

Designing Cooperation among International Organizations: The Quest for Autonomy, the Dual-Consensus Rule, and Cooperation Failure

by Rafael Biermann, University of Jena

Research on interaction among international organizations has identified several factors limiting the effectiveness of cooperation. This article discusses an institutional design factor prevalent in all cooperation projects: the dual consensus rule. It implies that cooperation can only proceed when consensus has been reached both within and among organizations. The article argues that the dual consensus rule is induced by the autonomy-maximizing approach of member states and international bureaucracies. The dual consensus rule acts like a narrow filter, allowing only those aggregated preferences that all actors can agree on to turn into joint decisions. Given the large amount of potential veto players when two or more organizations interact, dysfunctions might easily arise, in particular when preferences strongly diverge and some intransigent outliers block cooperation. The resulting cooperation failure invites strategies ranging from bypassing to outright unilateralism. The article advocates a modification of the dual consensus rule in the early institutional design phase of cooperation when this effectiveness-control dilemma becomes evident. The theoretical framework is tested by tracing the causes of cooperation failure in two cases: EU–NATO cooperation since 1999 and UN–NATO cooperation in Bosnia 1993–95.

Cooperation among international governmental organizations has become a defining feature of global governance.¹ However, disillusionment is widespread. The frequent lack of substantial cooperation runs counter to the dire need to pool or share resources in order to effectively tackle refugee crises, world economic downturns, and international terrorism. Cooperation failure among international organizations is hardly a new phenomenon;² however, it is gaining relevance as international organizations proliferate and increasingly overlap (for an overview see Cropper et al., 2008; Biermann 2011; Jørgensen et al., 2013; Biermann and Koops, forthcoming).

Scholars have identified multiple factors that help explain why international organizations often fail to cooperate effectively. Rationalist accounts stress resource dependence and insufficient environmental pressure (Biermann 2008, 2014; Brosig 2011; Gest and Grigorescu 2010; Lipson 2011; Harsch 2015; Biermann and Harsch forthcoming). Constructivist and psychological accounts point to a lack of openness to cooperate due to diverging organizational cultures (Liese 2009), incompatible identities and norms among organizations (Joachim et al., 2015), adverse legitimacy assessments (Biermann, forthcoming), antagonistic relationships (Schäferhoff 2009; Hendrickson and Kille 2010), and distrust (Schnitzer and Stephenson 2006; Brugger, Hasenclever, and Kasten, forthcoming).

1. Earlier drafts of this article were presented at the Annual Meeting of American Political Science Association 2008 in Boston, at the Annual Conference of the International Studies Association 2011 in Montreal, at the General Conference of the European Consortium of Political Science the same year in Reykjavik, and at the Pan-European Conference of the European International Studies Association 2013 in Warsaw. The author would like to thank all the discussants and especially the two anonymous reviewers for their challenging feedback.

2. See the long-standing debate about donor coordination in development aid and disaster management (Cox et al., 1973: 381–88; Riddell, 2009).

All these factors influence the formation of individual preferences of member states and international bureaucracies when deciding whether and how much to cooperate with other organizations. However, scholars have hardly investigated how these preferences are aggregated on the intra- and the inter-organizational level to produce joint decisions on cooperation. This process is shaped by institutional design factors, which have been neglected so far in the literature.³ This is particularly true for the institutional design factor discussed herein, the *dual consensus rule*, which implies that cooperation can only proceed when consensus has been reached both within and among organizations. This rule gains prominence when preferences on cooperation are aggregated in the process of collective bargaining, coalition-building, and decision-making within and among organizations. Individual preferences and the diverse causes of their formation mentioned above do play a role. However, this article is mainly concerned with aggregated preferences and, thus, with the distribution of preferences across organizations and how this preference structure constrains or enables cooperation.

My goal is to elucidate the effect of the dual consensus rule on the intensity of inter-organizational cooperation. I distinguish four intensity levels (modifying Biermann 2008: 165). Cooperation is *strong* when partners engage in joint decision-making on major issues, often involving ambitious projects with shared responsibility and division of labor. Cooperation is *moderate* when partners engage in joint decision-making but exclude essential issues. Cooperation of this level experiences ups and downs such as serious delays in decision-making. Cooperation is *minimal* when joint decisions are rare or nonexistent and cooperation is largely confined to occasional representation in joint meetings and inconsistent sharing of basic information. Cooperation is *absent* when partners who would profit from cooperation forego cooperation in favor of unilateralism.

Since all inter-organizational relationships basically follow the dual consensus rule, we have no variance on the variable we are most interested in. However, I argue that the intensity of cooperation depends on the interplay of preferences and decision rules. Here we do have variance, namely concerning the preference distribution within and among organizations. Only those preferences that all decision-makers agree on pass through the narrow filter, the dual consensus rule, and turn into joint inter-organizational decisions on cooperation. Thus, the dual consensus rule acts as a conditioning context variable that filters aggregated preferences and co-determines whether and how much organisations cooperate.

I proceed as follows. The next theoretical chapter will, in the first section, try to understand why organizations insist on dual consensus. I argue that the inclination of member states and international bureaucracies to guard their autonomy is the major motivation for institutionalizing the dual consensus rule. The second section will discuss the advantages and disadvantages of dual consensus, highlighting its dialectic nature, which enhances member-state control and the legitimacy of decisions but risks undermining cooperation. Cooperation failure might range from delays to blockage. This depends on the specific preference distribution among member states and international bureaucracies. An analytical framework will sum up the major theoretical argument up to this point. The first chapter will close with a section discussing how member states and international bureaucracies might react to the dysfunctions the dual consensus rule stimulates, ranging from acceptance to changing the rule. The second chapter will apply this theoretical framework to two cases: EU–NATO cooperation since 1999 and UN–NATO cooperation in Bosnia 1993–95. The case studies trace the evolution of cooperation intensity among the partners in phases and investigate the causal impact of the dual consensus rule. I will close with a case comparison, some theoretical conclusions, and policy recommendations.

A remark on case selection is warranted. Since the goal is a plausibility probe exploring the relevance of one variable, the dual consensus rule, most likely cases were selected that

3. See Hylke Dijkstra (forthcoming) who discusses major design variables without, however, linking them causally to cooperation. He does not consider decision rules.

vividly demonstrate the impact of that rule. These are cases of apparent cooperation failure. Such cases point to the destructive effect the dual consensus rule can have, given adverse preference distributions. Nevertheless, there still exists useful variance on the outcome since both cases progress through stages of degenerating cooperation intensity and because final results range from minimal formal cooperation (EU–NATO) to outright unilateralism (UN–NATO).

The EU–NATO case has been widely studied as a case of cooperation failure, but the dual consensus rule has so far been neglected as a causal factor. Conversely, the UN–NATO case is hardly recognized by scholars studying inter-organizational relations, but the dual consensus rule figures prominently in the historical accounts that do exist. Apart from the extensive academic literature on that case, the EU–NATO study benefits from interviews conducted in 2011 with high-ranking NATO and EU officials in Brussels. The UN–NATO study is based on a UN evaluation of the crucial Srebrenica episode (Annan 1999), memoirs of major participants (Holbrooke 1998; Rose 1998), a U.S. Airforce study (Owen 2000), and the vast literature of the Bosnian war in general and UN–NATO relations in particular.

The Dual Consensus Rule in Inter-organizational Relations

Autonomy Concerns

When considering whether and how much to cooperate with another organization, member states and international bureaucracies have to reconcile potentially conflicting goals. The aim to solve problems jointly might conflict with the self-referential interest to guard one's own autonomy against loss of control. Autonomy concerns, defined here as "to be not under the control of others," are widely discussed in the literature on cooperation (Haftel and Thompson 2006: 255–56, referencing Robert Dahl). On the state level, realists, as well as rational institutionalists claim that states strive to retain their autonomy in an anarchic, self-help system in order to avoid the "vulnerability that high interdependence entails" (Waltz 1979: 106; also Keohane and Nye 1977). On the intra-organizational level, principal-agent scholars discuss how member states (the principals) guard their decision-making autonomy within international organizations by employing multiple mechanisms to control the international bureaucracies (their agents) and prevent agency slack (Hawkins et al., 2006). Institutional constructivists argue that international bureaucracies pursue their own autonomous preferences and agendas by diffusing norms and fixing meanings (Barnett and Finnemore 1999, 2004).

On the inter-organizational level, resource dependence scholars portray autonomy as the key to securing organizational survival. They perceive "a constant struggle for autonomy and discretion" (Pfeffer and Salancik 2003: 257) among organizations as they strive to gain access to critical resources held by others, while simultaneously minimizing their dependence on those others. Likewise, the literature on cooperation among national bureaucracies argues that government agencies "attach very high priority to controlling their own resources" and are "reluctant to undertake shared operations involving . . . other organizations" for fear of "interference" (Halperin 1974: 51–3; also Niskanen 1971).

