

Monika de Silva

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Geneva Jean Monnet Working Papers

03/2022



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Cover : Andrea Milano

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Centre d'excellence Jean Monnet

Université de Genève - UNI MAIL

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ISSN 2297-637X (online)
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Université de Genève – Centre d'études juridiques européennes
CH-1211 Genève 4

The Geneva Jean Monnet Working Papers Series is available at:
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Publications in the Series should be cited as:
AUTHOR, TITLE, Geneva Jean Monnet Working Paper No ./YEAR [URL]

Monika DE SILVA, The European Union in International Gender Politics: Internal
Limitations to Normative Leadership, Geneva Jean Monnet Working Paper
No 02/2022, pp. 1-20

The European Union in International Gender Politics: Internal Limitations to Normative Leadership

by

Monika de Silva*

Abstract

What kind of global gender actor is the European Union? Existing literature, although interested in EU's external gender equality policy, does not place the EU in the larger context of international gender politics. Comparative discourse analysis of EU policy documents and statements in the Commission on the Status of Women shows tension between EU's claim of leadership status in gender politics and little discussion of transformation, progress and change of the status quo as well as vagueness of EU's position. This finding leads to inquiry into possible explanations of this mismatch. Internal rules of decision-making, especially the need to achieve agreement between EU member states, is found to explain EU's foreign policy on gender. The study of the EU as a global gender actor shows that the ability of the EU to diffuse norms externally, as captured by normative power and transformative power concepts, is conditional upon proper norm formation within Europe.

Keywords: Gender equality, feminist foreign policy, anti-gender movements, normative power Europe, EU in international organizations

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This paper has been presented in November 2021 in Geneva within the activities of the EUDIPLO Jean Monnet Network.

The European Union in International Gender Politics: Internal Limitations to Normative Leadership

I. Introduction

Historically, the European Union has been strongly engaged in gender equality internally and externally. Prohibition of discrimination between men and women in workplace has been a part of primary law of European Community since its very beginnings. Following the adoption of the Treaty of Amsterdam, the EU gained an explicit competence and obligation to mainstream gender in its actions. The EU is with no doubt a gender equality actor in Europe, and a gender diplomacy actor worldwide, the latter being the interest of this paper.

What is not easy to pinpoint, however, is what kind of gender diplomacy actor the EU actually is. In 2014, Sweden adopted a feminist foreign policy (FFP), with numerous international actors following suit in recent years.¹ The EU has not been one of them. In fact, it refrains from using the word “feminism” in its discourse. The lack of FFP brand does not mean that the EU is not ambitious as a gender diplomacy actor. As in other aspects of normative politics, such as human rights policy, the EU likes to position itself as a leader, a norm entrepreneur, and a force for good. Over time, its ambitions are certainly not diminishing, but rather growing. The recent example is the publication of the Gender Action Plan III (GAP III), in which the EU declared to contribute 85% of its development aid to gender equality objectives.

Various actors try to tap into this ambition and pressure the EU to officially declare a FFP agenda. In June 2020, the Centre for Feminist Foreign Policy published a recommendation paper for the EU feminist foreign policy.² A resolution of the European Parliament of 23 October 2020 calls for the adoption of a feminist foreign and security policy.³ In media, opinion pieces on the need for EU FFP are multiplying.⁴

¹ Canada (2017), Luxembourg (2018), France (2019), Mexico (2020), Spain (2021), Libya (2021), and Germany (2021). More States are considering adoption in the next years.

² The Centre for Feminist Foreign Policy, *A Feminist Foreign Policy for the European Union*, June 2020.

³ European Parliament, *Resolution of 23 October 2020 on Gender Equality in EU's foreign and security policy* (2019/2167(INI)), par. 7.

⁴ For example A. Brzozowski, “EU's feminist foreign policy, still more talk than action”, Euractiv, 12 March 2021, available at <https://www.euractiv.com/section/global-europe/news/global-europe-brief-eus-feminist-foreign-policy-still-more-talk-than-action/>.

The rise of ambition and lobbying in Brussels must be seen in a larger international context. Apart from the domino effect in adoptions of FFPs, there are two other trends that recently emerged. First, there is an increasing pressure on entities, which self-identify as promoters of gender equality, to adopt FFP. The EU shares this fate with countries like the United States, both powerful in normative politics but not overtly feminists.⁵ Secondly, there is a raise of anti-gender sentiments, represented by both social movements and states, which in international relations act as a pushback and counterbalance to progressive actors, causing polarization in international gender politics. Some of these actors are important interlocutors of the European Union (Russian Federation, Saudi Arabia), some are its own member states (Poland, Hungary).

From general observations, it is clear that the EU places itself on a pro-gender equality side of the spectrum in international politics, it has leadership ambitions, although it does not call itself as a FFP actor. Therefore, I ask in this paper what kind of global gender actor is the European Union exactly and what factors contribute to its positioning?

