CHAPTER EIGHT

Intra-EU Diplomacy
A Conceptual Challenge

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INTRODUCTION

THE EUROPEAN UNION IS A POLITY-IN-THE-MAKING IN WHICH CENTURIES-OLD premises of inter-state relations are challenged (Duchêne 1973, Krasner 1995, 2004, Olsen 1996, 2004, Schmitter 1996, Keohane 2002, Cooper 2002, Fossum 2002, Kagan 2002, Linklater 2005). This development is likely to have implications for the organization and conduct of *bilateral* diplomatic representation among the EU member states (intra-EU diplomacy). There is a growing sense that diplomacy is conducted and organized differently *inside* the EU among the member states as opposed to *outside* the EU. While a few academic analyses have touched upon this *problématique* in recent years (i.e. Nilsen 2001, Hocking and Spence 2002, 2005, Keukeleire 2003, Bátora 2003, 2005, Blair 2004, Hocking 2004, Jönsson and Hall 2005, Henrikson 2006), assessments of the change dynamics vary quite substantially and by and large remain at the level of abstract theorizing and/or insightful but preliminary observations. What is more, besides the seminal report by Ambassador Karl Paschke (2000), change dynamics in intra-EU diplomacy has not been subjected to any comprehensive research. The goal of this article is therefore to point to a set of emerging research questions regarding the change dynamics in intra-EU diplomacy.

The chapter proceeds in four steps. The first part sets the stage for the discussion by outlining characteristics of the EU as an emerging political order on the intersection between the intra-state spheres and the inter-

state sphere. The second part reviews some preliminary observations on diplomacy inside the EU. In the third part, questions for future research are formulated. Conclusions follow.

THE EU AS AN INTERSTITIAL ORDER BETWEEN DEMOCRACY AND DIPLOMACY

It is a common understanding that intra-state and inter-state politics happen in rather different environments. The domestic political environments are characterized by institutional density, hierarchical relationships, shared interests, and strong collective identities, while in the international political environment there is a lack of strong institutions, few rules, and conflicting interests and identities (March and Olsen 1998: 944). Most theories of international relations hence envision interstate interaction as a two-stage process. In the first stage, coherent state actors are created from multiple individuals and sub-state entities through the organized and institutionalized interplay in the domestic political processes including political socialization, participation, and discourse. In the second stage, the coherent state actors cooperate and compete in an inter-state sphere with few rules and no overarching structure of authority. Political order is then 'defined primarily in terms of negotiated connections among externally autonomous and internally integrated sovereigns' (ibid.: 945). The two spheres are governed by two different sets of expectations and institutionalized arrangements structuring political action. In the intra-state environment these can be subsumed under the set of institutionalized processes associated with *democracy*, while in the inter-state environment, the overarching institution is *diplomacy*. While the former rests on the principles of representation and popular participation and control, the latter is the prerogative of selected experts working behind layers of secrecy and exercising a considerable amount of fiat in decision-making. A fundamental difference between the intra-state spheres and the international sphere is related to the nature of authorization of representatives. In intra-state political representation, representatives are authorized by citizens through elections, a process which Pitkin (1967: 43) describes as 'vesting authority'. Authorization of diplomatic representatives, however, is a prerogative of the head of state (in some countries still a monarch) in whose hands political responsibility for external representation formally rests. Moreover, the authorization to

act on behalf of the state is also embedded within the institution of the foreign service itself—when somebody becomes a member of the diplomatic service, s/he is by the nature of becoming a member of the professional group of state officials also authorized to represent his/her state externally. Somewhat simplified, diplomats are hence in principle not authorized to act on behalf of their state by the domestic political constituency, but by the authority of the head of state using his/her prerogatives in the foreign policy realm. Hence, diplomatic representatives are only indirectly exposed to electoral accountability, but more held accountable by what Pollak (2006: 115) refers to as *administrative responsibility* related to soundness of financial resource management, the observation of legal rules and procedures, and goal attainment.