Thus, it is not surprising that autonomy concerns loom large also in the literature on cooperation among international organizations (see Barnett and Coleman 2005; Gerspacher and Dupont 2007). Biermann (2008: 158–61) observes that organizations frequently avoid cooperation, because it entails compromising autonomy, i.e., adjusting to the preferences of partners. This confirms the findings of organization theory, which argues that organizations prefer "not to become involved" in inter-organizational cooperation unless they face strong incentives to do so (Van de Ven 1976: 28). Consequently, "the structure of inclusive decision-making is customarily very weak, with a minimum of authority, a high salience for self-orientation among parties, and a consequent difficulty in making concerted decisions" (*Ibid.*: 26, quoting Warren Roland; also Galaskiewicz 1985; but see Oliver 1991).

Empirical evidence strongly supports this argument. A high-level panel investigating coherence within the UN system bemoaned that "even when mandates intersect UN enti-

ties tend to operate alone with little synergy and coordination” (United Nations Development Group 2006). A report on coordination among international humanitarian organizations in refugee crises reports “a saying that ‘you cannot DO coordination to people who do not want to be coordinated’” (Porter 1999: 5), and security experts frequently refer to “stove piping” or “siloining” as a habit to cooperate hierarchically within the own chain of command but not horizontally with others (Biermann 2011: 176).

The major reason for autonomy concerns in inter-organizational cooperation is structural. When international governmental organizations interact, three levels of decision-making are involved: a national, an intra-organizational, and an inter-organizational level. Bargaining is complex and time-consuming, requires painful compromises, and increases uncertainty. Final decisions might diverge strongly from individual preferences for four reasons. First, in order to reach decisions bargaining must take place both on and between all three levels. Second, organizations are composite actors with multiple decision-making centres internally, which opens up a scenario of “diffuse accountability and division of responsibility” (Jönsson 1993: 464). Third, since the mode of decision-making among organizations is always voluntary and non-hierarchical, compromises have to be struck not only within but also between organizations, which reduces the control of governments over outcomes. Fourth, when international bureaucracies bargain on behalf of organizations, retaining control becomes even more difficult for member states.

The Dual Consensus Rule—Pros and Cons

The resulting autonomy-maximizing approach is reflected in the “dual consensus rule” (Kupferschmidt 2006: 26). It is an institutionalized control mechanism to guard the autonomy of member states and international bureaucracies when organizations cooperate.

Decision rules determine how decisions are made. They mediate between member-state preferences and organizational output and come into play particularly when preferences are aggregated within and among organizations. Decision rules range from unanimity to (qualified) majority voting to weighted voting (Rittberger and Zangl 2010: 68). Consensus rule is a soft variant of the unanimity rule. The UN Office of Legal Affairs defines consensus rule as the “adoption of a decision without formal objections and vote; this being possible only when no delegation formally objects to a consensus being recorded, though some delegations may have reservations” (cited in Klabbers 2009: 208).

When organizations cooperate, they usually agree on the need for consensus. Formal voting is avoided; informal consensus building is the rule. The resulting dual consensus rule implies that cooperation can only proceed when consensus has been reached both within and among organizations. Therefore, the dual consensus rule structures decision-making among organizations, limits the intensity of cooperation to what is agreeable to all, and impacts the capacity of organizations to solve problems jointly.

Since the mid-1960s, the consensus rule has gained prominence in international governance as a norm inspiring inclusive and participatory decision-making. It has three advantages. First, it protects state sovereignty and, thus, prioritizes member-state control. In contrast to majority rule, which allows outvoting, states are not bound against their will. The egalitarian thrust of consensus rule is especially valued by less powerful members. Second, consensus rule ensures broad-based support for decisions by enhancing their legitimacy—this stimulates compliance. Third, compared to unanimity rule, the absence of formal voting and the lower degrees of support necessary facilitate consensus-building. Advocates portray the consensus rule as the smart middle ground that avoids both the inefficiencies of unanimity rule and the legitimacy problems of majority rule.

However, the consensus rule is criticized for being “essentially a re-introduction of the unanimity principle” (Lindell 1988: 176). In reality, “each and every participant in the decision-making process retains the right of veto” (Klabbers 2009: 208). Critics argue that “the

large amount of negative power implicit in consensus procedures” (Buzan 1981: 345) poses a veto player problem similar to that prevalent under unanimity rule.

A veto player is “an individual or a collective actor whose agreement is required for a policy decision”; she can “block the adoption of a policy” (Tsebelis 1995: 293, 305).⁴ Within and among organizations, member states are the major veto players; further veto players might exist within member states. International bureaucracies may become *de facto* veto players. However, the willingness of the veto players to cooperate and compromise depends on the overall preference distribution, in particular on three factors: the number of potential veto players, the extent of preference heterogeneity, and individual preference intensity.

First, the larger the number of potential veto players, the greater the chances that one of them uses the veto to block decisions (Nielson and Tierney 2003: 248). The number of veto players is determined by decision rules. Consensus rule maximizes their number (Rittberger and Zangl 2010: 68). When each member state can block joint decisions, this “may boil down to the rule of minority” and lead to “supreme conservatism” (Romme 2004: 706). As a result, many organizations have opted for qualified majority rule or weighted voting in order to avoid gridlock (Blake and Payton 2009: 23; Peters 2013). The trend within the EU to progressively increase qualified majority voting parallel to recent enlargements reflects this rationale. However, when cooperating with other organizations the same organizations stick to the consensus rule, even though the number of veto players is much larger. This holds even when we account for membership overlap (or what is called “dual members”).

Second, more important than numbers is the extent of preference heterogeneity within and among organizations. The more preferences diverge and partners disagree on whether or how much to cooperate, the more arduous it is to agree on joint action under the dual consensus rule. Most relevant are those member states or international bureaucracies advocating outlier positions at the extremes of the preference spectrum. We should expect veto players to form coalitions both within and across organizations with like-minded actors on the national, the intra-organizational, and the inter-organizational level.

Third, veto players vary in terms of their preference intensity, i.e., their commitment to the position they advocate and their willingness to compromise. This depends on perceived issue salience. We know from intra-organizational research that member states are less willing to relinquish control and compromise when issues are perceived as “high stakes” (Gould 2006: 281, 285; Hawkins et al., 2006: 27–32).⁵ The more veto players perceive an issue as highly salient and are, therefore, committed to their preferences, the less they are willing to compromise. Under the consensus rule, one such player can be enough to spoil cooperation.

Reaching joint decisions under the dual consensus rule is challenging. One other factor further complicates preference aggregation. It is the multilevel, bottom-up mode of inter-organizational decision-making, which is organized like a Russian doll. First, domestic actors have to agree on a national position, governments within each organization have to consent, and then an issue can be decided among partner organizations. Even though bargaining is often not sequential, the inter-organizational level is hostage to prior agreement on the other levels.

The dual consensus rule poses an *effectiveness-control dilemma*: it maximizes member-state control and legitimizes joint decisions but risks undermining the effectiveness of cooperation. It is particularly severe when the number of potential veto players is large, preferences diverge strongly, and some veto players are unwilling to compromise. The following diagram summarizes the main argument:

4. Subsequently, the concept of Tsebelis is refined for our purposes.

5. See also Cox and Jacobson (1973: 386) on program and operational decisions.

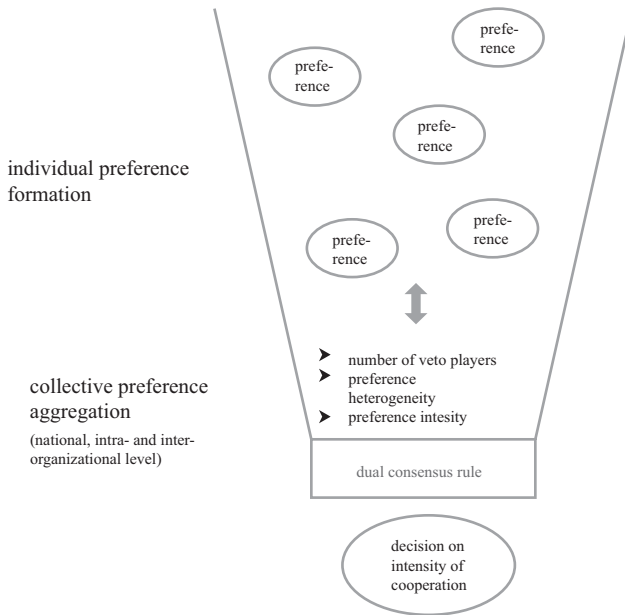


Diagram 1. Inter-organizational decision-making under the dual consensus rule⁶

Dysfunctions and Remedies

The selection of the dual consensus rule in inter-organizational relations has consequences for the intensity of cooperation and, therefore, the amount of problem-solving that is achievable. The veto player problem signals that governments have to pay a price for institutionalizing the dual consensus rule. According to Kupferschmidt (2006: 140), the scenario is “prone to disruption.” Four types of dysfunctions might occur: First, delays in decision-making due to diverging preferences that need to be reconciled; second, selective non-cooperation on particular issues where consensus cannot be achieved; third, lowest common denominator decisions that all partners can agree on; and fourth, blockage of an entire partnership when compromise on essentials cannot be achieved.

