantly influenced by their links to the EU: most of the 22 allies are small Pacific island states with loyalties to the US (such as Micronesia and Palau) or Australia (the Solomon Islands and Timor-Leste). This underlines the extent to which the EU's own most likely set of supporters – the African countries covered by Cotonou – have diverged from the EU on human rights.

Cotonou signatories among Europe's
Human Rights Allies, 2006-7:

Bahamas, Belize, Burundi, Dominican Republic, Equatorial Guinea, Fiji,
Haiti, Kiribati, Madagascar, Marshall Islands, Micronesia, Nauru, Palau,
Papua New Guinea, Samoa, Tanzania, Timor-Leste, Tonga, and Vanuatu.

The fact that the full potential of the EU's aid frameworks for coalition
building at the UN has not been explored points to options for new initiatives
discussed later in this report. For now, however, it seems that the EU has
put too little emphasis on efforts to "mainstream" multilateral human rights
concerns through bilateral or regional aid and cooperation agreements.

Democracy and civil society activism

While aid linkages may present an avenue for advancing cooperation on
human rights in future, democracy might seem a simpler basis for doing so.
Most of the EU's firmest opponents on human rights are autocracies. Most of
its allies are democratic, although some more stably so than others. The EU's
circle of allies could be part of the basis for an idea that has gained impetus in
the US presidential race: a League of Democracies.

It remains unclear exactly how such a body would work, but its proponents
argue that democratic governments should work within the UN where
possible, and without it, where necessary, to advance liberal values.
John McCain's adviser Robert Kagan argues that this would no more "supplant"
the UN than does the EU, and "the more democratic solidarity there is in the
world, the more influential democratic Europe will be."[11]

There is already a Democracy Caucus at the UN, an offshoot of the loose
"Community of Democracies" launched by the Clinton administration in
Warsaw in 2000. But the criteria for membership are low – one European

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11 Robert Kagan, "The Case for a League of Democracies", Financial Times, 15 May 2008.

diplomat grumbles that "it's pretty much everyone except China" – and its discussions concomitantly unwieldy. Widespread unease over the current US policy to democracy promotion has also proved an obstacle.

Given its democratic credentials the EU could potentially hope to see its agenda gain support from a new democratic alliance. But our data suggests that Europe struggles to shape democratic opinion. There are many democracies among its opponents, including India and South Africa – both fall just short of the "Axis of Sovereignty". The correlation between liberty – as defined in Freedom House's annual surveys – and support for the EU's position on human rights varies widely by region. African democracies in particular tend not to vote with the EU (the figure for Latin America obscures the split between the EU's friends such as Brazil and sceptical democracies in the Caribbean).

> The EU might hope to see its agenda gain support from a new democratic alliance. But our data suggests that Europe struggles to shape democratic opinion.

Voting coincidence with the EU on human rights votes in the General Assembly, 2006-8[12]

	AFRICA	ASIA	EASTERN EUROPE	LATIN AMERICA AND CARIBBEAN	WESTERN EUROPE AND OTHERS
FREE	46%	65%	100%	51%	91%
PARTLY FREE	46%	48%	92%	51%	87%
NOT FREE	43%	39%	37%	34%	n/a

These figures indicate that there can be no easy coalition building on the basis of democracy, and suggest that even if a League of Democracies came into being, its members would have huge differences on sensitive issues of human

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12 Freedom ratings are based on Freedom House's Freedom in the World 2008, available at www.freedomhouse.org.

rights and interventionism, as well as questions of development and trade. The League might very soon end up as deadlocked as the UN with internal splits on regional lines.

But the evident desirability of persuading non-European democracies to work with the EU points to a potential policy opening. Precisely because many of the EU's opponents on human rights are democratic, it should be possible to reinforce civil society efforts to raise UN issues within them and to build common platforms.

NGOs can be useful allies for the EU in New York and Geneva, but they are often trapped in the cage of diplomatic niceties, while it would be more effective to campaign in New Delhi or Pretoria. But civil society organisations outside the immediate orbit of the UN often ignore its business: there was, for example, surprisingly little debate in India during the 2008 Burma crisis on whether and how the Security Council should act.

The EU has previously supported NGOs involved in UN issues – the Commission alone spent over €13 million supporting projects related to the creation of the International Criminal Court (ICC). The remit for the Commission's European Initiative on Democracy and Human Rights (EIDHR) includes "supporting and strengthening the international and regional framework for the protection of human rights, justice, the rule of law and the promotion of democracy."

The fund has backed the EU's campaign against the death penalty, but has otherwise been limited in its support for linking national or regional programmes to the UN level and for advocacy on specific human rights issues coming before the General Assembly and HRC. Although human rights activists argue that NGOs in the developing world can build momentum on UN votes – and Western organisations have put together multinational campaigns on cases like Belarus – the EU has yet to identify a mechanism for helping local initiatives to link up to the UN level without distracting them from their core work. This is a major gap in its approach to the UN.

The Human Rights Council:
the EU in retreat?

The drift away from the EU in the General Assembly is dwarfed by European isolation on the Human Rights Council (HRC). Since the HRC was formed in 2006, the EU and its human rights allies have found themselves outvoted on what should be their home turf. This marginalisation has occurred despite an exceptional level of internal cohesion which has seen the EU members voting together on all contested HRC resolutions to date.

EU members were so badly outflanked in 2007 that they threatened to withdraw from the HRC altogether over proposals to curtail the Council's ability to monitor human rights in individual countries. The strongest advocate of these proposals was China – 14 European foreign ministers called Beijing, and the EU's withdrawal threat made headlines. In the end, Europe managed to preserve the HRC's power to adopt resolutions addressing specific country situations, as well as to appoint special rapporteurs and groups of experts to investigate human rights abuses in specific countries.

China relented in exchange for the withdrawal of the HRC's special rapporteurs on Belarus and Cuba, taking away with one hand what it had given the other. If Belarus and Cuba are unworthy of the HRC's attention, who does this leave? The EU has succeeded in preserving the principle of intervention, but China hollowed out its practical substance.

While EU members have used their leverage to some effect on issues like Darfur, they have generally failed to influence the Council's agenda. "It's no longer the West versus the Rest," one EU diplomat complains, "but Europe versus the world." Former UN High Commissioner for Human Rights Louise

Arbour reportedly argued that the EU should learn to "act like the opposition" at the HRC.[13] Meanwhile, EU Member States have been criticised for double standards and avoiding scrutiny of their own records.

> "It's no longer the West versus the Rest,"
> one EU diplomat complains, "but Europe
> versus the world."

Shaping the HRC

The HRC was launched in 2006 amid high hopes for the forum's ability to advance universal human rights. It was proposed prior to the 2005 World Summit as a replacement for the Commission on Human Rights (CHR), which had an unusually wide range of critics. Opponents of the UN in the West called the CHR a platform for rights abusers like Libya and Sudan, yet many in the developing world saw it as a mechanism for the West to bully poor countries. The CHR had also earned the particular animosity of the Bush administration after the US was blocked from continued membership of the body in 2001, in part because of its opposition to the ICC.

Both the EU and US wanted a replacement that excluded the worst rights abusers – but finding fair and effective criteria proved difficult, rousing the suspicions of developing states. The US floated a formula that would have excluded just three countries. NGOs such as Human Rights Watch suggested basing admission to the HRC on ratification of UN rights treaties and respect for reporting obligations. But it transpired that this could exclude the US and Australia. Some also objected that excluding human rights abusers would only succeed in limiting the Council's influence over them.