I first present a brush overview of existing literature on the topic of EU as a global gender actor and on international gender politics as such. I then move to the analysis of discourse (policy documents and statements) that the EU produces about itself and its role in gender politics. In order to identify why the EU acts as it acts, I look into internal and external structures defining EU's behavior. I conclude with a discussion of what the case of gender diplomacy means for general conceptualizations of the EU as a normative or transformative power.

II. Overview of Literature

Scholars widely recognize that the European Union positions itself as a global leader in gender equality and women's empowerment.⁶ As a good background to this fact, Macrae writes about gender equality as a part of foundational myth of the European Union,⁷ "a part of its DNA" as described by EU high-level officials themselves,⁸ which can explain EU's confidence in its position on the international level. However, EU's actual realization of these leadership ambitions raises questions. Researchers find divergence between "how the EU sees itself and how it goes about", rhetoric being seemingly separated from reality.⁹ Šimáková estimates rather medium actorness of the EU in external gender policy compared

⁵ See e.g. International Center for Research on Women, *A Feminist Foreign Policy for the United States: A Memo to the Next Administration*, Washington D.C., 2020.

⁶ M. A. Šimáková, "The EU's external engagement in the promotion of gender equality" in R. Whitman et al (eds.), *The European Union's Evolving External Engagement Towards New Sectoral Diplomacies*?, London, 2017; R. Guerrina & K. A. M. Wright, "Gendering normative power Europe: lessons of the Women, Peace and Security agenda", *International Affairs*, 92(2), 2016.

⁷ H. Macrae, "The EU as a Gender Equal Polity: Myths and Realities", *Journal of Common Market Studies*, 48(1), 2010.

⁸ See Guerrina & Wright, 2016, p. 294.

⁹ Guerrina & Wright, 2016; See also M. David & R. Guerrina, "Gender and European external relations: Dominant discourses and unintended consequences of gender mainstreaming", *Women's Studies International Forum*, 39, 2013; K. A. M. Wright & R. Guerrina, "Imagining the European Union: Gender and Digital Diplomacy in European External Relations", *Political Studies Review*, 18(3), 2020.

to other policy areas. The level of its actorness contrasts with EU's ambitions. Medium level of actorness is a result of EU's low capabilities in external gender policy.¹⁰ Although Šimáková assesses engagement on gender equality between member states to be low, it must be noted that since publication of this article (2017) many member states got mobilized on the issues of gender, in both directions. Other constraining factors to EU's actorness in gender policy are decision-making procedures within the EU (exact procedures depend on external policy area) and restrictive rules of procedures in international fora. For instance, in the Commission on the Status of Women (CSW) the EU has no membership rights and has to be represented by one of its member states.

Recent scholarship shows interest in the impact of crises on EU's external engagement on gender equality.¹¹ Assessments vary. For instance, Wright and Guerrina argue that the EU deprioritizes gender equality in the face of other challenges, while Muehlenhoff, van der Vleuten and Welfens see crises also as windows of opportunity for the EU as a global gender actor.¹² The need for further research on the EU as a global gender actor is being recognized. Making a case for a research agenda on EU as a global gender actor, Debusscher and Manners encourage studies that look outside single policy fields as well as outside of Brussels and internal workings of the Commission and the EEAS, and treat gender inclusively, with an intersectional lens.¹³

Although rich and insightful, scholarship on the EU as a global gender actor does not put the EU in a comparative perspective or place it in general trends in international gender politics. Since its first inception in Sweden in 2014, feminist foreign policy is of great interest to researchers. Important focus has been given to what "feminist" stands for and how transformative these policies really are.¹⁴ It is argued that a truly feminist FFP contests the status quo and aims for deep systemic changes. Research reveals variations in feminist foreign policies. Thomson points to the difference between Sweden and Canada as the latter focuses on private sector and liberal understanding of feminism in its approach.¹⁵ Alwan

¹⁰ Šimáková, 2017.

¹¹ See the entire Special Issue of *Political Studies Review*, 18(3), 2020.

¹² H. L. Muehlenhoff, A. van der Vleuten & N. Welfens, "Slipping Off or Turning the Tide? Gender Equality in European Union's External Relations in Times of Crisis", *Political Studies Review*, 18(3), 2020; Wright & Guerrina, 2020.

¹³ P. Debusscher & I. Manners, "Understanding the European Union as a Global Gender Actor: The Holistic Intersectional and Inclusive Study of Gender+ in External Actions", *Political Studies Review*, 18(3), 2020.

¹⁴ V. Scheyer, & M. Kumskova, "Feminist Foreign Policy: a Fine Line Between Adding Women and Pursuing a Feminist Agenda", *Journal of International Affairs*, 72(2), 2019.