The process of European integration leads to a growing blurring of the boundaries between the intra-state- and inter-state environments. As Bartolini (2005: 375) argues, European integration results in a process of de-differentiation of European polities following several centuries of differentiation in the national legal systems, administrative orders, economic transactions, and social and political practices. Yet while the coincidence of administrative, political, cultural, and economic boundaries of the state are being disjointed, the integration process seems unable to produce any new form of closure and overlapping boundaries at the European level. Policy-making processes in the EU evolve in a complex system of multi-level governance in which national democratic systems interact with each other and with the EU institutions in multiple forums and in multiple ways (see for instance Kohler Koch 1999, 2003, Nugent, 2003, Hix 2005, Egeberg 2006). Sovereignty in the EU is *pooled* among member states, which prompts political leaders and national bureaucrats to act according to established notions of appropriate conduct encouraging 'rationalist and unheroic' arts of bureaucratic compromise (Keohane 2002: 760). The EU is hence an inter-governmental forum in which states are 'much more linked than in other international regimes' (Magnette 2005: 192). Simplifying somewhat, it is no longer obvious what in the relations between the member states constitutes 'high politics' traditionally managed by diplomats following the specific rules and norms of diplomacy and what, on the other hand, represents the more mundane kinds of 'domestic' political processes subject to the procedures and rules of democracy in the respective member states. The effects of this blurring are reinforced by the decreasing ability of member states' governments

to work according to specific national timetables, which as Magnus Ekengren (1998) reports in his seminal analysis, are increasingly supplanted by a multitude of policy-specific EU-wide timetables and deadlines connecting civil servants throughout the EU in administrative networks hammering out policies. Overall, these developments generate an emergent intra-EU order, in which the two traditionally disjointed spheres of state—democracy and diplomacy—increasingly overlap, leading to what François Duchêne (1973) refers to as the *domestication* of relations between member states. The challenge faced by analysts, as Claes' (2003) study of the impact of the European Economic Area agreement on Norway had shown, is that the legal framework of the EU and the institutionalized political processes associated with it, structure politics in ways which cannot be satisfactorily explained, neither from an intra-state perspective focusing on democratic processes nor from a purely inter-state perspective placing the premium on diplomatic processes. EU governance can hence be better comprehended as 'political organization in the field of tension between democracy and diplomacy' (ibid.: 277; my translation).

From an organization theory perspective, such overlaps of institutionalized spheres or organizational fields each featuring a different set of norms, rules, structures, and practices may lead to *institutional collisions*. These are situations, where several logics of appropriateness might be evoked and actors are forced to choose between competing institutional sets of criteria guiding action (for elaborations see Thelen 1999, Clemens and Cook 1999, Orren and Skowronek 2004, Olsen 2004). Institutional collisions have transformational potential as they may lead to the mobilization of particular actors rallying in defense of particular institutional orders and/or attempts to export symbols and practices of one institution in order to transform another (Friedland and Alford 1991: 255).

The development of political or social structures between or across established institutional spheres or organizational fields may also lead to institutional innovation and change in a process which Morrill (2006) terms *interstitial emergence*. In this process, new kinds of practices gradually evolve through the rise of 'alternative practice frames' by *elasticity* of existing frames and/or by 'borrowing' and gradually institutionalizing practices, norms and structures from other institutionalized spheres or fields.[1] This involves the shaping of rules, structures, norms and practices

[1] Morrill (2006) defines an *interstice* as 'a mesolevel location that forms from overlapping resource networks across multiple organizational fields in which the

applied within each of the respective institutionalized spheres. It may also lead to the innovation in established notions of appropriate organizing, rules, and practices in a gradual process of *recombination*, *refunctionality* and *catalysis* (Padgett 2001, Padgett and McLean 2006).[2] In such processes, established sources of legitimacy and power are recast and new modes of organizing political life are structured.

At the center of the overlap between the institutionalized spheres of diplomacy and democracy are the foreign ministries. The very raison d'être of these agencies of state is to manage the intersection between the intra-state sphere and the inter-state sphere. Their organizational units located abroad (embassies, consulates and missions to international organizations) perform the function of diplomatic representation, and the MFA is a support mechanism in this respect. At the same time, the MFA is an integral part of the government and thereby operating in the context of intra-state political representation with all the respective procedural consequences and expectations of political accountability. The overlaps within the EU of the institutionalized intra-state and inter-state spheres challenge the role and functions of foreign ministries and embassies in the conduct of intra-EU diplomacy. The next section addresses the emerging challenges in more detail.