An EU-backed proposal that only countries winning two-thirds support from the General Assembly should be eligible to join the Council was also rejected. The importance of this threshold was complicated by a debate over how seats allotted to each regional group should be filled. Should the various regional groups put up slates of candidates matching the number of seats reserved for them, or should there be a "no clean slate" rule, ensuring that every region had more candidates than seats? NGOs argued that the latter option was

13 Quoted by a participant at ECFR conference at the Greentree Estate, New York, September 2007.

inherently more democratic, as it would mean that all candidates would have to campaign for their seats, weeding out human rights abusers. Unfortunately, the EU only picked up on this option when negotiations were far advanced, and was thus unable to prevail. Africa and Asia have put forward "clean slates" in elections for the HRC.

Notwithstanding its dire reputation, the structures of the CHR actually favoured the EU. The allocation of seats allowed Europeans, Latin Americans and their human rights allies to win majorities on most, though very far from all, votes. But this reflected an outdated regional division of the Assembly. It was inevitable that the HRC's composition would be updated to reflect overall changes in UN membership. The resultant reallocation of seats saw a slight but significant shift towards the African and Asian groups that has effectively given the EU's opponents a structural majority:

Distribution of seats on the CHR and HRC

REGION	CHR	HRC
AFRICA	15 (28%)	13 (28%)
ASIA	12 (23%)	13 (28%)
EASTERN EUROPE	5 (9%)	6 (13%)
LATIN AMERICA	11 (21%)	8 (17%)
WESTERN EUROPEAN AND OTHERS GROUP (WEOG)	10 (19%)	7 (15%)
TOTAL	53	47

The EU thus lost structural influence on the HRC from day one. To restore its power, the EU needs to have its existing allies elected to the Council and to build new alliances.

There have been some encouraging signs. States running for membership are invited to publish statements on their domestic human rights situation; this has contributed to discouraging some serial rights abusers, such as Iran, from standing. The EU managed to block Belarus's run for a seat in the highly competitive Eastern European group in 2006 and 2007. But the US, dissatisfied with the new body's rules and unsure that it could get elected, has refused to run for membership. In June 2008 it announced that it was disengaging completely, and would no longer even participate at the HRC as an observer.

Overall, the composition of the HRC has not been favourable to the EU. Nearly a fifth of the initial members were from the "Axis of Sovereignty" in the General Assembly, while over a third can be classed as "swing voters". When elections were held to replace a third of the first cohort in 2007, the results were similar – the 2008 elections went somewhat better, but the HRC as a whole is still an unfavourable environment for the EU. To win a vote, the Europeans and their usual allies need to win over 8-10 swing voters.

HRC elections and current membership, categorized by the voting pattern on human rights in the General Assembly

ELECTION YEAR	EU	WIDER EUROPE	LIBERAL INTERNATIONALISTS	SWING VOTERS	AXIS OF SOVEREIGNTY	TOTAL
2006	8	2	10	20	7	47
2007	3	1	2	6	2	14
2008	3	1	5	4	1	14
CURRENT HRC	7	3	10	20	7	47

EU Member States and EU institutions have also failed to commit adequate diplomatic resources to the HRC, which meets more regularly than the CHR. The European Commission has no full-time staff working on the Human Rights Council in Geneva. There has been no systematic effort by the EU to commit senior officials and actual human rights specialists to handling HRC issues - Germany can be considered an honorable exception for choosing a high-level political appointee (Michael Steiner) to steer HRC business during its EU presidency. Non-governmental observers worry that the HRC's business is largely left to generalist diplomats rather than human rights experts.

The EU in "opposition"

How has the EU performed as "the opposition" in the HRC? The overall figures are worrying. Although the HRC adopts most resolutions by consensus, over half of those that have come to a vote have gone against the EU.

This represents a stark shift from the CHR, where the EU typically won a majority of votes. And even in resolutions adopted by consensus, appearances can be deceptive. In many cases, the EU and its allies have avoided pushing issues to votes when they know they will lose.

The EU and its allies have avoided pushing many issues to votes when they know they will lose.

EU performance in votes on resolutions adopted by the CHR (2005) and HRC (2006-8)

Legend:
- EU WIN
- EU DEFEAT
- EU ABSTAIN
- EU SPLIT
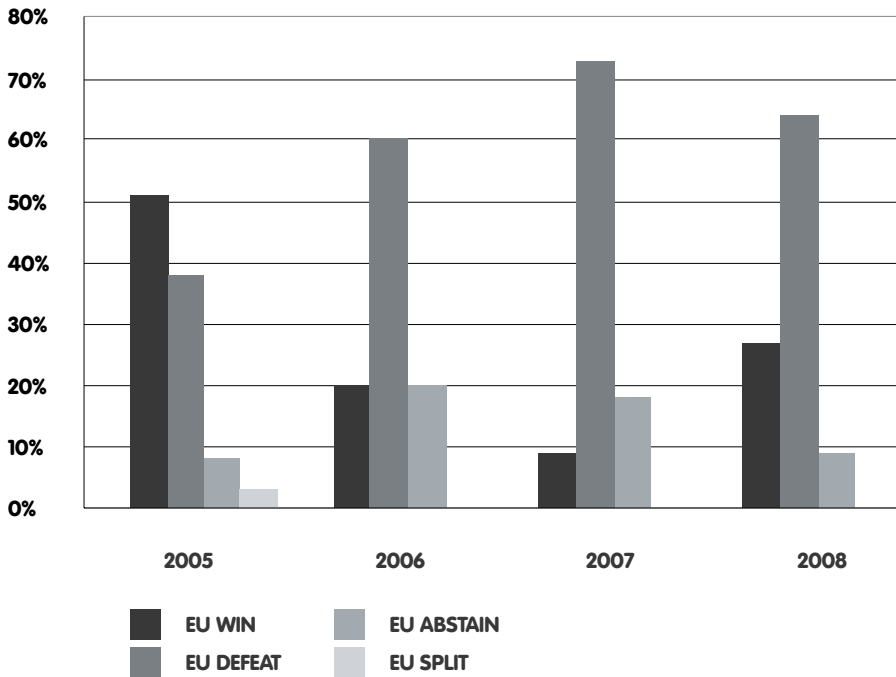
The EU has attempted to bridge some divides at the HRC, holding frequent meetings with the African and Latin American groups. But it has developed a particularly confrontational relationship with the OIC (which holds twice as many seats) and some non-Western democracies such as South Africa. The OIC won an early victory over the EU in 2007 when it pushed through a resolution on "Combating the Defamation of Religions", which effectively affirmed the right of states to pass laws limiting freedom of expression. Similar motions had been passed by the CHR on an annual basis from 1999, with the OIC framing such disputes as pitting "Western rights" against "Islamic values", implicitly challenging the UN's claim to promote universal rights. Resolutions addressing the situation in Palestine have been another deeply polarising factor in the HRC.

Generally, the EU has not found a way to respond to the main ideological themes of developing countries on the HRC: opposition to neo-liberal economics (and specifically the influence of the World Bank and IMF) and US policies. The EU has found itself defending the US in the latter's absence – just as they avoided condemning Guantanamo Bay in the CHR, EU Member States have refrained from criticising the US in the HRC.

> The EU has developed a confrontational relationship with the Organisation of the Islamic Conference and some non-Western democracies such as South Africa.