¹⁵ J. Thomson, "What's Feminist about Feminist Foreign Policy? Sweden's and Canada's Foreign Policy Agendas", *International Studies Perspectives*, 2020.

and Weldon differentiate between liberal, anti-militarism and pacifist, and global intersectional feminism in international politics of gender.¹⁶ Recent articles analyze gender foreign policies of countries like Australia, South Africa and Norway.¹⁷

Other papers try to capture FFPs as larger processes. Works such as Chapnick's and Angevine's shed light on continuity in pro-gender equality foreign policies, somehow challenging the perception that adoption of FFP constitutes a detrimental policy change.¹⁸ Rather than focusing on individual case studies of FFPs, Aggestam and True observe general trends in gender foreign politics with more states adopting explicitly pro-gender equality stances on one hand and more visible contestation of others to progressive gender ideas on the other hand.¹⁹ Starting to answer questions on why and how FFPs are implemented, Zhukova, Rosén Sundström and Elgström analyze discourse produced by FFP states as strategic narratives, employed to create state identities and exert soft power.²⁰

Researchers turn with interest also to the other spectrum of the debate – anti-gender politics. Some publications point out to the general trend of pushing against pro-gender norms by both social movements as well as state apparatuses.²¹ Focusing on international layer, Jacob, Scherpereel and Adams argue that the influence of rising powers push the development of gender norms in a less progressive direction.²² Specific country analyses show, for example, how “traditional values” discourse allows Russia to make broad coalitions against progressive gender norms or how Czech anti-gender stance influences implementation of the Women, Peace and Security Agenda.²³

This brush literature overview shows that both the European Union as well as other actors in international gender politics have been attractive subjects of inquiry in the recent years. Interestingly, these two strands of literature have not come together just yet, and more can be done to study the EU in comparative perspective as well as to understand the reasons behind its construction as a gender equality leader.

¹⁶ Ch. Alwan, & S. L. Weldon, “What is Feminist Foreign Policy? An Exploratory Evaluation of Foreign Policy in OECD Countries”, Lausanne, 2017.

¹⁷ K. Lee-Koo, “Pro-Gender Foreign Policy by Stealth: Navigating Global and Domestic Politics in Australian Foreign Policy Making”, *Foreign Policy Analysis*, 16(2), 2020; I. Skjelsbæk & T. L. Tryggestad, “Pro-gender Norms in Norwegian Peace Engagement: Balancing Experiences, Values, and Interests”, *Foreign Policy Analysis*, 16(2), 2020; T. Haastrup, “Gendering South Africa’s Foreign Policy: Toward a Feminist Approach?”, *Foreign Policy Analysis*, 16(2), 2020.

¹⁸ A. Chapnick, “The Origins of Canada’s Feminist Foreign Policy”, *International Journal*, 74(2), 2019; Angevine, Sara, “What is American Feminist Foreign Policy? A Brief Analysis of the Representation of Women in American Foreign Policy Legislation, 1973–2020”, *SAIS Review of International Affairs*, 41(1), 2021.

¹⁹ K. Aggestam & J. True, “Gendering Foreign Policy: A Comparative Framework for Analysis”, *Foreign Policy Analysis*, 2020.

²⁰ E. Zhukova, M. Rosén Sundström & O. Elgström, “Feminist foreign policies (FFPs) as strategic narratives: Norm translation in Sweden, Canada, France, and Mexico”, *Review of International Studies*, 2021.

²¹ C. Enloe, *The Big Push: Exposing and Challenging the Persistence of Patriarchy*, University of California Press, 2017; R. Kuhar & D. Paternotte (eds.), *Anti-Gender Campaigns in Europe. Mobilizing Against Equality*, Rowman & Littlefield, 2017.

²² S. Jacob, J. A. Scherpereel & M. Adams, “Will rising powers undermine global norms? The case of gender-balanced decision-making”, *European Journal of International Relations*, 23(4), 2017.

²³ E. Edenborg, “Anti-Gender Politics as Discourse Coalitions: Russia’s Domestic and International Promotion of “Traditional Values”, *Problems of Post-Communism*, 2021; M. O’Sullivan & K. Krulišová, “This agenda will never be politically popular”: Central Europe’s anti-gender mobilization and the Czech Women, Peace and Security agenda, *International Feminist Journal of Politics*, 22(4), 2020.

III. Methodology

The research approach of this paper combines constructivist and institutionalist understandings of politics to investigate possible answers to the research question - what kind of actor is the European Union in international gender politics and why is it so?