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authority of the dominant resource network does not prevail. Interstices typically arise when problems or issues persistently spill over from one organizational field to another'. He further identifies three stages of *interstitial emergence*: '*innovation*, when interstitial networks of players experiment with alternative practices to solve problems affecting multiple organizational fields. [...] A second *mobilization* stage requires the development of critical masses of supporters and resonant frames for alternative practices. A third *structuration* stage occurs to the extent that alternative practitioners are able to carve out legitimated social spaces for their practices. [...] Structuration ultimately can modify the institutionalized narratives used to account for formal, organizational practices and reconfigure the institutional context by creating new organizational fields that compete with and modify established fields.'

[2] Padgett and McLean (2006: 1468) situate organizational invention in the dynamics of reproduction of multiple networks and identify three steps in the process. First, *recombination*, which is produced 'when one or more social relations are transposed from one domain to another, mixing in use with relations already there'. Second, *refunctionality*, which emerges 'when transposition leads not just to improvement in existing uses but, more radically, to new uses—that is to a new set of objects with which to interact and transform'. Thirdly, *catalysis* is 'when these new interactions feed back to alter the way existing relations reproduce'.

DIPLOMACY INSIDE THE EU: SOME PRELIMINARY OBSERVATIONS

Despite advancing European integration, the structure of bilateral diplomatic relations between EU member states remains intact so far (Hocking and Spence 2002, Bátora 2005). An indication of this is the fact that embassies of EU member states in other member states have structures, functions, and staff on par with their embassies in third countries. Moreover, there has been a proliferation of member states' embassies and consulates in other member states. An example is the ongoing construction of member state embassies in Berlin (Bátora 2005), as well as the building and inauguration of new embassies *in* and *by* the new member states.[3] In short, the structure of bilateral diplomatic representation between the EU member states is not only maintained, but is in fact being renewed in an isomorphic manner in accordance with established traditions and standards within the global organizational field of diplomacy.[4] Yet, as Olsen (2003: 524) points out, a puzzle for students of organizations examining European integration is that although formal organizational structures (or 'façades') in member states' public administrations remain unchanged, new practices and routines have been introduced within the existing structures. Foreign affairs administrations are not an exception.

Analysts have pointed to the fact that the EU represents a new kind of environment for the conduct of bilateral diplomatic relations between member states. According to Stephan Keukeleire (2003: 32), the intra-EU inter-state interactions are characterized by *interrelational goals*, which relate to the need of improved mutual understanding, predictability of national policies, greater solidarity and overall strengthening of mutual relations between member states. This view is shared by David Spence, who points out that in negotiations between EU member states there is a 'higher order agenda' relating to the fact that negotiated agreements limit

[3] See the proliferation of member state embassies in Tallinn, Riga, Vilnius, Bratislava, Ljubljana, Valetta, and Nicosia. For instance, Austria has opened new embassies in Valetta and Nicosia in 2005. Another example could be Slovakia's decision to open new embassies in Tallinn and Vilnius in the near future (see *Správa o stave siete zastupite_sk_ch úradov SR v zahrani_í v r. 2005 a v_chodiská pre jej _al_í rozvoj* [Report on the state of the network of Slovak missions abroad in 2005 and points of departure for its further development], Bratislava: MFA; www.foreign.gov.sk/pk/mat/197-material.htm)

[4] For the concept of *organizational field* see DiMaggio and Powell ([1983] 1991). For a conceptualization of diplomacy as an institution using the notion of organizational field, see Bátora (2005).

the potential of conflict in the future and 'this is the overall, yet unspoken, aim. [...] Of course, rivalry for influence between the member states persists, but what characterizes the system is commitment to togetherness and the seeming unshakability of member states' resolve to strengthen the system of European governance' (Spence 2004: 256–7). Given these emerging systemic differences between an intra-EU environment and an extra-EU environment for state-to-state relations, there has been a growing sense among policy analysts and diplomatic officials that the system of bilateral diplomacy within the EU is undergoing various forms of change, which might lead to the emergence of differences between the way diplomacy is organized and conducted inside the EU as opposed to outside the EU. As Richard Whitman noted, there is a need to

> draw some distinctions between different *strands of European foreign policy.* We have *intra-European diplomacy* [...] which results in tactical and strategic alliances. But we also have *extra-European diplomacy* which consists of member states national foreign policies, areas that fall to community competence (much of which is foreign economic policy) and we have our common foreign, security and defense policies under the CFSP and the ESDP and our common internal security policies (italics in the original).[5]