These dysfunctions may simply be accepted as inevitable. Alternatively, effectiveness-minded member states and international bureaucracies might devise strategies to enable the decisions they deem necessary. They can bypass vetoes by utilizing informal channels of cooperation, they can terminate cooperation altogether and fall back into unilateral action, or they can change the decision rule.

Bypassing replaces dysfunctional channels of cooperation with informal ones in order to work around vetoes. Thus, member states might form new fora that exclude the dissenters, they might create informal formats where decision-making is avoided, or they might allow international bureaucracies to take the initiative (Martin 2006: 153; Gould 2006: 292; Hawkins and Jacoby 2006: 225–27). Such strategies of informalization are ambivalent. Bypassing can be essential to keeping a relationship going. Some have called this “functional informality” (Mayntz 1998: 64, translation of the author) or “expedient illegality” (Luhmann 1976: 312,

6. The theoretical argument disregards that preference formation and preference aggregation do interact. They are in reality not two sequential phases. Actors might anticipate the overall preference distribution, prospective vetoes, and the necessity of dual consensus when determining their own preferences. Thus, preference aggregation might feed back into preference formation and vice versa. The blue arrow reflects this interdependence.

translation of the author), especially if formalization follows. However, bypassing is risky, opaque, and minimalist. It is an unpredictable *ad hoc* arrangement that depends on the ups and downs of personal relations and on the naysayers' tolerance. "Decisions" lack accountability and legitimacy and remain nonbinding. Moreover, major decisions cannot be made.

Unilateralism signals unmistakably that cooperation has failed. It is more blatant and terminal than bypassing. In order to avoid such dysfunctions, the dual consensus rule itself might be modified. Within organizations, several measures have proven effective in overcoming the problematic side-effects of the consensus rule. First, majority voting is used in organizations, such as the WTO, if all efforts to reach consensus have been exhausted. Second, "active consensus procedures" are employed to inspire consensus-building, such as delegating responsibility to executive heads when speedy, operational decisions are necessary or negotiations have reached gridlock (Buzan 1981: 346; also Tsebelis 1995: 307–08). Third, a "consensus-minus-one rule" might be introduced. This is how in 1991 the Conference on Security and Cooperation in Europe (CSCE) preserved its capacity to act when former Yugoslavia disintegrated and Serbia frustrated all efforts at finding a compromise.

Case Studies

In order to test the plausibility of this theoretical framework, I explore and compare two cases: First, EU–NATO cooperation since the creation of the Common Security and Defence Policy in 1999, and second, the "dual key arrangements" between the UN and NATO in Bosnia from 1993 to 1995. The goal is to trace the interaction of the dual consensus rule and the preference distribution, in particular the number of veto players, preference heterogeneity and preference intensity, and their effect on the intensity of cooperation. Since both cases are cases of cooperation failure, albeit to varying degrees, both illustrate the extent to which these variables contributed to the adverse outcomes.

It is remarkable that the EU, the UN, and NATO were willing to enter into those ambitious projects requiring substantial joint decision-making and compromise, even though both projects were "high politics" cases involving security affairs where autonomy concerns traditionally loom large. Seemingly, ambition did not match reality. EU–NATO relations degenerated to minimal official cooperation supplemented by bypassing. Most political actors and academic analysts blame Turkey for what officials call the "frozen conflict" (U.S. Department of State 2008), while neglecting the dual consensus rule as the root problem. UN–NATO relations likewise degenerated, went through a phase of bypassing, and ended in hardly disguised NATO unilateralism. Here, the drawbacks of the dual consensus rule were hotly debated.

For each case, I first discuss the autonomy concerns that gave rise to the dual consensus rule. This part also serves to lay the foundation for the subsequent analysis. Then the interplay of the dual consensus rule and the specific preference distribution during the years of inter-organizational cooperation are analysed, focusing in particular on the dysfunctional effects these causal factors had on cooperation outcomes. Finally, the case studies analyze the strategies of bypassing and unilateralism devised by member states and international bureaucracies to mitigate these dysfunctional effects.

The EU–NATO Impasse

Strong autonomy concerns predated the formation of the EU–NATO partnership.⁷ When the EU embarked on its Common Foreign and Security Policy in 1991, it had to establish itself in a domain hitherto occupied by NATO. Whereas the EU tried to guard the autonomy of its fledgling security dimension, the alliance—especially its non-EU members, such as the U.S.,

7. The following is based on confidential interviews with key officials from NATO's International and International Military Staff, from the EU Military Staff and the Commission, as well as from national embassies at NATO and the EU in Brussels in February 2011. References are restricted to quotes.

and its Atlanticist members, such as Britain—were eager to limit the EU’s rise (Menon, Forster, and Wallace 1992).

Once the EU established its Common Security and Defence Policy (CSDP) in 1999, and the future relationship of the EU and NATO had to be defined, autonomy concerns began to dominate partnership formation. The EU lacked critical resources for planning and conducting its own operations, such as headquarters and strategic airlift, and had to rely on NATO to provide them without having much to offer in return. NATO was willing to assist but on its own terms. Thus, the EU decided—following the landmark St. Malo Declaration of December 1998—to pursue a dual-track approach, combining “autonomous” EU-only operations and EU operations based on NATO assets and capabilities. This was a political compromise between the French-favored autonomy track and the British- and U.S.-favored NATO cooperation track. Preferences were intense and diverged strongly from the beginning.

The negotiations on how to devise rules and procedures for EU-led operations based on NATO assets resulted in the “Berlin plus” agreements of 2002. Even though the agreements remain largely classified, the public discourse accompanying the negotiations signalled how strongly concerns about autonomy, control, and dependence shaped this most ambitious project of inter-organizational cooperation (Reichard 2006). Whereas the EU, as the junior partner, tried to guard its autonomy in operations relying on NATO assets, the non-EU members and the Atlanticists within NATO were eager to protect NATO’s Cold-War primacy and control CSDP (Howorth 2007: 135–77; Biermann 2009; Hofmann 2014).

Three years of arduous negotiations resulted in an agreement aimed at strong cooperation, including NATO resource provision, joint decision-making on high-stakes issues, and a substantial division of labor. It required dense interaction among headquarters and in the field in peace operations, even though other issues of functional overlap such as enlargement were not addressed. The EU accepted a deal that restricted its autonomy in three ways (Gourlay 2004; Dembinski 2005: 61–80; Reichard 2006: 147–70). First, NATO reserved the right to decide on a case-by-case basis whether to provide its assets for EU operations. It could recall them any time. Second, EU operations employing NATO assets would be planned and commanded by NATO’s second-ranking general (DSACEUR) out of NATO’s Headquarters in Mons (SHAPE). Thus, NATO had a considerable voice in the EU’s chain of command. Third, the EU initially agreed to respect NATO’s “right of first refusal.” It would undertake operations only “when NATO as a whole is not engaged,” i.e., when the U.S. decided not to become involved.

The formation phase of the EU–NATO partnership had two major results: The preference distribution among member states and international bureaucracies was largely pre-determined, with “Europeanists” and “Atlanticists” within and across both organizations disagreeing about the relative relevance of the organizations in future European security governance. The major rules and procedures for cooperation were fixed, including the dual consensus rule, which was introduced without much debate. Given the strong autonomy concerns and their high salience in security affairs, it is understandable that the strict unanimity rule within both NATO and CSDP was simply transferred to the inter-organizational level. No government should be outvoted when missions are planned or conducted.

The problem was the veto player potential this combination of the dual consensus rule and the specific preference distribution produced. The number of veto players (including single and dual members) rose from twenty-three in 1999 to thirty-three today, due to the Eastern enlargement rounds of 2004 and 2007 and Croatia’s accession in 2013. As we will see, one of those accessions, the one of Cyprus, considerably contributed to complicating EU–NATO relations.

Still, even in 1999 the extent of preference heterogeneity was considerable, with the U.S. and Turkey openly opposing CSDP and Britain and France upholding the fragile consensus of St. Malo. Not only were there the traditional poles of hard and soft (or civilian) power protagonists, but there were deep rifts within the EU and NATO about whether the EU should

rely on “Berlin plus” operations with recourse to NATO assets (many of them U.S. assets) or instead privilege its own autonomous operations (Howorth 2007: 146–60). The more the EU developed its own capacity to plan and conduct autonomous operations, the less it would have to rely on NATO and its hegemon. This “scope problem” (Yost 2007: 98–103) concerning the future role of CSDP and the extent of EU–NATO cooperation dominated the partnership, not the least due to the conflict about the U.S. intervention in Iraq 2003.