First, using discourse analysis, I look at EU's self-creation as a global gender actor in its policy documents (GAP III) and statements. I take a case study of the 2021 session of the Commission of the Status of Women, the principal international body dedicated to gender equality. This case selection allows for an analysis of EU's discourse on gender in an important and focused context. In order to better understand positioning of the EU I employ comparative method of analysis. EU's discourse in policy document and CSW statement is compared to equivalent policy and statement of Sweden. This country is chosen as an example of a feminist foreign policy, the oldest and most established among the available cases. As a pro-gender equality but not a feminist actor, the EU can be best understood in relation to a FFP country.

The method of analysis of EU's and Sweden's discourse in this article is inspired by Carol Bacchi's "what's the problem represented to be" approach to critical interrogation of policies.²⁴ I therefore focus on understanding the problem of gender inequality, its drivers and consequences by policy actors as well as underpinning assumptions and silences in the representations of the problem. I pay attention to actors' self-constructions in relation to the problem.

In the next step of analysis, I look for a possible explanation of the mismatch between self-construction and problem representation, focusing on EU's institutional and decision-making setting. The understanding of how EU policy documents and statements in international organizations come about and are then implemented is assumed to explain what circumstances contribute to EU's positioning in international gender politics. Internal and external institutional setting in which the EU operates, as *a sui generis* foreign policy actor, can be compared to any traditional state structures.

IV. Comparative Analysis of EU's Discourse on Gender

In this section, I explore the self-creation of the EU as a global gender actor. Following discourse analysis is based on the study of policy documents - the Gender Action Plan III 2021-2025 (GAP III) and the Swedish Foreign Service action plan for feminist foreign policy 2019-2022 as well as EU and Swedish statements in the 65th session of the Commission on the Status of Women (CSW).

²⁴ C. Bacchi, "Introducing the 'What's the Problem Represented to be?' approach", in *Engaging with Carol Bacchi: Strategic interventions and exchanges*, 2012.

A. European Union

1. Gender Action Plan III²⁵

The GAP III is a strategy document which formulates EU policy objectives related to gender equality in all aspects of external action and discusses their implementation in the years 2021-2025. It can be said from the reading of the document that the EU cautiously leans towards a feminist stance in international politics of gender. The text uses the term “gender-transformative approach”, a constitutive element of a feminist policy, which for the EU means “examining, questioning, and changing rigid gender norms and imbalances of power (...)”. However, for the magnitude of this phrase, it receives a little exposed place in the document, enumerated as one of principles of one of the actions that the EU intends to take (“tackling the root causes of gender equality”). Its placing indicates that transformative approach was not meant to be an overarching foundation of the GAP III. Nevertheless, language on harmful gender stereotypes and norms, challenging the status quo on gender, can be found throughout the plan.

It is not clear what the EU wants to do to achieve a transformation of gender norms internationally, and where this change is going to lead. For example, it is not specified what the phrase “sexual and reproductive health and rights” (SRHR) means for the EU. The GAP III often places gender equality in relation to other phenomena. The EU values gender equality as a force for prosperous economy and in several instances translates gender equality into GDP increase. The EU sees men and boys as engaged participants in efforts for gender equality, but its policy document lacks reflection that gender norms are harmful for all genders. Gender equality goals are conflated with other EU policy agendas such as digital and environmental policies, making external gender equality plan to appear as a catch-all place.

The EU does not shy away from stating explicitly what is its level of ambition regarding GAP III. In its title, the document is called “an ambitious agenda”. With the new policy, the EU explicitly states that it aims to boost its leadership role on gender equality, building on its “authority and convening power”. Regardless of the need for boosting its leadership, the EU already sees itself as a “global front-runner in promoting gender equality”.

²⁵ European Commission & High Representative of the Union for Foreign Affairs and Security Policy, *EU Gender Action Plan (GAP) III - An Ambitious Agenda for Gender Equality and Women's Empowerment in EU External Action*, 25 November 2020.

2. EU's statement at the CSW²⁶

In its statement at the 65th session of the CSW, as an example of external presentation and implementation of the GAP III, the EU did not speak about gender-transformative approach or gender norms and stereotypes as roots of inequalities. The statement moreover uses the language of empowerment of women and girls, refraining from calling out the environment of inequality but rather presenting women as a problem to be fixed (“we must enable all of them to dare to lead, dare to live”). The EU urges the international community to accelerate the implementation of existing commitments but does not argue for the adoption of new ones. Gender equality goals are again presented instrumentally. It is a tool for making “credible, legitimate and more sustainable” political decisions, “more diverse and innovative business environments”, and reaching “the socio-economic development of societies”. Men and boys are again engaged in efforts for gender equality but not a part of the problem of gender. In the statement, the EU asserts that it “aspires to be (...) a global frontrunner on gender equality”.