Reflecting upon the change dynamics, Stephen Wall, the Europe Advisor of Tony Blair, argues that European integration processes have radically changed the work of British embassies in the EU. While previously the embassy personnel in member states' capitals would spend most of their time hammering out EU negotiating positions and various policy issues, this function is now mostly centralized in the governmental offices in London, where the civil servants manage direct contacts to counterparts in the governments of other member states.[6] In part this also has to do with the increasing information exchange over the COREU network, in which member state governments share foreign policy information. This increases mutual awareness of foreign policy positions and actions and might be decreasing the role of member states' embassies in mediating

[5] Remarks at the conference 'Changing landscape in Transatlantic relations New EU member states and candidate countries between Brussels and Washington', Prague, Europeum, 23 September 2005 (www.europeum.org/doc/arch_eur/Conference_Report_final.pdf)

[6] Stephen Wall, interview at fpc.org.uk/articles/160.

intra-EU bilateral relations in the field of foreign policy cooperation. As a source from the Research Unit of the British foreign office pointed out in 1994,

> [b]ilateral contacts have increased due to CFSP; Coreu telegrams, that bypass the sort of national embassies in community capitals, because Foreign Ministries can now communicate directly with each other through this network. Also telephone contacts. If I were to be posted in for example Dublin or Paris, it would not be much of this traffic that would pass through me, because it goes directly from the Foreign Office here to the Foreign Ministry in Dublin. To that extent the work of the bilateral embassy has become less intense, due to the direct communication between Foreign Ministries (cf Ekengren 1998: 69).

Arguing in a similar fashion, senior German Ambassador Karl Paschke (2000) pointed out in his seminal report that there are particular functions (i.e. conducting formal negotiations with the host country government, briefing home government, trade promotion) that the German embassies in the EU member states no longer need to perform. However, other functions, notably public diplomacy, have been gaining in importance in the work of embassies in other member states. As a result, Paschke sees 'a new type of "European Diplomacy" with its own functions and characteristics' emerging (ibid.). Although, this report remains the only comprehensive analysis of the changing role of bilateral embassies in the EU available to date, a number of foreign ministries in the member states have also reflected upon the emerging specifics of the diplomatic work inside the EU. The Austrian foreign ministry points out that,

> Austrian embassies based in the other EU Member states have had to assume new and additional tasks beside their traditional classical ambassadorial work. Although an important part of the workload is handled by the Austrian representation in Brussels, the embassies play a substantial role as *hubs* and *lobbying centres* for Austrian interests. Their direct access to decision-makers in the EU partner countries has proved to be a sine qua non in terms of preparatory and follow-up work on EU plans and projects' (emphasis added).[7]

[7] See www.bmaa.gv.at/view.php3?r_id=22&LNG=en&version—(accessed 3 June 2006).

The Swedish foreign ministry is a bit more general in its description of its work in the EU, but still conveys that there is a difference between the work of missions inside as opposed to outside the EU:

> Officials both from Stockholm and Brussels participate in EU meetings and discussions of the issues take place between Stockholm, Brussels and the missions abroad. Work pertaining to the EU varies depending on the country of operations, particularly when the country is a member of the EU as opposed to a non-EU member.[8]

A number of foreign ministries see the mainstay of the embassies' role inside the EU to be the promotion of national positions or inputs in the formation of the EU policies. The Slovak foreign ministry clarifies this in the following manner:

> [There is a need] to create ad hoc alliances with other EU Member states with similar views. [...] The process of increasing EU integration will hence require—seemingly paradoxically, but in fact quite logically—also the strengthening of bilateral relations between Slovakia and the EU Member states, which will enable us to maintain an authentic Slovak voice on the European and the world scene. For these reasons it is necessary to finalize in particular the development of the network of our missions in EU Member states.[9]

Championing the implementation of specific organizational procedures for intra-EU diplomacy, the German foreign office has had a network of the so-called *EU-Affairs officers* in charge of EU policy in all of its embassies inside the EU and in the accession countries. The system, which has been in place since 1995 and has been extended progressively as new countries joined the EU and the pre-accession negotiations, serves Germany 'to directly lobby our partners in favour of German positions and to fully assess those of the other Member states on European policy issues. This is a major prerequisite for successfully

[8] See www.sweden.gov.se/sb/d/2059/a/19981 (March 9, 2006).