The greatest tests of strength in the HRC have involved the Council's right to address individual countries, which the EU has fought to defend in principle and in practice. As the 2007 clash with China demonstrated, this has been a controversial and diplomatically costly campaign, and it is not always clear that EU members have a fully worked-out strategy for using UN mechanisms to change the behavior of the countries they target. Nonetheless, in the case of Darfur, the EU has given particular priority to the role of the HRC.

In mid-2007, the EU won support for a special HRC session on Darfur, mainly through French and British lobbying of the Francophonie and Commonwealth. This showed that the EU still has leverage, but the OIC has since moved to

place limits on the HRC's involvement in Sudan. In December 2007, it lobbied for an HRC group of experts on Darfur to be wound up; the EU acquiesced, apparently fearing it would lose a vote[14].

By then the broader battle over the HRC's remit had ended inconclusively. As well as preserving the Council's right to monitor any individual country's human rights record, the EU also blocked Chinese-led efforts to roll back the authority of NGOs to monitor the Council. The EU was able to rely on traditional allies to support this defence, and some "alienated emerging powers", such as India, as well as other unusual supporters like Egypt, were also willing in this instance to oppose most radical initiatives from the Axis of Sovereignty. Yet as we have seen, the EU's victory came at a very high price.

A failure to lead

If the litany of ideological issues advanced by the EU's opponents on the HRC is lengthy – Israel/Palestine, cultural rights, US influence and so on – does the EU have a compelling alternative agenda? While EU Member States introduce a significant number of well-worn resolutions annually, the number of new agenda-setting resolutions directly associated with the EU is limited: it recently co-sponsored a resolution on the rights of the child with Latin American and Caribbean States, and last December won an unusual victory by tabling a resolution on religious freedom that won by 29 votes to 18.

Nonetheless, most new thematic resolutions introduced by Western countries at the HRC have been put forward by Canada and Switzerland, while Brazil and Argentina have also been active in this regard[15]. Furthermore, the EU has lacked the necessary consensus to advance discussions in areas such as the human rights of homosexuals or women's sexual and reproductive rights as a bloc (by contrast, citing the need for unanimity, EU members refused to criticize the last Polish government's regressive attitude to homosexuality at the UN). Unity is often blocked by a relatively small number of Member

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14 The HRC continues to support a Special Rapporteur on Sudan, but independent observers have argued that she would become extremely overloaded without the group of experts. Human Rights Watch, "UN: Unacceptable compromise by Rights Council on Darfur", 14 December 2007.

15 The Canadians, Swiss and Latin Americans have emphasized universal issues: the right to truth (Argentina), rights during pandemics (Switzerland), human rights and terrorism (Switzerland and Mexico), and freedom of expression (Canada). Several European efforts – for example, water rights (Spain/Germany) and extreme poverty (France) – have been met with accusations of trying to dictate terms to the poor from the developing world. South Africa dissociated itself from the French HRC resolution on extreme poverty.

States, to the irritation of more progressively minded members. The French are pursuing a resolution that outlaws treating homosexuality as a crime with the support of the vast majority of EU members, but without formal EU backing because of a dissenting minority.

In spite of some individual wins, therefore, the EU does not look like the main agenda-setting force in the HRC. Its inactivity on progressive issues has alienated its Latin American allies. They see resolutions on a broad range of topics as essential to the HRC's credibility and profile. Some EU members (mainly Nordic) share this concern, arguing that the EU has, for example, missed opportunities to promote women's rights.

The EU also found itself on the defensive over racism and irritated its Latin American allies by arguing that the UN process on combating racism (begun at the 2001 Durban conference) should be funded through voluntary contributions rather than the normal UN budget. This reflects European concern that OIC countries – especially Iran – have exploited the racism process to bash Israel in the past, and will now use it to strengthen prohibitions on criticising Islam (Canada refuses to participate at all for these reasons).

But if the EU's concerns are valid, its sulk has had only a limited impact. It lost the vote on funding the next racism conference. Although EU members remain engaged in preparatory work for that conference, their initial opposition was widely perceived as an effort to downgrade racism as an issue, perhaps to avoid criticism of Europe itself. In opposition to the OIC, the EU has been left looking like a tactically clumsy spoiler.

If that shows how not to build coalitions at the HRC, the EU's 2007 victory on religious freedom was a good example of how to get it right. The EU deftly wrong-footed its opponents by proposing a resolution supporting the "elimination of all forms of intolerance and of discrimination based on religion or belief". This deliberately employed language similar to that used by the OIC in its own resolutions, and the OIC was left to explain that it opposed the right of individuals to change their religion.

The EU members are not normally so tactically adroit. A particular weak spot, relating to the 2007 clash with China, is that they have not fulfilled a promise, made when the HRC was being founded, to identify new ways of raising concrete rights questions without resorting to divisive country-

specific resolutions. And the EU also continues to give the distinct impression that it wants avoid scrutiny of its own human rights. With a few Nordic exceptions, EU Member States standing for membership of the HRC have not made concrete pledges to improve the human rights situation in their country. Instead, they tend to list the number of rights conventions (admittedly large) they have ratified.

One of the HRC's most promising tools is the Universal Periodic Review (UPR) applied to 48 nations each year, comprising both members and non-members of the HRC, which assesses whether they are fulfilling their human rights obligations. The first session took place in April 2008. For this, the EU Member States used "light coordination", by which the presidency does not speak on behalf of the 27 Member States, but coordinates to ensure that Member States intervene along the same lines. This made it possible for the EU to engage constructively during country reviews, circumventing the unanimity rule, which would have prevented European states from criticising fellow EU members.

But the Member States did not take real advantage of this chance to dispel accusations of double standards. Instead, they privately conferred on which questions they would and would not be ready to answer about their domestic policies, and concluded a "gentleman's" understanding among EU Member States not to ask questions that might imply legal changes at home. Also, the EU's performance in the symbolically important final round-up session of the UPR was poor. Relying on "light coordination", European states failed to arrange for at least one EU Member State to speak up on each country. Neither Indonesia nor some EU Member States were asked a question by a European representative. The OIC poached speaking slots the EU left empty.

Recent EU legislation in the field of migration has stirred uproar not only among many of its Latin American friends and many African countries, but also in the UN system. High Commissioner for Human Rights Louise Arbour, on her last day of duty, sent a letter to Bernard Kouchner as representative of the incoming EU presidency in which she explicitly criticised the "return directive" and urgently called for compliance of EU migration policies with international human rights norms.

The EU has also given limited financial support to the HRC. The EU opposed a request by Ban Ki-moon for $8 million for HRC activities in 2008-9.

The EU reportedly insisted only $2 million would be necessary; and horse-trading brought the final figure up to $3.4 million. And while the HRC is meant to help build up UN members' internal human rights mechanisms, the EU has all but ignored this area for cooperation.

The EU's lack of leadership, miserliness and hypocrisy have begun to convince even its allies that making the HRC work is not a European priority. The EU may have saved the Council from becoming a dictators' club, but it has yet to demonstrate its ability to develop a positive agenda that would make the HRC a worthwhile international forum.

The Security Council:
trapped by the veto?

In theory, the Security Council should be the UN forum in which the EU is strongest, with two permanent members and access to three non-permanent seats. But measuring European influence in the Council is in many ways harder than in other UN forums. Controversial issues are rarely pushed to a vote – virtually all resolutions are unanimous. The decisive challenge is not, as in the HRC, to win a majority of members, but to overcome the threat of vetoes by major powers – and this is handicapping the EU.