B. Sweden

1. Swedish action plan for feminist foreign policy²⁷

Similarly to GAP III, Sweden's action plan formulates a gender equality strategy within Swedish foreign policy and delineated a plan for its implementation (in the years 2019–2022). It naturally does not shy away from calling the policy “feminist”. It has its basis in an overarching policy objective: “women and men must have the same power to shape society and their own lives”. This aim is transformative in its nature. Throughout the document, Sweden uses language which confirms preparedness of its policy to be disruptive (“will be actively opposed”, “will challenge norms”) and gender studies-informed character (“masculinities”). Gender equality is presented “as a goal in itself”, which can further other foreign policy objectives. The document includes clear and clearly transformative actions such as advocacy for a Swedish model of legislation on sexual services, development of social security systems that promote women's economic empowerment, and access to safe and legal abortions. Men and boys are not only participants in efforts towards gender equality. Sweden highlights the role and responsibility of men and boys as perpetrators of gender-based violence as well as recognizes them as victims of gender inequality (for instance, Sweden aims for everyone's access to SRHR, not only women). Swedish FFP is meant to

²⁶ European Union, *Statement delivered by H. E. Mariana Vieira da Silva, Minister of State for the Presidency for the 65th Session of the Commission on the Status of Women*, 16 March 2021 (available at https://statements.unmeetings.org/statements/31.0070/20210316/CRjDT5faIqxw/G7TMCIGAFvGI_en.pdf);

²⁷ Sweden, *The Swedish Foreign Service action plan for feminist foreign policy 2019–2022, including direction and measures for 2020*, 2020.

“make a difference for people all around the world”, not only women and girls. The document does not conceptualize Sweden as any type of actor in relation to other players in international gender politics and refrains from stating ambitions of power or leadership.

2. Swedish statement at the CSW²⁸

Swedish statement at the CSW provides a coherent narrative, together with the action plan. Here again, Sweden brands itself as feminist. The language of transformation (“same power for men and women”) as well as confrontation (“counteract resistance”) is present. The Swedish representative purposefully uses the phrase “men’s violence against women” to refer to what most actors call gender-based violence or violence against women. Sweden’s sense of pride comes from pursuing a feminist agenda rather than holding a leadership position, a label which Sweden does not use in its statement.

C. Concluding remarks

Comparative discourse analysis helps to see as what kind of global gender actor the EU wants to position itself. It is ambitious. It sees itself as a leader on international level but also wants to boost its leadership position even further than that. It does not call itself feminist. It occasionally uses the language of transformation, but not in a systematic way or foundational sense. EU’s rhetoric misses concrete vision of change and detailed transformative actions it intends to take.

Consequently, there is a tension between EU’s self-creation as a frontrunner in international politics of gender and a lack of a clear commitment to transformation. This becomes more evident when the EU is compared to Sweden, a more assertive global gender actor. Next section will explore possible reasons for the mismatch between EU’s ambitions and actions.

V. Limitations to EU Leadership in Gender Politics

Comparative discourse analysis of EU policy and statement reveals the mismatch between EU’s self-creation as a leader in international gender politics and vagueness of its position. Inconsistency between ambition and action in EU external policy have long been explained as a gap between expectations and capabilities, meaning ability to agree, resources, and instruments at the disposal.²⁹ In consensus-governed areas, even with improvements in resources and instruments, the ability of member states to agree is vastly overstated.³⁰ On the

²⁸ Sweden, Statement by Ms Märta Stenevi, Minister for Gender Equality, Ministry of Employment, Head of Delegation of Sweden at the UN Commission on the Status of Women, March 2021 (available at <https://www.swedenabroad.se/es/embajada/un-new-york/current/news/swedish-statement-at-csw65/>).

²⁹ Ch. Hill, “The capability-expectations gap, or conceptualizing Europe’s international role”, *Journal of Common Market Studies*, 31(3), 1993.

³⁰ A. Toje, “The Consensus—Expectations Gap: Explaining Europe’s Ineffective Foreign Policy”, *Security Dialogue*, 39(1), 2008.

other hand, limited leadership of the EU in international relations is sometimes explained by exogenous factors, such as rigid rules of membership or procedure in international organizations or limited symbolic recognition of the EU as a diplomatic actors, all related to EU's unfitness to the state-centered international order.³¹

In the following sections I therefore analyze internal and external factors which can explain EU's self-creation as a global gender actor.

A. Internal Limitations

It will be a truism to say that the EU is not a state and it does formulate foreign policy in a same way that a state does, but this fact must be reminded in order to see its implications fully. How EU behaves externally depends very much on the policy field, as EU has different level of competence in different matters. What makes research on EU gender equality policy difficult at the first glance is that it does not function under a uniform set of rules. Depending on the context, gender equality objectives can be realized under common and foreign security policy (CFSP) where EU decision-making is guided by member states consensus,³² development policy parallel to member states',³³ or trade policy exclusive to the EU.³⁴ Given this patchwork of legal competences it would be possible for the EU to conduct different gender policies in each of the domains with different extent of member states' involvement.