[9] *Správa o stave siete zastupite_sk_ch úradov SR v zahrani_í v r. 2005 a v_chodiská pre jej _al_í rozvoj* (Report on the State of the Network of Slovak Missions Abroad in 2005 and Possibilities of its Further Development), Bratislava, Slovak Ministry of Foreign Affairs, 2005, p. 8.

bringing our interests into the process of formulating European policy objectives and demands'.[10]

Besides such new tasks, procedures, and practices, membership in the EU had also brought about a differentiation of the discourse used by foreign ministries to denote the object of their work. There is an increasing tendency at foreign ministries of exempting the EU-agenda from what is usually covered by the term foreign policy and/or a tendency of making a distinction between EU-related policies and policies towards other parts of the world. The home page of the Italian foreign ministry, for instance, makes a distinction between 'European Policy' and 'Foreign Policy',[11] thereby indicating that it does not consider the former to be a part of the latter. The British FCO website makes a distinction between 'Britain in the EU' and 'International Priorities'.[12] Similarly, the home page of the German foreign office provides the banners of 'Europe' and 'Foreign Policy'.[13] Awareness of this difference, although expressed rather in geographic terms, can also be found on the home page of the Austrian foreign ministry, where under the banner 'Foreign Policy', we can click on 'Europe' and 'Extra-European area'.[14] It is interesting to note that the distinction between a regional-integrationist policy and foreign policy is specific of foreign ministries in the EU as one does not find any such differentiation on the websites of the foreign ministries of non-EU countries.[15] While virtually all member states foreign ministry home pages feature one or another form of a distinction between foreign policy and European policy, there is no unitary model of how such a distinction is made. This does not concern only the discursive level of foreign ministry home pages, but also policy substance, and may be related to the fact that the EU as such keeps evolving dynamically. As Hocking (2005: 14) argues, this leads to

[10] There are currently EU Affairs Officers in the German embassies in all EU member states, and also in the accession states Bulgaria, Croatia, Romania, and Turkey, and in the German Permanent Representation to the EU in Brussels. For more information see 'The Making of German European Policy' at www.auswaertiges-amt.de/diplo/en/Europa/deutschland-in-europa/entscheidungsfindung.html (accessed 16 August 2006).

[11] See www.esteri.it/eng (accessed 16 August 2006).

[12] See www.fco.gov.uk (accessed 17 August 2006).

[13] See www.auswaertiges-amt.de (accessed 16 August 2006).

[14] See www.bmaa.gv.at (accessed 17 August 2006).

[15] Based on a review of the home pages of foreign ministries of Australia, Canada, China, Japan, Norway and the United States accessed on 17 August 2006.

> the need to adapt to a situation in which the demarcation lines between what is not yet a 'European domestic policy' but is neither 'foreign' policy, are increasingly blurred. At the centre of this puzzle lie the core issues of policy coordination—a complex one in which policy actors play differing roles depending on the nature of the issues involved as well as the political and bureaucratic cultures in which they are located.

These ambiguities are demonstrated in a number of the case studies of the adaptation processes in member states' foreign ministries featured in the volume edited by Hocking and Spence ([2002] 2005), as well as in Bátora's (2003) study of the change tendencies in the Slovak foreign ministry and in Nilsen's (2001) analysis of the work of the Norwegian embassies in Copenhagen and Stockholm.

In sum, while there is a growing sense among academics and practitioners that state-to-state diplomacy within the EU is organized and conducted in different ways than outside the EU, assessments of the change dynamics either vary considerably or remain at a fairly vague and abstract level. There is no clarity as to the magnitude of change and the direction of change of diplomacy between EU member states. Ambiguities are strengthened by the fact that besides the aforementioned report by the German foreign office (Paschke 2000), there are to date practically no comprehensive analyses of the change dynamics in intra-EU bilateral diplomacy. As stated in the introduction, this article seeks to provide some initial steps to fill this gap by formulating a set of emerging research questions. The following section takes on this task.

TOWARDS AN INTRA-EU MODE OF DIPLOMACY?