Consequently, joint decision-making experienced ups and downs. The combination of the dual consensus rule and the adverse preference configuration made consensus-building difficult. Still, the preference intensity of Europeanists and Atlanticists was not so rigid as to allow no compromises. On the one hand, preferences converged sufficiently to reach consensus on the “Berlin plus” agreements and on a dense schedule of regular official meetings, institutionalize joint working groups, and jointly initiate and conduct the first two military operations in Bosnia and Macedonia. On the other hand, cooperation experienced serious delays and became selective due to multiple vetoes by varying members of both organizations. Thus, a British veto has been preventing the EU from establishing its own headquarters separate from NATO’s since 2003. Some NATO and EU missions, such as in Darfur, ran parallel because member states vetoed joint action. During the “Berlin plus” negotiations, Turkish and Greek vetoes postponed the document’s signing for two years. Afterward, U.S. reservations delayed the handover of the NATO mission in Bosnia to the EU for another year (Kupferschmidt 2006). Major joint security concerns, such as fighting terrorism or proliferation, were hardly addressed.

Overall, the intensity of cooperation was modest. This was much less than originally envisioned but still acceptable as long as vetoes were confined to single issues. This changed once Cyprus entered the EU in 2004. Since that year, Turkey’s non-recognition of Cyprus and its commitment to strictly enforce this stance in NATO–EU relations has effectively blocked the partnership on the official level.

Turkey does not agree to official NATO–EU meetings with Cyprus at the table, and the EU, especially Greece, declines to meet without Cyprus.⁸ Official meetings on Bosnia (a project arranged before Cyprus entered the EU) are the exception, but NATO’s interest in Bosnia has become minor. Thus, missions where both organizations work side by side, such as in Afghanistan, Kosovo, or Somalia, are officially not discussed at all. Formal ministerial meetings have been abandoned altogether. The frequency of ambassadorial meetings has dropped to a bare minimum, as have the meetings of the Military Committees.⁹ Those meetings still taking place have become ritualistic.¹⁰ Even official information-sharing is strongly curtailed.

Therefore, official cooperation has become minimal—it is sporadic, inconsistent, and highly selective. The preference change of one NATO member, Turkey, sufficed to deadlock official EU–NATO relations across the board. Different from the first phase of cooperation, this veto player, perceiving the non-recognition of Cyprus as a high stakes issue, is playing a zero-sum game and is unwilling to compromise as a matter of principle.¹¹ The trigger for this “participation problem” (Yost 2007: 92–6) was the accession of one country, Cyprus, to the other organization, the EU, that imported the looming conflict between a NATO and an EU member state into EU–NATO relations. Within the EU, Greece and Cyprus reacted accordingly. Due to the dual consensus rule, one veto player took the entire EU–NATO partnership hostage.

All initiatives to overcome this deadlock failed, especially after France returned to NATO’s integrated command structure (Keohane 2009: 134–35). The major challenges the participation problem, the scope problem, and their interaction. Turkey is backed by those not

8. The Turkish and Cypriot arguments are reproduced in Acikmese and Triantaphyllou (2012); Yost (2007: 92–6); and Missiroti (2002: 9–26).

9. According to an exchange of letters from January 2001, foreign ministers should meet at least once, ambassadors three times, and the military representatives two times per semester.

10. One official from the EU Military Staff characterizes these encounters as „phantom meetings reminiscent of Communist party congresses”; interview on 16 February 2011.

11. Turkey vetoes cooperation in many institutions once Cyprus is at the table, such as the UN Conference on Disarmament, the Organization of Economic Cooperation and Development (OECD) or the Organization of the Black Sea Economic Development (BSEC).

eager to see EU–NATO relations flourish. While “Berlin plus” is increasingly hollowed out, with no new joint missions having been mandated since 2004, the autonomization of CSDP proceeds. NATO Secretary-General Jaap de Hoop Scheffer (2007) publicly criticized these “well-known differences of opinion,” which put a “heavy burden on NATO-EU relations.” His successor Anders Fogh Rasmussen warned that “these problems have spread far beyond Turkey and Greece,” undermining missions such as those in Afghanistan, where both organizations cannot conclude agreements on mutual support.¹² Whether new initiatives are more successful to overcome the deadlock following the Ukraine crisis since 2014 remains to be seen.

Actors, such as the UK and Germany, who are dissatisfied with the status quo, have attempted to “get things done” not by modifying the dual consensus rule but by working around the impasse. They have designed informal meetings, such as the “Transatlantic Dinners,”¹³ that avoid official agendas, minutes, communiqués, and decisions, and allow Turkey and Cyprus to sit at one table (Hofmann and Reynolds 2007: 4; Kupferschmidt 2006: 14). They have also allowed the respective bureaucracies to compensate for the dysfunctions. On the headquarters level, NATO secretaries-general and EU high representatives meet frequently to exchange vital information, encourage their staff to cooperate, and arrange member-state meetings on emerging crises (see Kupferschmidt 2006: 14–6). The last office-holders, Anders Fogh Rasmussen and Catherine Ashton, undertook several initiatives to improve cooperation. Joint capabilities development has been a chief concern.

In fact, the international staff have become the pacemakers of cooperation. “Reality forces us to cooperate,” explains a high-level official.¹⁴ This is facilitated by the common culture among the military and the long-standing military ties across both organizations. Those serving in one organization have frequently also served in the other, and some of the co-nationals have served together on the national level. As loyal officers, they take into account member-state positions when coordinating across organizations and try to keep their capitals “in the loop.” Seconded staff feed their own policy papers into national line ministries, which then table them as national papers in both organizations in order to maintain the façade of national prerogative and control.

When major decisions cannot be made, authority is left to drift down to the commanders in the field. They have a vital interest in sorting out practical solutions for joint problems, such as delineating overlapping tasks (e.g., between police and military), coordinating rules of engagement, tracking staff on duty, or arranging “in extremis” evacuation in case of crisis. Sometimes, such as in Kosovo, commanders conclude a memorandum of understanding that is later endorsed on the political level. Often, such as at the coast of Somalia, parallel missions are coordinated without leaving a paper trail.

Turkey tolerates these workarounds as long as they are not raised to the political level, and it has consented to NATO’s Lisbon Summit Declaration (2010),¹⁵ which is interpreted by officials as a low-level active consensus measure endorsing the informal cooperation. Still, the exact threshold of Turkey’s tolerance is difficult to determine. Some papers that are deliberately left unclassified and anonymous are stopped by Turkey. Most cooperation is not mandated. Much depends on personal “chemistry” among boundary-spanners¹⁶ and their willingness to use the discretion granted by member states. The goal is to keep up low-key, day-to-day cooperation.

It should be noted that the role of member states and international bureaucracies we observe here contradicts early principal-agent assumptions, as well as the sociological stud-

12. Rasmussen says strained Turkish-Greek ties affect NATO, *South East European Times*, 26 August 2009.

13. These meetings of NATO and EU foreign ministers plus the NATO secretary-general and the EU high representative take place once a year at the margins of the UN General Assembly.

14. Interview with a NATO assistant secretary general on 14 February 2011 in Brussels.

15. Par. 11 reads: “We welcome the recent initiatives from several Allies and the ideas proposed by the Secretary General . . . [We] encourage the Secretary General to continue to work with the EU High Representative. . . .”

16. High Representative Xavier Solana, a former NATO secretary-general, cooperated closely with his first counterpart in NATO, George Robertson. In contrast, his relationship with Jaap de Hoop Scheffer was “non-existent,” even informed by “mutual disdain.” Relations between Catherine Ashton and Anders Fogh Rasmussen were again productive; confidential interview with a leading NATO official, Brussels, 14 Feb. 2011.

ies on dysfunctions and pathologies of international bureaucracies. The dysfunctions in NATO–EU relations are caused by “principal problems” (Thompson 2007), not by run-away, unaccountable international bureaucracies. Conflicting principals open up space for agent autonomy (see also Hawkins and Jacoby 2006: 225–27). Effectiveness-minded member states and international bureaucracies join ranks to mitigate these problems. Their goal is to see the NATO–EU partnership succeed and guard the reputation of their own organization (see also Elsig 2011: 495–517). This agency shift is a consequence of “intentional choice” (Martin 2006: 153; but see Gould 2006: 292) by effectiveness-minded member states. The resulting large amount of staff discretion in a “high politics” case is surprising.

To summarize, EU–NATO cooperation has experienced a downturn in two phases. In the first phase (1999–2004), conflicting preferences complicated joint decision making while permitting moderate cooperation. The extent of preference heterogeneity and the preference intensity of Europeanists and Atlanticists still allowed the organizations to reach a consensus, though not on all issues. During the second phase (since 2004), Turkey’s unrelenting commitment to take the dual consensus rule hostage to its national agenda has reduced the official partnership to minimal cooperation, which is offset by informal cooperation via bypassing. Overall, the case demonstrates the drawbacks of the dual consensus rule, when one intransigent member state with strong preference intensity is willing to take an entire inter-organizational partnership hostage for its national agenda. It is remarkable that no decision rule change has been advocated.