In practice, a policy document – the Gender Action Plan (III) – is meant to apply to any field of external policy regardless of the character of EU's competence. Moreover, the EU is obliged to ensure consistency between different areas of external action.³⁵ Legal norm of consensus-seeking in CFSP is supplemented by a net of behavioral norms and habits in all policies, leading EU member states to an established impressive record of consensual decisions and establishment of efficient processes of reaching agreement.³⁶ Even in policies like trade, where the EU has an exclusive competence, EU positions in the World Trade Organization are formulated in intense consultation with EU member states.³⁷ These mechanisms allow to treat EU gender policy as a single unit of analysis.

EU policy documents are adopted and published by the European Commission, or jointly by the Commission and the High Representative of the Union for Foreign Affairs and

³¹ See e.g. Šimáková, 2017; R. Adler-Nissen, "Symbolic power in European diplomacy: The struggle between national foreign services and the EU's External Action Service", *Review of International Studies*, 40(4), 2014.

³² Art. 24(1) TEU.

³³ Art. 4(4) TFEU.

³⁴ Art. 3(1)(e) TFEU.

³⁵ Art. 21(3) TEU.

³⁶ See e.g. D. Heisenberg, "The institution of 'consensus' in the European Union: Formal versus informal decision-making in the Council", *European Journal of Political Research*, 44(1), 2005; F. M. Häge, "Coalition Building and Consensus in the Council of the European Union", *British Journal of Political Science*, 43(3), 2013.

³⁷ S. Gstöhl, "Patchwork Power? Europe: The EU's Representation in International Institutions", *European Foreign Affairs Review*, 14(3), 2009, p. 391.

Security Policy. A document is then habitually endorsed by the Council of the European Union, a step which is much more than a purely symbolic gesture. It indicates states readiness to implement an EU policy. Usually, Council endorsement is an unproblematic and automatic procedure.

The Gender Action Plan III was presented jointly by the European Commission and the High Representative on 25 November 2020, however, the plan was not able to gather Council's support and did not receive endorsement from this body, a rare and disruptive occurrence. Also rare is the mode of operation that followed after the lack of consensus between member states – an adoption of Council presidency conclusions instead of Council conclusions, which welcomed the GAP III.³⁸ Presidency conclusions were supported by 24 member states, while three states – Poland, Hungary and Bulgaria – opposed their adoption. Their reasons were not made explicit regarding this particular decision, however it is known that Poland and Hungary started to systematically oppose any references to gender and gender equality in EU documents, arguing that a proper legal EU term should be “equality between men and women” as this wording is used in the EU Treaties.³⁹ This problem is deeper than semantical, as it reflects these countries opposition to transformation of gender norms or resistance to the idea of non-binarity of gender, and a conviction of the need to protect traditional and family values from progressive ideas on gender equality.

Consequently, the status of the GAP III is ambiguous. On one hand, there is an adopted and published policy document. On the other hand, the GAP III lacks support of all EU member states, a must-have when it comes to the CFSP. Will this mean that the EU can pursue GAP III in some areas of its clear external competence but not in others? It is a legal problem as well as it is a political one. How the EU should implement a policy which is not accepted by all member states? The problem will particularly arise in implementing actions such as initiatives in third countries carried out by diplomatic services of EU member states or negotiations of EU statements in international organizations, which must be accepted by all EU member states.

The exposed importance that member states play in creation of the EU contributes to explanation of several issues. First, as the Commission and the High Representative can be presumed to seek a policy formulation which can be endorsed by all member states, it explains why the GAP III is vague and incoherent on transformative approach of the policy but still tries to argue for EU's role as a leader. Second, it shows why the previously analyzed statement of the EU in the CSW, agreed on by all member states, departs even more than the GAP III from transformative understanding of gender equality, and again puts in question EU's self-creation as a global frontrunner. Third, as we learn that EU foreign gender

³⁸ Council of the European Union, *Presidency conclusions on the Gender Action Plan (GAP) III 2021-2025 - An ambitious agenda for gender equality and women's empowerment in EU external action*, 16 December 2020.

³⁹ For a summary of Polish and Hungarian approach to gender language in the EU see E. Zalan, Poland and Hungary battler to eradicate “gender” in EU policies, EU Observer, 16 December 2020 (available at <https://euobserver.com/political/150395>).

policy is formulated in a polarized environment, attachment to agreed language on controversial topics can be better comprehended, as in the case of the language on sexual and reproductive health and rights used in the CSW statement and many other instances, as despite of its vagueness it is able to represent a common position.⁴⁰ Institutional problems are recognized as impediments to EU's foreign policy, and several procedural improvements are argued for by EU institutions themselves, through e.g. giving more flexibility to EU representatives in the formulation of EU positions and international fora and using qualified majority voting in CFSP decisions on human rights issues.⁴¹