Yet it is striking that while the Council is currently evenly divided between the EU's friends and foes on human rights, its hardest opponents are particularly well represented – with Indonesia, Libya and Vietnam in addition to Russia and China. Countries' positions in the General Assembly are not necessarily accurate predictors of their stances in the Council – Indonesia has, for example, been a strong supporter of a peace operation in Darfur. But just as the EU has not built a majority of its allies on the HRC, it has been unable to create a coalition of like-minded states on the Security Council. Its structural advantages in the Council mitigate this problem, but do not negate it.

Security Council membership, 2008 – relationship to EU on human rights

BELGIUM	EU
BURKINA FASO	Swing Voter
CHINA*	Axis of Sovereignty
COSTA RICA	Liberal Internationalist
CROATIA	Wider Europe
FRANCE*	EU
INDONESIA	Axis of Sovereignty
ITALY	EU
LIBYA	Axis of Sovereignty
PANAMA	Liberal Internationalist
RUSSIA*	Axis of Sovereignty
SOUTH AFRICA	Swing Voter
UK*	EU
USA*	Liberal Internationalist
VIETNAM	Axis of Sovereignty

*Permanent member

This is a cause for concern. While the EU has seen its power decline elsewhere in the UN system, it has invested heavily in the Security Council. On a day-to-day basis, it does so both by attempting to resolve its own immediate concerns through the Council (as in the case of Kosovo) and by basing many of its security initiatives on Council approval (as in its military missions in the Balkans and Africa). On a conceptual level, it was a strong advocate for the provision in the 2005 World Summit declaration that empowered the Security Council to act on the Responsibility to Protect – in many ways the apex of its efforts to place the rights and lives of individuals over the traditional defence of state sovereignty.

Although China and Russia consistently oppose intervention in the internal affairs of Member States, the fact that the EU, the African Union and the US have managed to keep Darfur on the Security Council's agenda shows that it can be a forum for protecting the rights of the persecuted. Yet since 2005, the EU has been repeatedly blocked both from advancing its immediate interests in the Council and promoting the Responsibility to Protect.

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The veto problem

For many EU members, the first problem associated with the Security Council is still the division between Britain and France, as permanent members, and the remainder of the EU. Although the British and French missions now make a greater effort to keep their EU partners informed on Council matters than in the past, they are keen to retain their privileges. Conversely, smaller non-permanent EU members of the Council – like Belgium and Slovakia in recent years – struggle to influence policy in complex debates.

This tension was evident in clashes in 2005 over Germany's desire to gain a permanent seat of its own – an objective fiercely opposed by Italy, which argued it would deepen the structural division within the European bloc on security matters. Italy itself, now sitting on the Council as a non-permanent member, has promised to represent EU positions.

There has been much speculation on whether a single "EU seat" on the Security Council would be more effective than the current situation, but the prospect remains a distant one for now. Britain has, however, recently made a commendable proposal that Europe should move beyond the 2005 debate and explore alternative options within the EU. In the near term, however, the overriding challenge for all members of the EU is not to think up a new theory for the Security Council, but to adapt to its increasingly combative nature. After nearly two decades in which the Council was a relatively benign forum for EU members (in spite the acute crises over Kosovo and Iraq) the growing assertiveness of China and Russia threatens to make it a far harsher one.

One fact reveals exactly how benign the Council has been for Europeans: neither France nor Britain has cast a veto since 1989. By contrast, France had used its veto seven times from 1979 to 1989, and Britain had employed its veto 15 times. The overall number of vetoes cast has fallen off very sharply since the end of the Cold War – with a majority cast by the US on Israeli issues – and the working assumption for most European missions has been that the

Council is defined by consensus. That has been essential as the UN has devoted more and more time to operational issues, like peacekeeping and sanctions.

In this context, the British and French non-use of their vetoes is an example of restraint to the other veto powers. But there is also a suspicion that both France and the UK would prefer not to use the veto to avoid stoking the debate about whether two European countries should still hold permanent seats. This suggests that the threat of a European veto is less credible than it might appear. There has, of course, been one occasion in which a potential European veto loomed: Jacques Chirac's threat to block any second resolution before the Iraq war. But French diplomats urged Washington to step back from a vote so as to avoid an actual veto, and Nicolas Sarkozy has been critical of the entire manoeuvre.

Security Council vetoes in the last decade[16]

YEAR	NUMBER OF VETOES
2008	1 (China Russia jointly)
2007	1 (China Russia jointly)
2006	2 (both US)
2005	0
2004	3 (2 US; 1 Russia)
2003	2 (both US)
2002	2 (both US)
2001	2 (both US)
2000	0
1999	1 (China)
1998	0

The idea of a consensus-seeking Security Council is, however, now increasingly under threat. A series of initiatives backed by the EU have been consistently obstructed by veto threats from Russia and China in recent years: these include efforts to handle Iran, Darfur and Kosovo. And in 2008, EU members had to back down in the Council over Burma before being defeated over Zimbabwe.

16 A list of vetoes since 1945 is at http://www.globalpolicy.org/security/membship/veto/vetosubj.htm.

By the third quarter of 2008, with the Security Council providing a stage for diplomatic wrestling over Georgia, it seemed that New York diplomacy might reach a new level of combativeness (if not yet Cold War deadlock).

On Iran, the EU has aimed to handle a major crisis through consensus building – with the US so far allowing Europe to take the lead. Driven by the "E3" (France, Germany and the UK), the Security Council was able to unite behind a resolution on Iran in 2006. But fear of a Russian veto has prevented the Council approving a sanctions regime strong enough to change Iranian policy.

On Darfur, the potential for Chinese or Russian vetoes overshadowed efforts to set up a UN force through 2006 and 2007 – in spite of the EU's leverage on the issue through its funding to African Union (AU) peacekeepers. Although the Council mandated a 20,000-strong mission in August 2006, China and Russia abstained, a signal to Khartoum that it could continue to hold up the deployment of the force without fearing major repercussions. In the summer of 2007, the Security Council backed an updated plan for a joint AU-UN force – Chinese objections prevented any tougher measures, including heavy sanctions against Khartoum.

No other current crisis highlights the limits of European influence as plainly as Kosovo. The EU took a united line in favour of the Ahtisaari plan for the province's final status through 2007 – although this was difficult for sceptical states like Spain. However, Russia implied that it would veto any proposal, causing the Europeans and the US to shy away from risking a vote in July 2007. European diplomats at the UN admit that, throughout much of the negotiations, there was a lack of real consensus in spite of apparent agreement in Brussels. The threat of a Russian veto gave doubters on Kosovo license to say one thing publicly but another privately.

The constant threat of a veto acts as a major obstacle to broader efforts to put human rights at the centre of the UN's agenda. In January 2007, China and Russia jointly vetoed a US-UK-sponsored resolution on human rights abuses in Burma. When the Burmese government cracked down on protestors later that year, China's support for the junta ensured that the Council's response was limited to a relatively mild statement. This compared badly with the typically cautious Association of Southeast Asian Nations (ASEAN), quicker to condemn the crackdown.

The Europeans faced further humiliation in 2008 when China, Russia and South Africa dismissed French-led efforts to gain a Security Council mandate to deliver aid to Burma after it was hit by Cyclone Nargis. With Chinese diplomats mockingly comparing the humanitarian crisis to deadly heat waves in France, the EU's frustration was evident.

This setback had implications reaching beyond the immediate crisis, for the debate began to look like a test for the Responsibility to Protect. French Foreign Minister Bernard Kouchner spoke of the opportunity to "implement the Responsibility to Protect" by winning a Security Council resolution that "authorised (aid) delivery and imposes this on the Burmese government."[17] But this invocation of the concept was questioned by many inside and outside the EU, including the UN's own top expert on the subject.