Institutions are markers of a polity's character and the way they are organized makes a difference (Olsen forthcoming). The way diplomacy is organized as an institution shapes the character of the inter-state diplomatic order and provides some of the core features of modern states as political entities. It is important to explore the evolving ways in which diplomacy is organized inside the EU, which in turn can provide us with indications of what kind of political entity the EU is. Inspired by the above-mentioned preliminary assessments in the academic literature and by the organizational developments described in strategic reports of European foreign ministries, the lead-question that arises is the following:

Is there an intra-EU mode of diplomacy emerging? The focus of the analysis can be made more specific by three sub-sets of questions.

Firstly, given the fact that a comprehensive analysis of the change dynamics in intra-EU diplomacy is still missing, the first set of questions that needs to be addressed is exploratory: Are state-to-state diplomatic relations organized and conducted in a different way within the EU than outside the EU? If so, what are the characteristic features of intra-EU diplomacy? More specifically, do member states' embassies within the EU have different functions, organizational structures, tasks and procedures than outside the EU? Are the changes in the way state-to-state diplomacy is organized and conducted so profound that we can speak of a different kind of diplomacy within the EU as opposed to outside the EU? In short, what is the *magnitude of change*?

Given the fact that there are large variations in the way states in Europe were constituted (see Tilly 1975, Rokkan 1975), an institutionalist perspective alerts us to the possibility of variations in how member states adapt structures of their governmental administration to the process of European integration. However, harmonization of administrative law in the member states and increased mutual interactions across national administrations may also be leading to a greater convergence in the way member states' public administrations are organized (Olsen 2003). The second set of questions that needs to be addressed in the analyses of intra-EU diplomacy hence concerns the *direction of change*, i.e. whether there is a uni-directional development of practices of intra-EU diplomacy throughout the EU or whether individual Member states or their grouping organize and conduct their intra-EU diplomacy differently: Are the changes in the way diplomacy is organized and conducted similar or identical in all member states or are there different change dynamics in individual member states? Can we speak of the emergence of a coherent set of EU-wide practices, routines, structures and procedures for organizing intra-EU diplomacy? In short, is there a single intra-EU mode of diplomacy emerging, or a multitude of modes?

Finally, since diplomacy can be conceived of as a key institution of the modern state order externally constitutive of states as units of political organization (Watson 1982, Der Derian 1987, Held et al. 1999, Bátora 2005), the third set of questions is at a more abstract level and concerns the implications of the intra-EU change dynamics in diplomacy for the emergence of a European polity: What do the changes in the way diplomacy

is organized and conducted within the EU tell us about the member states as sovereign units of political organization? What do these change dynamics tell us about the EU as an emerging polity? Does the EU remain a collection of states or do the emergent patterns of intra-EU diplomacy indicate that some form of European statehood might be in the making?

CONCLUSION

This chapter has outlined a view of the EU as an interstitial order between intra-state spheres of member states governed by the principles of democracy and the inter-state sphere informed by the principles of diplomacy. Due to this character of the emerging European polity, the role of bilateral diplomacy inside the EU (among the member states) has been challenged. The nature of the challenge and the emerging change dynamics in intra-EU diplomacy have not been analysed in any extensive way so far. Assessments that are available were usually part of larger studies focusing on broader trends of change in the EU or in diplomacy. Hence, although contributions in the academic literature and the reports by foreign ministries indicate that there is a growing sense of differences between the way diplomacy is conducted inside the EU as opposed to outside the EU, virtually no comprehensive study has focused specifically on the change dynamics in intra-EU diplomacy so far. Although, as noted above, the Paschke report (2000) is an exception here, it remains a practitioner's view focusing strictly on the changes in the intra-EU embassies of one member state. There is a need for academic analyses covering a broader spectre of member states' diplomatic services, in which more general patterns of change in intra-EU diplomacy could be analysed.

In an attempt to provide a first step in this direction, the current paper has pointed to some of the conceptual puzzles that the emerging intra-EU diplomacy represents and identified some of the core research questions that a comprehensive investigation of the change dynamics would need to address. More needs to be done in terms of suggesting proper methodological tools and the choice of cases for an investigation of this kind.[16]

[16] In an extended version of the current paper, Bátora (2006) provides a research framework including a set of hypotheses on the change dynamics in intra-EU diplomacy and suggestions of cases to be investigated.

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