B. External Limitations

Not only its internal decision-making, but also functioning within external institutions makes the EU stand out in international relations. Together with its internal set up, these institutions oblige the EU to act in its own way throughout the entire policy cycle of its foreign policy on gender equality, from policy formulation, to decision-making and implementation. In the Commission on the Status of Women, the EU holds an observer status, a consequence of its status in the United Nations Economic and Social Council (ECOSOC) (the CSW is one of its functional commissions). In the EU Strategy for the progressive improvement of the EU status in international organizations and other fora from 2012, the ECOSOC was identified as EU's focus for a status upgrade at the UN.⁴² So far, no direct steps or results have been seen. In February 2021, the EU published a strategy on multilateralism, in which it reiterated an urgent need for a case-by-case assessment of its status in international organizations.⁴³

In practice, observer status in the CSW means that the EU does not have voting rights, cannot be chosen as one of 45 members of the Commission and participate in its on-going work including adoption of multi-year programmes of work, or make statements in the ministerial segment. Habitually, EU statements in the CSW are delivered by a member state currently holding Council presidency. Regarding other important bodies for realization of EU foreign gender policy, similar observer status is held by the EU in the Human Rights Council (HRC). The EU is also present without membership rights in the Committee of

⁴⁰ "The EU remains committed to the promotion, protection and fulfilment of all human rights and to the full and effective implementation of the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development and the outcomes of their review conferences and remains committed to sexual and reproductive health and rights (SRHR), in this context. Having that in mind, the EU reaffirms its commitment to the promotion, protection and fulfilment of the right of every individual to have full control over, and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence. The EU further stresses the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education, including comprehensive sexuality education, and health-care services."

⁴¹ European Commission & High Representative of the Union for Foreign Affairs and Security Policy, *Joint Communication to the European Parliament and the Council on strengthening the EU's contribution to rules-based multilateralism*, 17 February 2021, p. 11.

⁴² European Commission, *Strategy for the progressive improvement of the EU status in international organisations and other fora in line with the objectives of the Treaty of Lisbon*, 20 December 2012, p. 4.

⁴³ European Commission & High Representative, 2021, p. 12.

Ministers of the Council of Europe. In the UN General Assembly, the EU holds an enhanced observer status, which grants it additional rights such as the right to intervene in the general debate.

This brief overview of EU's status in relevant bodies shows that, compared to states, the EU must deal with unfavorable structure of international institutions in the pursue of foreign gender policy. Although international structures constraint EU's toolbox and, as lack of progress on the upgrade of EU status in the ECOSOC show are not easy to change, they are not defining for EU's struggle with true leadership and norm entrepreneurship in gender politics, as much as its internal set up does.

C. Concluding remarks

It is the combination of internal and external structures that add another layer to the understanding of the EU as a global gender actor. Several observations can be made. First, as the EU is represented in bodies such as the CSW and the HRC through Council presidencies questions can be asked regarding the agency of a presidency member state and influence of its national position on representation of the EU. Will member state's individual position on gender politics matter more when it is not only a part of the interplay leading (or not) to a consensual statement but also a policy of a representing agent? The next few years of Council presidency rotation open a possibility for answering this question as member states in line for presidency are active players in gender politics – France (2022), Czech Republic (2022), Sweden (2023), Spain (2023), Belgium (2024), Hungary (2024), Poland (2025), Denmark (2025). Secondly, it is crucial to note that the EU does not substitute for member states in international fora, it complements them. It means that member states are usually present and active in parallel to the EU. In consequence, disagreements and differences become visible and explicit in case of policies which polarize EU member states, and it undermines EU's credibility. Moreover, not only words but also actions of EU member states matter for EU's international credibility in gender politics. Thirdly, if we incorporate the language of power and entrepreneurship into the inquiry on international gender politics, we ought to view the international arena as a place of power struggle, not only between the EU and third countries, but possibly between EU member states and the EU.

VI. Theoretical Implications – the EU as a Norm Entrepreneur?

The analysis of the EU as a global gender actor can feed into existing conceptualization of the EU as an international power. This case of tension – between EU's ambitions to be a norm entrepreneur and its actual positioning on the international arena – and its explanation through internal limitations can be generalizable.

There are established theories which conceptualize the EU as an agent of international normative change. Manners' "normative power Europe" concept claims that the EU has the ability to shape what passes as normal in international relations.⁴⁴ He argues that EU's power comes from its normative basis for its relations in the world, which is different than bases of other actors. The EU came into being with normatively-charged foundations of peace, liberty, democracy, rule of law, and human rights as well as social solidarity, anti-discrimination, sustainable development, and good governance. As these norms are inherent parts of what the EU is, the Union is able to diffuse them to other international actors. Manners analyses the example of EU campaign for the abolition of death penalty as a case of a successful norm diffusion and evidence of the normative power of the EU. Another important conceptualization, proposed by Börzel and Risse, is transformative power of the European Union.⁴⁵ The authors recognize the EU as an active promoter of ideas in its external relations. Transformative power means that the European Union is an important agent of change (political, social, economic, legal, and cultural) outside of Europe.