The Dual-Key Arrangements in Bosnia

In this case, autonomy concerns reach back to the founding years of NATO and the UN. During the Cold War, subordination under the UN Security Council, where Moscow has a veto, would have undermined the core purpose of NATO: a collective defense against a potential Soviet attack (Kaplan 2010: 6–25). NATO’s Charter refers only to Article 51 of the UN Charter, which affirms the right of individual and collective self-defense and avoids any mention of the Chapter VIII provisions on “regional arrangements”; this would require NATO to seek Security Council authorization for its operations and to keep the council fully informed.

Once the alliance engaged in its first peace operations after the Cold War and began to cooperate with the UN, NATO’s “aversion to explicit subservience” (Smith-Windsor 2011: 27) led to two models of cooperation. Under the “subcontracting model” NATO is requested by the Security Council to execute tasks within terms set by the council; this is the default model for the UN’s cooperation with all regional organizations. In contrast, under the “autonomy model,” NATO acts without UN authorization, such as in Kosovo in 1999 (see Leuridijk 2003: 57–74). NATO reserves the right to decide on a case-by-case basis which model to choose.

These conflicting preferences reached the operational level once both organizations started to cooperate in 1992 (Biermann 2014). Responding to a request by UN Secretary-General Boutros Boutros-Ghali, who was in dire need of NATO’s robust military resources to implement the ambitious Security Council resolutions on Bosnia, NATO confirmed its preparedness to support UN operations. However, decisions would be taken on a “case-by-case basis and in accordance with our own procedures” (North Atlantic Treaty Organization 1992). Whereas Boutros-Ghali asserted that his “aim is to see that in any new division of labour, the United Nations retains its primacy . . . while its burden is lightened” (quoted in Leuridijk 1998: 458), NATO Secretary-General Manfred Wörner cautioned that “NATO cannot be regarded as an instrument or as a military subcontractor to the United Nations. . . . Both must retain the possibility to act independently” (quoted in Yost 2007: 40).

NATO initially accepted the subcontracting model. This clearly was a test case. NATO was not only willing to implement UN mandates but subjected its decision-making autonomy to a UN veto. NATO agreed to back up two UN resolutions with its air power: monitoring and enforcing the ban of military flights in the Bosnian airspace (UN Security Council 1993a)

and deterring attacks on the “safe areas” of Bihac, Gorazde, Srebrenica, Tuzla, and Zepa (UN Security Council 1993b). In these cities, which were besieged by Serb artillery, an undermanned and understaffed UN Protection Force (UNPROFOR) desperately needed air support to deter a Serb conquest, protect the civilians, and keep corridors open for humanitarian aid. The result was a joint project aimed at strong cooperation with ambitious goals, substantial joint decision-making, and a clear division of labor in an issue area essential for both organizations.

Both resolutions required NATO to act “under the authority of the Security Council and subject to close coordination with the Secretary-General and UNPROFOR.” Thus, UN and NATO Headquarters had to reach consensus on the employment of NATO air power. The negotiations resulted in a written, still unpublished agreement, called the dual key arrangements, which was unanimously approved by the Security Council and the North Atlantic Council (NAC). It required prior consent of both organizations for any air strike. If the UN did not turn its “key,” NATO could not act. According to Richard Holbrooke (1998: 72), “the ‘dual key’ was a ‘dual veto.’”

NATO put aside its autonomy concerns to a surprising degree. There were some widely shared motivational factors at the time, such as the strong pressure to end the escalating Bosnian war and the desire to re-establish NATO’s legitimacy after the Cold War. However, accepting this deal was motivated by a more specific distribution of preferences. Actually, the combined number of eighteen veto players in UN and NATO was relatively limited.¹⁷ However, these veto players strongly disagreed about how much leeway NATO should have to use force. And this preference configuration led to the formation of a rare cross-organizational coalition. Within the Security Council, not only Russia and China but also Britain and France insisted on the dual consensus rule, which amounted to a “checking” role for the UN (Hendrickson 2006: 50). The major goal was to protect the British and French UNPROFOR troops and avert the massive air strikes the Clinton administration, which had no troops on the ground in Bosnia, pressed for. Within NATO, Britain and France took a similarly restrained position, which was supported by other troop contributors such as the Netherlands. Due to the strong commitment of all players to their conflicting preferences, this was highly controversial within the alliance. According to a U.S. official, the debate was “as bitter and rancorous a discussion as has ever taken place in the alliance” (quoted in Daalder 2000: 22).

However, convening the Security Council and the NAC each time an air strike was requested was impossible. Thus, approval authority was entrusted to the secretaries-general. They were closer to the realities on the ground, could react more swiftly, and communicate effectively with the partner organization. This active consensus measure reduced the number of veto players and greatly alleviated the drawbacks of the dual consensus rule.

The NATO secretary-general further relaxed control when he passed his approval authority down to the Combined Air Operations Centre in Vicenza, Italy. The commander in Vicenza decided whether NATO’s aircraft could take off for Bosnia and which targets to strike (Reed 2000: 399–402).¹⁸ In contrast, the UN secretary-general kept the “key” for himself. Requests from UNPROFOR local commanders for air strikes had to climb up five steps of approval. Each authorizing unit could veto the request. Thus, the UN secretary-general prioritized control: civilian control of the military, UN Headquarters control of the field mission, and UN control of NATO. Distrust that NATO might initiate air strikes too readily was a major motive.

The threat of air strikes posed a serious dilemma for the UN. Indispensable as it was for deterrent purposes, its execution would put UN impartiality into doubt, erode the Serb consent necessary for the peacekeeping mission, expose the UNPROFOR troops to Serb retribution, and undermine the humanitarian relief effort and the ongoing peace negotiations. This was the view of Boutros-Ghali personally, of most Security Council members, of the UN high com-

17. The sixteen NATO members at the time plus two of the P5 (Russia and China), which were not NATO members. This number disregards, due to their half-yearly rotation, the non-permanent Security Council members, some of which were NATO members.

18. The fact that NATO’s chain of command was “de facto all-American” facilitated this decision (Campbell, 2000: 91–2).

missioner for refugees, and of the troop-contributing countries. Boutros-Ghali, representing the Security Council, had to respect the preference heterogeneity among its members. Consequently, he favored a restrictive, minimalist interpretation of the air power option (Annan 1999: 26, 104).¹⁹ The critics of the dual key arrangements within NATO heavily criticized the UN chain of command from the outset.

The rules of engagement for airstrikes further strengthened the position of the dual key protagonists. They moved UN Headquarters into an agenda-setting role; military aircraft violating the no-fly zone would only be attacked as a last resort and after repeated warnings, whereas civilian intruders, helicopters, or ground installations could not be fired at even if NATO aircraft were attacked (Leurdijk 1996: 31). UN officials maintained “that they controlled the trigger mechanism for use of force” (Reed 2000: 425).

Cooperation was minimal from the beginning. The need for dual consensus largely blocked joint decision-making. It took almost one year before the first air strikes were authorized. Once the Serbs took UNPROFOR troops hostage and used them as human shields, the UN’s inclination to use air power further eroded until NATO’s air campaign in August 1995, when close air support was approved only three times (Leurdijk 1996: 53). NATO airstrikes to enforce the no-fly zone were even rarer; their impact was so limited that NATO officials called them “pinpricks” (Annan 1999: 39; Holbrooke 1998: 61; Reed 2000: 403–05).

Once frustration among the enforcement advocates mounted, mutual stereotyping commenced. With public pressure to stop the atrocities increasing, the enforcement advocates saw NATO’s credibility eroding. The UN was accused of making the Serbs believe they could act with impunity. Suspicion about secret deals between UNPROFOR and the Bosnian Serbs grew. Wörner personally pressed Boutros-Ghali to modify the rules (Hendrickson 2000: 62). Admiral Leighton Smith, second in the NATO chain of command, admitted later: “I hated the dual key. I thought it was the worst thing we could possibly have become involved in” (quoted in Smith 2004: 157; see also Kaplan 2010: 149). Conversely, the dual key advocates within the UN accused the critics of undermining the peace effort, leaving UNPROFOR “to pick up the pieces” (Rose 1998: 205, 234). Preferences also conflicted within UNPROFOR. Several commanders resigned stating that they were disillusioned by “a policy of endless appeasement” and called on the UN secretary-general to hand down his “key” to the commanders in Bosnia (Annan 1999: 32, 38; Giersch 1998: 248).