European diplomats point out that they specifically avoided formally invoking the principle inside the Security Council, and Kouchner did not speak for the EU as a whole. The confusion only highlighted the lack of firm consensus at the UN on what the Responsibility to Protect means and how to act on it in extremis. Ban Ki-moon has made progress in building support for conflict prevention mechanisms to avert future genocides and mass atrocities – but there is no such shared understanding over how the Council should act if and when prevention fails. The EU has no common position on this either.

There was more trouble in July, when the Europeans and US were defeated in efforts to impose sanctions on Zimbabwe – opposed not only by Russia and China, but two of the three African Security Council members. Russia's ambassador explained that his government's position was meant to defend the type of sovereignty in the UN charter – this was not a one-off loss for the EU, but another explicit rejection of its vision of multilateralism[18].

The EU thus faces increasing problems as the Security Council grows more and more divided. How can the EU prevent Russian and Chinese veto power reducing the Council to paralysis, or even using it to roll back human rights? Bilateral diplomacy with Moscow and Beijing may not be enough, and nor will

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17 An overview of the resulting debate can be found at www.responsibilitytoprotect.org.

18 Ambassador Vitaly Churkin stated before the vote that the draft resolution was "incongruous and clearly in conflict with the notion of the sovereignty of a member state of the UN." After using the veto he added: "We have seen an effort to take the council beyond its charter prerogative. We believe such practices to be illegitimate and dangerous, leading to a realignment of the UN system. This draft is nothing but the council's attempt to interfere in the internal affairs of a member state." (James Bone and David Robertson, "West suffers historic defeat as China and Russia veto Zimbabwe sanctions", The Times, 12 July 2008).

haggling in the Security Council chamber. A much wider effort is required to focus international attention on Council decisions. Building new coalitions around human rights throughout the UN system (and beyond) must aim to increase pressure on the Council to act when necessary.

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Strategies for the EU

What strategies could the EU follow at the UN? There are five broad options available – although none are self-contained, and in practice it will be necessary to follow a combination. The first option is to increase the EU's focus on its own coherence as a negotiating and voting bloc – one area in which we have identified progress to date.

But the pursuit of coherence has costs. If the quantity of EU activity at the UN is striking, diplomats worry about its qualitative impact. The EU's statements frequently seem to lack focus. "You are killing us with these documents," complains one senior official. The tortuous process of agreeing common positions often means that European diplomats have little time for wider outreach. Moreover, the system of rotating EU presidencies (due to be modified in the Lisbon Treaty) has created inconsistencies – some presidencies try to dominate all EU affairs, while others are more open to teamwork.

EU cooperation at the UN often seems curiously detached from the EU's other foreign policy initiatives. In 2007, European missions in New York, struggling to win Russian consent for Kosovo's independence, unhappily learnt that the issue had been left off the agenda for NATO-Russia discussions – echoing previous disconnects over Chechnya.

> The EU's statements frequently seem to lack focus. "You are killing us with these documents," complains one senior official.

However, the main problem in relying on internal coherence is one of numbers: in larger, majority-based UN forums, the EU and its consistent allies are not a match for blocs like the G77 or the OIC. There are almost no more European countries remaining to be added to the European bloc, yet it still represents only 20% of the UN membership. And the EU's unity brings its own problems. UN watchers warn that the more the EU acts as a self-contained bloc at the UN, the more it may seem to legitimise the bloc-voting strategies that Europeans want to discourage among African and Islamic countries.

The EU has to look beyond its immediate bloc to build alliances in the UN system. Many European diplomats argue that the decisive factor in the UN's future remains the US, and believe that the default position of the EU is in a Western alliance with the Americans – harking back to the Cold War UN. The Bush administration has tested this alliance, not only over Iraq, but also through its ongoing divergence with the Europeans on human rights votes and the HRC. EU leaders hope the next administration will be more helpful.

Yet our data shows that, even if future administrations work for Western solidarity, the resulting coalition at the UN would be in a precarious position. We have seen that the EU and US are able to push through General Assembly votes on issues such as Iranian human rights with eighty or so supporters because many states simply abstain. But the formation of an assertive Western alliance could push Russia and China to increase their efforts to create a rival bloc from the remaining 110 UN members – and if they succeeded, the General Assembly might start to look like the HRC, with the Western alliance in a vulnerable minority. The Security Council would be ever more gridlocked by vetoes.

This prospect leads other European diplomats to favour an alternative strategy towards the US, intended to create unity rather than division at the UN: this is for the EU to act as a political bridge, drawing together the isolated US and its opponents in the UN to overcome their current polarisation, and manage power shifts in the UN.

Yet "bridging" risks reducing the EU to amiable impotence, emphasising consensus over substance – and courting irrelevance. Former US Ambassador to the UN John Bolton grew so infuriated with the EU's "prodigious diplomatic 'bridging'" that he concluded that the US should bargain with the G77: "cut the deal we want, and marginalise the EU, thus also frustrating their global

governance agenda."[19] The new assertiveness of China and many developing countries means that the EU will still find it difficult to act as a broker at the UN. The EU is not indispensable to other members of the UN. As Bolton hopes, the EU risks being bypassed if it does not defend a distinctive agenda of its own.

As we have noted, that distinctive agenda could centre on an Alliance of Democracies. The impact of pushing for such a formation is uncertain – again, it could encourage China and other autocracies to build counter-formations. Our data highlighting Indian, Indonesian and South African distance from the EU on human rights suggests that it would be very hard to define the principles of the new Alliance. The result might well be a grouping as shallow as the current Democracy Caucus, or an "Alliance of some but not all democracies" that would suffer many of the same limitations as a Western Alliance.

A final option for the EU is to pursue a transformative strategy: a political vision and approach for the UN based on building coalitions that cut across current divisions, like the coalition that emerged on the death penalty in the General Assembly in 2007. The EU's objective could be to repeat this success by promoting greater flexibility within the UN's competitive environment, encouraging states to risk moving beyond their established blocs in votes, or campaigning to change the direction of their blocs where possible.

> There are moments when it is more effective for individual states to use their leverage through mechanisms other than the EU. But the EU as a bloc can also increase its overall leverage on human rights if it is prepared to adopt a new strategy at the UN.

Beyond the death penalty vote, there are examples of EU members creating new alliances for change at the UN. France has worked through the Francophonie to create a World Environment Organisation and partnered with Argentina to introduce a landmark convention on enforced disappearance. In 2005,

19 Bolton, Surrender is Not an Option, p. 446.

Denmark paired with Tanzania to lead a Euro-African bloc in favour of the new UN Peacebuilding Commission. Simultaneously, EU members worked with Rwanda to champion the Responsibility to Protect at the UN.

These cases have typically involved individual European states, rather than the EU as a bloc. There are moments when it is more effective for individual states to use their leverage through mechanisms other than the EU in order to promote European priorities. Nonetheless, the EU as a bloc can also increase its leverage on human rights if it is prepared to adopt a new strategy at the UN – set out in the final section of this report.

Recommendations:
A new EU narrative at the UN

If the EU aims to transform human rights diplomacy at the UN, it must avoid appearing introverted and exclusive – too busy with internal coordination to deal constructively with other states, and too certain of its moral superiority to bother with real dialogue. It has to respond to the reality that overall support for its positions is eroding, even among previously firm friends, while the Axis of Sovereignty is gaining momentum.