It is important to recognize that normative power and transformative power are terms used to describe norm diffusion, not norm formation. They describe what the EU is or can be when it tries to influence others. They formulate power in terms of ability, and a defining feature of ability is that it can but does not have to be used. What the analyzed case of the EU as a global gender actor shows is that the ability to perform as a norm entrepreneur needs to be enabled by favorable conditions. The EU, by its nature, operates in an environment of institutional constraints, regarding policy-making, policy implementation and external representation. Normative power of the EU allows it to promote norms, but it does not mean that the EU does it always, under any circumstances, and in relation to any norm.

When studying norms in international society we cannot omit the link between norm diffusion and norm formation. In order for a norm to be diffused externally, it must be first formed internally. Whatever EU's normative power capacity is, it cannot promote norms which are not a part of its established set of norms. The discussion of the gender equality promotion shows that it is at least very difficult, and most likely impossible, for the EU to act as a norm diffuser if the norm is not consensually accepted by all EU member states. Going further down, one may claim that it is not possible for the EU to act as a credible promoter of transformative ideas globally, if these ideas are not established in European society at large. Not surprisingly, the vast majority of Europeans believe that gender equality is important, but statistics do not indicate that Europeans identify themselves as particularly feminist.⁴⁶ In the case of the death penalty campaign discussed by Manners to describe

⁴⁴ I. Manners, "Normative Power Europe: A Contradiction in Terms?", *Journal of Common Market Studies*, 40(2), 2002.

⁴⁵ T. Börzel, & T. Risse, "The transformative power of Europe: the European Union and the diffusion of ideas", *KFG Working Paper Series*, (1), 2009.

⁴⁶ See Paw Research Center, *Gender equality*, 2019, available at <https://www.pewresearch.org/global/2019/10/14/gender-equality-2/>; Statista, *Identifying as a feminist 2017, by country*, 2021, available at <https://www.statista.com/statistics/312161/define-self-feminist-advocates-supports-equal-opportunities-women/>.

normative power Europe, European countries were in complete alignment regarding uncivilized character of capital punishment before the EU started acting externally. Member states abolished the death penalty in their own jurisdictions and ratified relevant Council of Europe instruments. In other words, abolitionism was an established characteristic of EU member states and of Europe prior to the external norm diffusion. The same cannot be said at the moment about gender-transformative or feminist construction of Europe. Although gender equality is a part of the normative basis of the EU, it is still understood in the framework of rights and equality, rather than in socially transformative and gender studies-informed way.

Consequently, the case of the EU in international gender politics allows to pay attention to and define pre-conditions for normative power or transformative power to occur. Conceptually, it motivates distinction between norm formation (internal) and norm diffusion (external) and signals their interconnectedness.

VII. Conclusion

In this paper, I asked what kind of global gender actor the European Union is. Existing literature, although interested in EU's external gender equality policy, does not place the EU in the broad or comparative context. I looked at the EU in comparison with Sweden, a first country to adopt a feminist foreign policy. From discourse analysis of policy documents and statements in the Commission on the Status of Women, I conclude that there is a tension between EU's self-claimed leadership status in gender politics and vague approach to gender as well as little discussion of transformation, progress and change of the status quo.

This leads to inquiry into possible explanations of this mismatch. The fact that the EU functions differently than a state has consequences for how EU policies are formulated and implemented and can be represented in international organizations. The legal and political need for consensus of EU member states to pursue EU foreign policy explains the vagueness and incoherence of EU's foreign gender policy.

The study of the EU as a global gender actor shows benefits of looking into interplay of internal and external dimensions. It also makes it clear that norm diffusion effect of the EU, as captured by normative power and transformative power concepts, depends on enabling factors and a proper norm formation to occur in the first place.

In practice, this research suggests that on-going lobbying efforts for the EU to adopt feminist foreign policy will not be fruitful unless we experience a change in national positions of EU member states and a shift towards more transformative approach to gender in European society at large. It also makes it clear that foreign policy agendas must go hand-in-

hand with procedural changes, such as upgrade of EU's status in relevant international organizations or use of qualified majority voting in some CFSP matters. The GAP III does not enter into discussions of institutional set up in which the EU finds itself, although it is crucial for EU's ability to implement this policy.

As the context of international gender politics is rapidly changing, there is a place for continuous reassessment of EU's role in this debate. Further research could test the claims made in this article with more empirical data and comparative cases. Understanding of the relationship between norm formation and norm diffusion in and outside the EU can also be further refined.

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