Once the effectiveness-control dilemma unfolded, the enforcement advocates within NATO, in particular the U.S. and the headquarters, began devising ways to bypass the UN. The alliance started to draw up contingency plans for a phased air campaign and issued unilateral ultimatums to stop the Serb conquest. This stimulated tense exchanges between the secretariats. UNPROFOR General Rose (1998: 204) saw “responsibility for what was happening . . . slowly but surely drifting out of the hands of UNPROFOR.” The more ethnic cleansing in Bosnia increased, the more the reservations in London, Paris, and New York were delegitimized, and the dual consensus rule came under pressure.

Srebrenica was the shock that triggered a decisive preference change. The massacre in July 1994 revealed dramatically the drawbacks of the dual consensus rule (Annan 1999: 53–84). According to a later UN report, the local Dutch UNPROFOR commander requested NATO close air support up to five times. Both organizations had four days to prevent the massacre. Some requests were vetoed within the UN chain of command. Others were deferred for later execution. Still others were passed on with long delays. The outcomes of some requests remain unknown today. The Serbs, who obviously did not plan the massacre beforehand, were emboldened by several ultimatums they ignored with impunity and multiple direct attacks on the UN troops that remained unsanctioned. When the UN secretary-general finally approved airstrikes, NATO’s planes came too late.

19. The memoirs of the UNPROFOR commander in 1994, Michael Rose (1998: 9, 15, 46, and 53), reflect this approach.

It is sobering to realize that the worst massacre in modern European history might have been prevented if the five requests for air power had not been blocked within the UN chain of command. The UN and NATO had reduced the number of veto players considerably when delegating veto power to their respective secretaries-general. However, the effectiveness gains of this active consensus measure were partly neutralized when the UN secretary-general introduced the commanders within his chain of command as new veto players. Had the UN installed a decision-making procedure similar to NATO's, the UN commander in Srebrenica who had advocated air strikes could have authorized them autonomously.

After Srebrenica, not only did the U.S. position harden but the preferences of Great Britain and France changed, shifting the inter-organizational preference distribution markedly. Facing the choice of either accepting defeat in Bosnia and withdrawing UNPROFOR or moving from peacekeeping to enforcement, they opted for the latter. Consequently, preferences converged within the alliance and intra-alliance consensus was re-established. The U.S. now assumed a leadership role within NATO. However, the UN remained split, with Russia, China, and the UN Secretariat continuing to block the use of air power via the dual consensus rule (Kaplan 2010: 156).

NATO's initial strategy to overcome the veto problem was bypassing but then moved toward unilateralism. Four steps were taken.²⁰ First, NATO allies organized a conference in London, which warned that any attack on the next "safe area" would be "met with a substantial and decisive response, including the use of air power" (Gow 1997: 275). Internally, NATO agreed that Boutros-Ghali would have to hand down his "key" to the UNPROFOR commanders in the field in order to achieve a "more effective chain of command" (Leurdijk 1996: 77). Boutros-Ghali was brought around by "two firm phone conversations" with U.S. Secretary of State Warren Christopher (Daalder 2000: 78; also Kaplan 2010: 154).

Second, NATO agreed to interpret the London decisions widely: Attacks on *all* safe areas would trigger air strikes; Serb military preparations would suffice to initiate strikes; these would continue as long as the commanders deemed necessary; and an air campaign would cover large parts of Bosnia. Thus, the UN lost control over the initiation and scope of air strikes.

Third, even though the air campaign that followed was formally authorized by both the NATO and the UN commanders in Sarajevo based on joint contingency planning, this only kept up the façade of cooperation. Effectively, the dual consensus rule broke down. At this point, NATO shifted from bypassing to disguised unilateralism. The UN Secretariat learned about the air campaign only six hours later. It informed the Serbs that "the conduct of the current operations is under the control of NATO" and that UN officials "are not in a position to stop those operations" (Annan 1999: 95). NATO based its campaign on a questionable interpretation of the relevant Security Council resolution. Boutros-Ghali later spoke of an "insult" (quoted in Kaplan 2010: 163).

Fourth, not only did NATO relegate the UN at war's end in Dayton to a minimal role. The alliance also insists, since that episode, on "unitary command and control," i.e., full autonomy when conducting operations alongside other organizations, including a separate chain of command and rules of engagement devised in Brussels alone (Yos 2007: 47–53). Thus, NATO held the dual consensus rule responsible for what it perceived as a dramatic cooperation failure. The NATO secretary-general remarked that if NATO is not able to "set the rules of our military operations, they [the UN] will have to find other idiots to support peacekeeping" (quoted in Hendrickson and Kille 2010: 508). In the future, NATO would not accept any external veto (Yost 2007: 31–71; Biermann 2014).

Summing up, we can again discern two phases of decreasing cooperation intensity. UN–NATO cooperation started out with an ambitious agreement envisioning strong cooperation based on dual consensus. This contrasted with strongly conflicting preferences across the

20. The following is mainly based on Leurdijk, 1996: 78–81; Holbrooke, 1998: 72 and 99; Annan 1999: 95–7; Daalder, 2000: 73–9; Reed 2000: 407–09; Hendrickson, 2006: 73–9.

organizations about the utility of using force in Bosnia and the acceptability of the dual key arrangements. The result was a first phase characterized by a strict UN veto, a NATO split between enforcement advocates and sceptics, first attempts at bypassing, and the resulting minimal cooperation. Given the large amount of preference heterogeneity and the preference intensity, especially of the nay-sayers, the dual consensus rule effectively produced deadlock. The second phase, after Srebrenica, saw the shift from minimal cooperation to de facto unilateralism, or absent cooperation. It was triggered by the preference change of Britain and France, the re-established unanimity within NATO and its subsequent unwillingness to accept any longer the deadlock the UN veto produced. Throughout, the dual consensus rule was the focal point of conflict between and within the organizations. Due to member-state delegation, the secretary-general moved into lynch-pin veto player positions. However, even though this active consensus measure considerably reduced the number of veto players, it did not suffice to alleviate the dual consensus drawbacks.

Case Comparison

The two cases we looked at are disconcerting. Both reveal a similar, two-stage pattern of deteriorating cooperation. They started out with comprehensive agreements outlining strong cooperation based on joint decision-making, division of labor and frequent interaction in an issue-area both partners deemed essential. Considerable autonomy concerns motivated the partners to institutionalize the dual consensus rule. This was not publicly disputed in EU–NATO relations, but highly controversial in UN–NATO relations. It was risky in both cases since preferences within and among the organizations about the basics of cooperation were conflicting.

Once the partnership moved into the first operational phase, the effectiveness-control dilemma emerged and the drawbacks of the dual consensus rule materialized. In both cases, the strong initial ambitions faded. EU–NATO relations started with a phase of moderate cooperation, experiencing both significant achievements and serious delays and non-cooperation on essential issues due to multiple vetoes by various member states. Preferences among Europeanists and Atlanticists diverged, but preference intensities were not as rigid as to preclude finding compromise on many, though hardly all, issues.

In contrast, UN–NATO cooperation turned out much more limited, with UN vetoes of NATO use of force allowing only minimal cooperation in a few minor instances. The reason was not the number of veto players, which was not only more limited than in EU–NATO relations but further reduced when use of force authorization was delegated to the secretaries-general. It also was not primarily the extent of preference heterogeneity, which was substantial in both cases. What bogged down the partnership was the preference intensity of those member states (esp. Britain and France) and international bureaucracies (UN Secretariat) in both organizations opposing NATO use of force in principle for practical as well as normative reasons. They utilized the dual consensus requirement to block cooperation. Their preferences were largely fixed, constant, and uncompromising, which explains the less intense cooperation compared to EU–NATO relations. The struggle to uphold or undermine the veto seriously antagonized both camps, strained relations among and within the organizations, motivated attempts at bypassing, and prepared the ground for open confrontation.

Changing preference configurations triggered the second phase of both partnerships. The second phase of EU–NATO relations started with the Turkish preference change to veto all official interaction between both organizations regardless of issue area (except on Bosnia), once Cyprus entered the EU in 2004. The accession of a new veto player to the partner organization induced Turkey, which perceived the non-recognition of Cyprus as a high stakes issue, to make EU–NATO relations hostage to its national agenda. The result, minimal cooperation, mirrored the first phase of UN–NATO relations. Again, given strong preference heterogeneity, preference intensity was the most crucial variable. However, in this case one intransigent veto player (and not a group of like-minded veto players) derailed the partnership. Bypassing the

largely blocked official channels of cooperation via informal cooperation became the major way out. EU–NATO relations are kept alive by creative maneuvering around the Turkish veto. Obviously, this works reasonably well, both because Turkey allows some basic operational cooperation, and the Europeanists accept a largely blocked official cooperation channel. No actor has assumed sufficient leadership to move Turkey into cooperation or to change the decision rules.