The EU needs a strategy of engagement with members of other blocs – especially African, Latin American and moderate Islamic states – if it is to reverse these trends.

This strategy will have to be balanced against other EU interests at the UN, such as climate change negotiations. But the hardening bloc politics over human rights have the potential to obstruct UN diplomacy more generally. Human rights are not a secondary issue.

At present, there are powerful incentives for many or most states to stay firmly inside their established UN camps. The EU has yet to create strong alternative incentives for states to be flexible and enter into coalitions that cut across old divisions. Doing so will require developing new forums for discussion and a greater openness to dialogue. EU members need to show much greater readiness to address their own human rights deficits.

This engagement strategy has the potential for a compelling political narrative, centering on European openness. Implementing the strategy will involve much day-to-day diplomatic effort, but the EU must ensure its main narrative is clearly communicated.

There are powerful incentives for many states to stay inside their established UN camps. The EU should shape a political narrative that reinforces its identity as a progressive force and emphasises its openness to others.

To respond to the range of challenges identified throughout this report (and summarised in our introduction) the EU should aim to shape a three-part narrative that both reinforces its identity as a progressive force at the UN, and emphasises its openness to others.

First, the EU should push for greater transparency at the UN – concerning both the UN's response to human rights issues and the EU's own record. Too often, governments at the UN hide behind technicalities and group affiliations to avoid addressing hard questions about human rights. Any new strategy must reduce their chances to do so. But the Europeans are as adept at avoiding scrutiny as members of any other bloc, and, as we saw in our analysis of the HRC, sometimes even more so. The EU will not gain credibility for its new approach unless it takes the risk of increased transparency itself.

Second, the EU must commit itself both to further improving its internal coordination and becoming more open to working with others – challenging the belief, so strong at the UN, that bloc politics is about confrontation rather than coalition building.

Third, the EU must find the right balance between its readiness to engage in serious dialogue on rights and its continued resolve to defend its core principles, not least through the Security Council. This combination of flexibility, dialogue and determination is essential to the EU's claim to believe in universal rights.

Creating mutual transparency: opening up the UN and EU

If the EU is to be more effective at the UN, it needs to build awareness of the stakes and problems involved, cutting through the fog of day-to-day diplomacy. An essential part of this process is both to raise awareness of current trends within EU governments and institutions, and to increase global scrutiny of the UN by stimulating NGOs to look more closely and critically at human rights diplomacy there. But the EU cannot do this if it is not ready to allow critical scrutiny of itself at the UN, both by governments and NGOs.

As a first step towards greater transparency on human rights at the UN, and the EU's role in promoting them, European governments and the European Parliament should put their weight behind an initiative to highlight the need for a new strategy. The EU can also identify opportunities to help others raise the profile of UN human rights diplomacy globally, and address the perception that Europe does not live up to its own standards.

Launching the new strategy inside and outside the EU

- To give focus on the need for a new European human rights strategy at the UN, the European Council and Parliament should jointly request that a mixed Commission/Council team produce an *annual report on human rights at the UN*[20]. This could assess external countries' positions, and General Assembly and HRC voting patterns relative to those of the EU (as we have piloted in this report), as well as the results of initiatives like the Universal Periodic Review (UPR). The report should also review the human rights policies of EU Member States at the UN, through a procedure like the Open Method of Coordination (OMC) used to track the implementation of the Lisbon Agenda. It could identify how active states have been in taking initiatives at the UN and in reaching out to partners and the level of support for these initiatives, and how they have aligned with other EU multilateral and bilateral strategies.

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20 The Council and the Commission already publish an annual report reviewing human rights policies and developments generally, including useful information on the UN. But given its broader remit, this does not provide a detailed basis on which to judge which European policies are working there and how voting patterns are evolving year on year. The European Parliament also publishes "counter-reports", many of them very good. The new report will only create an impact, and win attention, if it is presented as a catalyst for adopting a new strategy at the UN. The same is true relative to human rights reports produced by some European governments, although some of these offer limited quantities of data on HRC voting.

- To communicate a new narrative around the EU's strategy at the UN, the EU should appoint two to three *EU-UN human rights envoys*, focusing on the UN human rights machinery. These envoys would not only lobby on specific resolutions and issues, but be public faces of the EU's new strategy on human rights at the UN, engaging worldwide with human rights communities and governments on the EU's new political approach, and feeding the lessons they learn back into EU policy planning. Selected from the human rights and legal communities, rather than diplomatic services, these senior figures would be in addition to Javier Solana's existing Personal Representative for Human Rights (with whom they would work closely to avoid duplication).

Expanding global scrutiny of the UN

- To increase international independent scrutiny of the UN (and stimulate advocacy), the EU should set up an "*Independent Fund for NGO-UN Initiatives*". This could be part of the European Instrument for Democracy and Human Rights (which has provided funds to the UN High Commissioner on Human Rights) and be overseen by a board of senior civil society activists rather than EU officials. It would support local, national and international human rights NGO initiatives to address UN affairs, and facilitate "Track 2" dialogues between European and non-European NGOs on UN issues.

- The *Universal Periodic Review (UPR)* process provides an excellent opportunity for civil society groups to evaluate states' commitment to human rights (one potential topic for "Track 2" dialogues). Activism in Geneva costs money, and European funds should be set aside each year to assist NGOs from developing countries to engage with the UPR. One surprisingly simple action would be to assist the translation of outcome documents from the UPR into the languages of the countries under review for circulation there. The European Commission and member states can also give the UPR extra credibility and impact by using commitments and recommendations arising from the process in shaping bilateral relations with states and aid coordination.

Accepting scrutiny of the EU – and acting on it

- EU members should not behave as if they are immune to *scrutiny by the UN*. They should stand ready to address individual human rights cases within their own countries brought to their attention by third countries at the UN (and in other forums).

- In races for the HRC, European Member States have not taken the *pledging process* seriously to date, with some Nordic exceptions. If the EU wants to persuade others to do so, it will need to alter its ways. European states should draft credible sets of pledges concerning their domestic affairs, and invite UN and EU agencies (such as the EU Fundamental Rights Agency) or the Council of Europe to monitor them.

- The *UPR process* presents an important opportunity to demonstrate Europe's willingness to open itself to scrutiny. When EU Member States are subject to the UPR themselves, they should engage with the process seriously, by enlisting experts, being represented at high level and, above all, following up on its conclusions. The decision to rely on "light coordination" in the UPR has allowed EU members a way to scrutinise one another, and they should take this task very seriously.

EU members should not behave as if they are immune to scrutiny by the UN.

The most important moves its members could make reach far beyond the immediate scope of the UN and this report. Governments need to review their foreign policies to iron out the major discrepancies that often exist between what they do abroad and what they say at the UN. They also need to reconsider the positions they take toward the US on human rights issues – cases such as "extraordinary rendition" do not go unnoticed at the UN. European domestic policies have to meet international human rights standards.

Improving EU internal coordination – and external coalition building

The EU faces the task of refining its image as an actor at the UN while showing that it does not seek unity for its own sake, or for the purpose of fighting other blocs like the OIC. This means increasing its internal coordination while improving its mechanisms for external coordination with third countries.

While the EU's members can be rightly satisfied with having developed a high level of consensus on human rights at the UN, they can still do more to reduce the diplomatic transaction costs of coordinating in the "UN cities" and between them and Brussels.