In contrast, UN–NATO relations moved into unilateral NATO action in their second phase (after Srebrenica), openly defying the dual key arrangements. Again, preference change on the member-state level changed the intensity of inter-organizational cooperation. Whereas the Turkish preference change has triggered the blockage of official EU–NATO relations since 2004, the new willingness of Britain, France, and also the U.S. to use force against the Bosnian Serbs unblocked NATO, though not UN–NATO relations. It re-established preference homogeneity within the alliance, allowing NATO to regain capacity to act. Decision-making between the UN and NATO remained deadlocked, however, due to the continuing resistance of Russia, China, and the UN Secretariat against the use of force. Their strong preference intensity made achieving dual consensus unachievable. This motivated NATO to move beyond bypassing into unilateralism. Given the agonizing legacy of minimal cooperation before and the pressure to act forcefully in Bosnia, NATO renounced the dual consensus rule.

Conclusions

This article has tried to understand the causal impact of the dual consensus rule on the intensity of cooperation among international governmental organizations. It has argued that this rule gains prominence when preferences on cooperation are aggregated in the process of collective bargaining, coalition-building, and decision-making within and among organizations. The dual consensus rule filters aggregated preferences and co-determines whether and how much to cooperate. Only those preferences that all decision-makers agree on turn into inter-organizational decisions on cooperation. More specifically, it is the interplay of the dual consensus rule and the specific preference distribution within and among organizations that constrains and enables cooperation. Preference distribution has three components: The number of potential veto players, the extent of preference heterogeneity, and the preference intensity, especially of those pursuing outlier preferences.

Most of the inter-organizational studies explain varying cooperation intensity by pointing to the substance of individual or collective preferences and their causes, be they material (such as resource dependence) or normative (such as norm match). They ask what individual member states or organizational aggregates want and why. In our cases this would be Turkey's motives for blocking EU–NATO relations, motives of other players such as France and the U.S. to veto specific EU–NATO action, such as the Berlin plus agreement, motives of the UN secretary-general to veto NATO airstrikes in Bosnia, and NATO's reasons for acting unilaterally after Srebrenica. Thus, we arrive at idiosyncratic explanations varying across cases. Alternatively, scholars try to discern recurring patterns of factors, such as trust, which influence preference formation. However, we can also look at the macro level of preferences and discern preference structures: How many potential veto players are there? How widely do they differ within and among the organizations? And how strongly are they committed to these preferences?

It then becomes easier to recognize that the combined membership of two organizations generates a huge veto player potential, as long as the dual consensus requirement rules decision-making. It varies according to the aggregate number of members but grows with the rapidly increasing membership of many organizations in the last decades. These numbers themselves, though, are not necessarily problematic as long as preferences converge. More relevant is the extent of preference heterogeneity, which tends to expand with the number of veto players. The more preferences diverge, the more difficult it is to reach consensus, but even strong pref-

erence heterogeneity is manageable as long as the preference intensity of the various players allows finding compromise. The cases highlighted that the most dysfunctional outcome is due to a preference structure where outliers at the extreme ends of the preference spectrum, be they Turkey, Britain, France, or the UN Secretariat, are highly committed to their preferences, refuse to compromise and, thus, block cooperation in principle. This is more likely when partners aim at cooperation in high stakes issue areas. Preference change is pivotal both for entering such a scenario and for exiting it.

Based on the findings, I might discern three ideal type preference structures, which have varying impact on inter-organizational cooperation, given the dual consensus rule. Most functional is the *optimal preference structure*, allowing strong cooperation. It combines converging preferences across issues with the absence of committed outliers; this is easier to attain and preserve when potential veto players are few and ambitions for cooperation are limited. Similar organizational cultures, mutual resource needs, symmetry, and other factors facilitate preference homogeneity. The second type reflects the modest cooperation NATO and EU experienced until 2004. A NATO representative argues that such a cooperation intensity is “just normal” in inter-organizational relations.²¹ This *average preference structure* is composed of many veto players with diverging preferences, forming issue-specific coalitions within and across organizations, blocking some decisions while remaining flexible to compromise on others. The more ambitious the partnership goals, the more difficult it is to find agreement. Most adverse is a *dysfunctional preference structure* with multiple veto players, strong preference heterogeneity, and / or an outlier or outlier group of member states sustaining a veto over time, often due to perceived high issue salience. The second phase of EU–NATO relations and both phases of UN–NATO relations discussed here match this scenario.

As explained above, case selection in this article was guided by the rationale to explore the potentially dysfunctional impact of the dual consensus rule. It was prudent to select cases of strongly ambitious cooperation and subsequent cooperation failure. Future studies might want to shed more light on cases reflecting an optimal or an average preference structure. The four phases explored here still showed significant variance in the dependent variable outcome, with one belonging to the second ideal type and the other to the third. They also diverged regarding the reactions to cooperation failure, ranging from bypassing (EU–NATO second phase and UN–NATO first phase) to disguised unilateralism (UN–NATO second phase). Still, they were not necessarily representative, as both involved high stakes security issues and figured NATO as a “hard security” partner organization.

However, arguments that these cases are exceptional should take into consideration that the deadlock in official EU–NATO relations was caused by Turkey’s non-recognition of Cyprus, whereas the deadlock in UN–NATO relations was caused by the preference heterogeneity within the UN Security Council and the position of the UN Secretariat. They should also keep in mind that future military, economic, social, or environmental transnational crises will require strong cooperation among international organizations. The challenges of global governance call for more than sharing of some information and reciprocal visits to headquarters. They require the pooling and sharing of resources, rapid joint decision-making and a problem-solving focus beyond parochial interests. The cases discussed here represent bold attempts to do so. The dysfunctions they produced upset our confidence that international organizations can rise up to the challenge.

The above analysis allows for some policy recommendations. The article discussed three strategies to mitigate the dysfunctional effects of the consensus rule, beyond simply accepting them: bypassing, unilateralism, or changing the decision rule. Bypassing might be most tempting. However, as the second phase of EU–NATO relations and also the first phase of UN–NATO relations demonstrate, bypassing only allows for minimal cooperation. It also

21. Interview on 14 February 2011 at NATO Headquarters.

risks derailing a partnership completely. The radical alternative, unilateralism, is chosen when impatient members no longer accept dysfunctions. Leadership is needed to move intransigent members into compromise (e.g., via issue-linkage) if unilateralism is to be avoided.

In the end, member states choose the institutional design that pre-determines their decisions. The current design preference in inter-organisational relations maximizes autonomy and control at the expense of effectiveness. Unfortunately, it is exactly when the dual consensus rule is most problematic, i.e., that preferences diverge widely and members are strongly committed to these preferences, which member states insist on dual consensus. However, in such adverse settings, member states should instead consider modifying the decision rule or otherwise avoid cooperating altogether in the first place. Such a decision can be taken in the initial institutional design phase or, though more difficult, when cooperation falters. While introducing majority rule or weighted voting from the outset will likely not be acceptable in inter-organizational decision-making, all other options mentioned above should be explored sincerely: delegating responsibility to the secretariats as an active consensus measure, introducing the consensus minus one rule, or agreeing on majority voting when all efforts to reach consensus have been exhausted.

REFERENCES

- Acikmese, Sinem A. and Dimitrios Triantaphyllou (2012): "The NATO-EU-Turkey trilogy: the impact of the Cyprus conundrum," *Southeast European and Black Sea Studies* 12 (4): 555–73.
- Annan, Kofi (1999): Report of the Secretary-General pursuant to General Assembly resolution 53/35: The fall of Srebrenica, A/54/549.
- Barnett, Michael and Liv Coleman (2005): "Designing Police: Interpol and the Study of Change in International Organizations," *International Studies Quarterly* 49 (4): 593–619.
- Biermann, Rafael (2008): "Towards a Theory of Inter-Organizational Networking: The Euro-Atlantic Security Institutions Interacting," *The Review of International Organizations* 3 (2): 151–77.
- Biermann, Rafael (2009): "NATO's Institutional Decline in Post-Cold War Security," in Jan Hallenberg, James Sperling, and Charlotte Wagnsson (eds.): *The EU and Security Governance: Networked Governance in a Multipolar World*, London: Routledge, 40–60.
- Biermann, Rafael (2011): "Inter-Organizational Relations: An Emerging Research Program," in Bob Reinalda (ed.): *The Ashgate Research Companion to Non-State Actors*, Aldershot: Ashgate, 173–84.
- Biermann, Rafael (2014): "NATO's Troubled Relations with Partner Organizations: A Resource Dependence Explanation," in Sebastian Mayer (ed.): *NATO's Post-Cold Bureaucracy and the Changing Provision of Security*, London: Palgrave.
- Biermann, Rafael (forthcoming): "Legitimizing Inter-Organizational Relations," in Rafael Biermann and Joachim Koops (eds.): *Palgrave Handbook on Inter-Organizational Relations in World Politics*, Basingstoke: Palgrave.
- Biermann, Rafael and Michael Harsch (forthcoming): "Resource Dependence Theory," in Rafael Biermann and Joachim Koops (eds.): *Palgrave Handbook on Inter-Organizational Relations in World Politics*, Basingstoke: Palgrave.
- Biermann, Rafael and Joachim Koops (forthcoming, eds.): *Palgrave Handbook on Inter-Organizational Relations in World Politics*, Basingstoke: Palgrave.
- Blake, Daniel J. and Autumn L. Payton (2009): "Decision Making in International Organizations: An Interest Based Approach to Voting Rule Selection," available at <http://politicalscience.osu.edu/intranet/rip/papers/BlakePaytonRIP.pdf>, accessed 5 November 2013.
- Brosig, Malte (2011): "Overlap and Interplay between International Organisations: Theories and Approaches," *South African Journal of International Affairs* 18 (2): 147–67.