Nonetheless, the EU will still face the structural problem – highlighted throughout this report – that bloc politics remain supreme and that Europe's allies are typically in the minority. This problem is most acute at the HRC, where it is compounded by the lack of competition for most seats. The EU's first step should be to promote more competition, and increase its support to candidates that support multilateral action on human rights. At the core of its engagement strategy, Europe must not only support its friends but also make new ones. But the UN framework makes it hard to develop new coalitions, and the EU should promote alternative forums for cooperation and coalition building.

Streamlining internal coordination

- The European Council should convene a *panel* of European UN experts (including former ambassadors and senior Secretariat officials) to review the EU coordination processes involved and identify improvements. Special attention should be paid to setting clearer *strategic priorities* in Brussels, and ensuring that policies at the UN are consistent with wider EU diplomacy, to avoid confusions like those over Kosovo.

- To assist with the creation of a new generation of human rights resolutions, and to support the proposed EU-UN envoys, the Commission should form

a team of five to six *human rights specialists* in Geneva, drawn from the human rights community. These specialists would act as a think tank on resolutions and deepen dialogue civil society.

• A separate team of specialists (European Council-funded) could also be formed in New York to assist smaller EU states that take seats on the Security Council, at their request – reducing the strain on the missions involved, and building greater coherence in their positions. States taking non-permanent seats should be encouraged to follow the Italian example of *pledging to represent common European* positions during their tenure.

Stimulating greater competition at the UN

• The EU should create incentives for countries from all regions to run for HRC membership. It should set up a fund to support human rights specialists on the staffs of poorer missions joining the HRC, making membership more broadly attractive. It can use financial inducements to promote participation while concretely advancing human rights by offering direct *funding for the implementation of domestic human rights pledges* made by candidate countries in their HRC campaigns (it will have to be ready to withdraw or reduce funding if it became clear that pledges were going unfulfilled)[21].

• EU Member States should agree a list of *Most Favoured Candidates* (MFC) that all EU Member States will campaign for in each HRC election cycle (and potentially other UN forums like the Peacebuilding Commission or chairing roles on other UN committees even if that means giving up some EU-held posts). These "MFCs" should include states with a progressive record on human rights – a good current example is Timor-Leste – but the EU should also prioritise "moderate" opponents that it hopes to make allies.

• The EU should also name a list of *Uncooperative States* on human rights – singling out those members of the Axis of Sovereignty with which constructive dialogue has proved impossible. The EU's members should coordinate efforts to block their election.

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[21] In many cases, this would not require new funding mechanisms: money from the existing ENP Instrument or Development Policy Instrument could be used. To show EU support for the UN rights architecture, the EU could tie decisions to cut or continue funding on UN assessments of countries' performance.

Building new coalitions

- France and Britain should continue their current practice of working through the *Francophonie* and *Commonwealth* on UN issues. Other Member States can bring UN affairs into their dialogues with their external trade and aid partners – Portugal's *Lusophonie* has proved to be a useful network, as are Spain's links in Latin America.

- It is essential to incorporate UN human rights questions into bilateral EU third country relations. UN priorities should become an integral part of *bilateral summits* with Brazil, South Africa and India, allowing frank discussions. The EU should make sure that decisions taken there pass on to the policy level through regular follow-up discussions in Geneva and New York.

- The EU should build on the Cotonou Agreement clause on international organisations and form a "*Cotonou Group*", focused on human rights at the UN. Although the "Cotonou Group" would include states from the Pacific and Caribbean, the largest bloc of participants would be from Africa (an alternative could be the partnership between the EU and the African Union). The Group could be a forum for developing common initiatives and resolutions as well as discussing HRC candidatures. Such meetings would be most effective at the ministerial level, far from the daily diplomatic grind, and involving representatives of national human rights institutes and organisations. Again, it would be important to ensure institutionalised follow-up in New York and Geneva.[22]

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[22] Negotiating Economic Partnership Agreements under Cotonou recently proved controversial, and European diplomats would need to be careful not to destabilize matters further by bringing in the UN. While there is no existing basis for an "ENP Group" comparable to that in the Cotonou Agreement, the EU should invite its ENP partners to engage in discussions of "common values" at the UN, possibly citing the recent launch of the Mediterranean Union as a precedent for better cooperation.

Expanding dialogue –
and standing by the EU's core principles

While new funding and forums should make coalition building easier, the EU cannot just build networks for their own sake. It must emphasise that its coalition building is meant to advance human rights by creating new frameworks for real dialogue with third countries: it will need to engage with states on substance and look for common ground with others' agendas, if it is not to be accused of seeking only to advance its own interests.

Equally, this openness should not be mistaken for weakness: the EU must underline that its most fundamental principles on human rights are not up for negotiation. And the coalitions it builds must be part of a strategy for creating new pressures on the Security Council to support human rights and, in extremis, act on the Responsibility to Protect.

A primary mechanism for injecting substance into the EU's coalition building is resolution-making. One problem in this area is that some EU members and non-EU allies are keen to push ahead with thematic resolutions on areas where there is no EU consensus, such as linking human rights and sexual orientation. While it breaks the principle of EU coordination, the EU must agree to disagree on these cases, to avoid them obstructing more general progress: the system of "light coordination" should be pursued.

> While new funding and forums should make coalition building easier, the EU cannot just build networks for their own sake.

A new generation of human rights resolutions, combined with greater UN and EU transparency and a successful coalition building strategy should change the political atmosphere in the General Assembly and HRC. But this will not necessarily prevent the Security Council becoming deadlocked on cases up to and including those where the Responsibility to Protect may be at issue. The EU has to prepare for these eventualities.

Shaping new human rights resolutions

• In both the General Assembly and HRC, EU members should review the substance of their resolutions and engage on a *new generation of human rights resolutions*. The EU should take on sensitive topics including human rights and terrorism (on which there is presently only a weak annual General Assembly resolution), and human rights and migration (on which there is a resolution that the EU votes against, harming its image). Being proactive on these areas would symbolise the EU's change of strategy[23].

• The process of developing such resolutions should help build partnerships between the EU and other countries. Such a "lead-up" process should engage at an early stage with the widest possible range of developing countries, as well as a broad group of other actors, including NGOs, national human rights machineries and relevant UN bodies, to identify concerns and shape recommendations for policies and UN action.

Defending human rights and the Responsibility to Protect at the Security Council

• The EU should remain proactive in identifying ways to push human rights-related security issues onto the Security Council agenda. In most cases, discussions of these issues will not lead any sort of resolution or vote, but the publicity value will be high.

• The EU must be ready to adapt to a period in which Russia and China are increasingly ready to threaten their vetoes. Rather than retreat, the EU will sometimes have to be bold in forcing them to veto (and take the associated flak) or back down in such cases – EU Member States should conduct a strategic discussion of how to use this tactic. But the tactic will only succeed if the EU is sure that the mass of opinion is on its side at the UN. Its defeat on Zimbabwe stung badly because it could not win African support. Coalition building is not an alternative to toughness at the UN: it is a prerequisite.

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23 On human rights and torture, the EU (via the European Instrument for Democracy and Human Rights) currently funds several local, national and international human rights campaigns: these campaigns could be linked to the process of developing a new HRC resolution through the proposed new NGO fund. Other areas for new resolutions include union rights and human rights, and the Bretton Woods institutions.

- The EU should give its full support to efforts by Ban Ki-moon to link the Responsibility to Protect to better conflict prevention. But conflict prevention fails more often than it succeeds, and the EU should assert and defend the right of the Security Council to act to halt "genocide, war crimes, ethnic cleansing and crimes against humanity". If the Security Council faces deadlock in such situations, the EU should be ready to act more forcefully than in any other case. Any government undercutting the Responsibility to Protect should understand that it is also cutting itself off from access to Europe, with the EU freezing cooperation in the UN and other forums, and putting relevant forms of cooperation – such as military ties – on hold.

> Any government undercutting the Responsibility to Protect should understand that it is also cutting itself off from Europe.

This final set of actions would be taken only in extremis. But by identifying the sanctions the EU would apply in such a case, its members increase their potential leverage in a future crisis. Ultimately, the EU must stand ready to intervene directly in major humanitarian crises where the UN will not act: a last resort, but an option that it would be immoral to reject. An assertive EU might also promote broader reform of how vetoes are used on the Council. In American policy debates, the possibility of setting voluntary limits on veto use (especially on operational, humanitarian and peacekeeping issues) has gained some traction among Democrats. If the EU were to declare support for such a principle, while showing that it is not mortally afraid of vetoes in practice, it might be possible to advance the concept.

Conclusion

Our recommendations are all elements of the narrative the proposed new EU-UN envoys might present and discuss. Early steps – alongside the appointment of the envoys themselves – would include commissioning the new annual report and launching the proposed review of EU coordination. Then it would be time to turn to substance, developing the NGO fund and starting to talk through new resolutions with others.

Precisely how to implement our other proposals – like lists of "Most Favoured Candidates" – would doubtless pitch European diplomats into more of the coordination meetings that stop them looking outwards. That is the curse of UN and EU diplomacy. But it is necessary to look beyond process to the broader trends unfolding at the UN.

As this report has shown, if these trends continue unabated the UN risks becoming paralysed or even actively opposed to the EU's vision of multilateralism – the symptoms are already all too clear. If the EU wants to avoid that, it cannot delay much longer in taking action. Global power shifts mean that the EU cannot shape the UN in its own image – and the EU has many other avenues for human rights promotion available to it. But if it gives up on the UN, or is shut out of its decision-making, the idea of universal human rights will suffer. The long-term damage to international law and multilateralism would be significant – and the EU's claim to be a global force would be sadly diminished.

Annex 1: Methodology and Resources

By Richard Gowan and Christoph Mikulaschek[24]

The figures in ECFR's audit of European power at the UN are derived from online UN archives, listed below. Since the early 1980s, the US State Department has submitted a report to Congress on "Voting Practices at the United Nations". This shows the overall level of support for American positions, and votes on sensitive issues. ECFR's report is meant to provide a similar service to the EU, although it contains much more analysis.

The figures on support for EU positions (page 20 of the report) at the UN were based on the State Department's methodology. For each UN General Assembly (UNGA) session, we took all votes on draft resolutions adopted by the Assembly in which the EU's members voted "in favour" or "against" together.[25] Resolutions adopted without a vote were excluded from the analysis. We calculated the voting coincidence of non-EU members by dividing the number of votes cast by non-EU countries coinciding with the EU's positions by the overall number of votes, abstentions and no-shows of all non-EU countries on these resolutions, giving us a percentage score for support for EU positions.

The EU still splits on about a quarter of UNGA votes, and we excluded those from our calculations. We followed the State Department's model by also excluding votes in which the EU abstained, and by discounting abstentions

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24 Christoph Mikulaschek advised on the database and statistical methods for the project. He is a program officer at the International Peace Institute (www.ipinst.org), where he works on the Understanding Compliance with Security Council Resolutions project, which involves a qualitative and quantitative review of compliance with all Security Council Resolutions adopted after the Cold War in the context of civil wars.

25 We differed from the State Department in two ways. Firstly, we categorized votes by UNGA session, rather than by calendar year. Secondly, we did note include votes on Decisions adopted by UNGA. The State Department does include Decisions in its figures, but notes that they cover "matters of lesser importance, including procedural issues". Votes on them are also very rare – there were just two in 2007.

and no-shows by non-EU members. When non-EU states abstained or did not participate in the vote, their vote was coded as partial disagreement, weighing half as much as full disagreement.

We applied the same calculations to China, Russia and the US – and then used the same method to calculate the level of support for the EU in human rights votes in UNGA (page 22). "Human rights votes" refers to those on resolutions from the Third Committee of UNGA, which deals with "Social, Humanitarian and Cultural" affairs.

To show levels of support for UNGA resolutions on human rights issues in specific countries (page 24) we used a simpler technique. We show the average number of votes cast for and against these resolutions, as well as abstentions, in each session.

When categorizing individual states in relation to the EU on human rights (page 27 onwards), we decided to use a more complex technique reflecting abstentions and no-shows. If we had not used this technique, our categories would have been distorted. Had we stuck with the State Department's model, a country that showed up for just one vote a year, but voted with the EU that time, would look like a 100% supporter of EU positions.

Instead, we devised a scoring method that took all human rights votes from the last two UNGA sessions into account (the EU was united in all these). In cases where the EU voted "in favour" or "against", all countries that voted with it were assigned a score of "2". Those that voted the other way had a score of "0", and abstentions and no-shows received the score for partial disagreement, i.e. "1". Where the EU abstained, all those that did likewise got a score of "2", while those that did not got a score of "1".

By adding up all these scores for each vote, we obtained a "distance score" for each country for a given time period, which we converted into a percentage rate by dividing the distance score by the maximum possible voting coincidence scores (which a country that always voted with the EU would score during this time period). We then grouped states by other categories (region, Freedom House rating, etc.) and averaged their scores.

On Human Rights Council (HRC) votes (page 41), we used a simpler technique. We divided the various votes cast by the EU (always voting as a bloc) by the overall number of votes in each HRC session to show what percentage

the EU won and lost on. On the Security Council, we chose not to use any mathematical scoring as very few resolutions actually come to a vote there – and the veto powers of the Permanent Five members (the US, France, Britain, Russia and China) distort the meaning of those votes anyway.

Resources

Records of all UN votes are online. The summary voting record for all resolutions adopted by the General Assembly is at http://www.un.org/Depts/dhl/resguide/gares1.htm

Details of votes on General Assembly resolutions can be found at http://unbisnet.un.org:8080/ipac20/ipac.jsp?profile=voting&menu=search&submenu=alpha#focus

Human Rights Council information is available at http://www2.ohchr.org/english/bodies/hrcouncil/

Security Council resolutions are available at http://www.un.org/Docs/sc/unsc_resolutions.html

Details of votes on Security Council resolutions are available at http://unbisnet.un.org:8080/ipac20/ipac.jsp?profile=voting&menu=search&submenu=alpha#focus

A list of Security Council vetoes since 1945 (not yet updated to include 2008) is at http://www.globalpolicy.org/security/membship/veto/vetosubj.htm

The State Department's "Voting Practices at the United Nations", on which parts of ECFR's research is modeled, is at http://www.state.gov/p/io/conrpt/vtgprac/

The ECFR report also compares UN voting figures with Freedom House's "Freedom in the World", available at http://www.freedomhouse.org/template.cfm?page=15

A useful earlier study of European voting patterns in the General Assembly, with a focus on European cohesion, was published by the EU Institute for Security Studies in December 2003. A PDF version is at http://aei.pitt.edu/1613/01/occ49.pdf

A recent paper by Karen E. Smith of the LSE asks similar questions to ECFR's report: http://www.allacademic.com/meta/p_mla_apa_research_citation/2/5/2/2/0/p252209_index.html

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