- Brugger, Philipp, Andreas Hasenclever, and Lucas Kasten (forthcoming): "Trust among International Organizations," in Rafael Biermann and Joachim Koops (eds.): *Palgrave Handbook on Inter-Organizational Relations in World Politics*, Basingstoke: Palgrave.
- Buzan, Barry (1981): "Negotiating by Consensus: Developments in Technique at the United Nations Conference on the Law of the Sea," *The American Journal of International Law* 75 (2): 324–48.
- Campbell, Christopher M. (2000): "The Deliberate Force Air Campaign Plan," in Robert C. Owen (ed.): *Deliberate Force: A Case Study in Effective Air Campaigning*. Alabama: Air University Press, 87–130.
- Cox, Robert W. et al., (1973): *The Anatomy of Influence: Decision Making in International Organization*, New Haven and London: Yale University Press.
- Cropper, Steve et al., (eds.) (2008): *The Oxford Handbook of Inter-organizational Relations*, Oxford: Oxford University Press.
- Daalder, Ivo H. (2000): *Getting to Dayton*. Washington, D.C.: Brookings Institution.
- Dembinski, Matthias (2005): Die Beziehungen zwischen NATO und EU von "Berlin" zu "Berlin plus": Konzepte und Konfliktlinien, in Johannes Varwick (ed.): *Die Beziehungen zwischen NATO und EU: Partnerschaft, Konkurrenz, Rivalität*, Opladen: Budrich, 61–81.
- Dijkstra, Hylke (forthcoming): "The Rational Design of Inter-Organizational Relations," in Rafael Biermann and Joachim Koops (eds.): *Palgrave Handbook on Inter-Organizational Relations in World Politics*, Basingstoke: Palgrave.
- Dupont, Benoit and Nadia Gerspacher (2007): "The Nodal Structure of International Police Cooperation: An Exploration of Transnational Security Networks," *Global Governance* 13 (3): 347–64.
- Elsig, Manfred (2011): "Principal-agent theory and the World Trade Organization: Complex agency and 'missing delegation,'" *European Journal of International Relations* 17 (3): 495–517.
- Galaskiewicz, Joseph (1985): "Interorganizational Relations," *Annual Review of Sociology* 11: 281–304.
- Gest, Nathaniel and Alexandru Grigorescu (2010): "Interactions among intergovernmental organizations in the anti-corruption realm," *Review of International Organizations* 5, 53–72.
- Giersch, Carsten (1998): *Konfliktregulierung im ehemaligen Jugoslawien*, Baden-Baden: Nomos.
- Gould, Erica R. (2006): "Delegating IMF conditionally: understanding variations in control and conformity," in Hawkins, Darren G. et al. (eds.): *Delegation and Agency in International Organizations*, Cambridge, MA: Cambridge University Press, 281–311.
- Gourlay, Catriona (2004): "European Union Procedures and Resources for Crisis Management," *International Peacekeeping*, 11 (3): 404–21.
- Gow, James (1997): *Triumph of the Lack of Will: International Diplomacy and the Yugoslav War*, London: Hurst & Company.
- Haftel, Yoram Z. and Alexander Thompson (2006): "The Independence of International Organizations: Concept and Applications," *Journal of Conflict Resolution*, 50 (2): 253–75.
- Halperin, Morton H. (1974): *Bureaucratic Politics and Foreign Policy*, Washington, D.C.: The Brookings Institution.
- Harsch, Michael F. (2012): *NATO and the UN: Partnership with Potential?* [SWP Research Paper RP 2] Berlin: German Institute for International and Security Affairs.
- Harsch, Michael F. (2015): *The Power of Dependence: NATO-UN Cooperation in Crisis Management*, Oxford: Oxford University Press.
- Hawkins, Darren G. and Wade Jacoby (2006): "How agents matter," in Darren G. Hawkins et al. (eds.): *Delegation and Agency in International Organizations*, Cambridge, MA: Cambridge University Press, 199–228.

- Hawkins, Darren G, David A. Lake, Daniel L. Nielson, and Michael J. Tierney (2006): "Delegation under anarchy: states, international organizations, and principal-agent theory," in Darren G. Hawkins et al. (eds.): *Delegation and Agency in International Organizations*, Cambridge, MA: Cambridge University Press, 3–38.
- Hendrickson, Ryan C. (2006): *Diplomacy and War at NATO: The Secretary-General and Military Action after the Cold War*, Columbia and London: University of Missouri Press.
- Hendrickson, Ryan C. and Kent J. Kille (2010): "Secretary-General Leadership across the United Nations and NATO: Kofi Annan, Javier Solana, and Operation Allied Force," *Global Governance*, 16 (4): 505–23.
- Hofmann, Stephanie C. and Christopher Reynolds (2007): *Die EU-NATO Beziehungen: Zeit für, "Tauwetter"?* [SWP-Aktuell 37] Berlin: German Institute for International and Security Affairs.
- Holbrooke, Richard (1998): *To End a War*, New York: Random House.
- Howorth, Jolyon (2007): *The Security and Defence Policy in the European Union*. Basingstoke: Palgrave.
- Joachim, Jutta, Andrea Schneiker, and Bertjan Verbeek (2015): "Not Always Moonlight and Roses: Cooperation, Competition, and Enmity among International Organizations," Paper prepared for the 56th Annual Convention of the International Studies Association, New Orleans, 18–21 Feb.
- Jönsson, Christer (1993): "International organization and co-operation: An interorganizational perspective," *International Social Science Journal*, 45 (138): 463–77.
- Jørgensen, Knut E. and Katje V. Laatikainen (eds. 2013): *Routledge Handbook on the European Union and International Institutions*, London and New York: Routledge.
- Kaplan, Lawrence S. (2010): *NATO and the UN: A Peculiar Relationship*, Columbia and London: University of Missouri Press.
- Keohane, Daniel (2009): "ESDP and NATO," in Giovanni Grevi, Damien Helly and Daniel Keohane (eds.) *European Security and Defense Policy: The First Ten Years*, Paris: EU Institute for Security Studies, 127–138.
- Keohane, Robert O. and Joseph S. Nye (1977): *Power and Interdependence*, New York: Longman.
- Klabbers, Jan (2009): *An Introduction to International Institutional Law*, 2nd edition. Cambridge: Cambridge University Press.
- Kupferschmidt Frank (2006): *Putting Strategic Partnership to the Test: Cooperation between NATO and the EU in Operation Althea* [SWP Research Paper RP 3]. Berlin: German Institute for International and Security Affairs.
- Leurdijk, Dick A. (1996): *The United Nations and NATO in Former Yugoslavia, 1991–1996: Limits to Diplomacy and Force*, The Hague: Netherlands Institute for International Relations "Clingendael."
- Leurdijk, Dick A. (1998): "Before and After Dayton: the UN and NATO in the Former Yugoslavia," in Thomas G. Weiss (ed): *Beyond UN Subcontracting: Task-Sharing with Regional Security Arrangements and Service-Providing NGOs*, Houndsmill and Basingstoke: Macmillan Press, 457–70.
- Leurdijk, Dick A. (2003): "The UN and NATO: The Logic of Primacy," in Michael C. Pugh and Waheguru P. Sidhu (eds.): *The United Nations and Regional Security*, London: Lynne Rienner, 57–74.
- Liese, Andrea (2009): *Die unterschiedlich starke Öffnung internationaler Organisationen gegenüber nichtstaatlichen Akteuren: Erklärungen der Institutionen- und Organisationstheorie*, in Klaus Dingwerth, Dieter Kerwer and Andreas Nölke (eds.): *Die Organisierte Welt: Internationale Beziehungen und Organisationsforschung*, Baden-Baden: Nomos, 189–210.
- Lindell, Ulf (1988): *Modern Multilateral Negotiation: The Consensus Rule and Its Implications in International Conferences*, Stockholm: Lund.
- Lipson, Michael (2011): "A Resource Dependence Model of Peace Operations Coordination," Paper presented at the ECPR General Conference in Reykjavik, 25–27 August.

- Lisbon Summit Declaration (2010): Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council, 20 November 2010.
- Luhmann, Niklas (1976): *Funktionen und Folgen formaler Organisation*, Berlin: Duncker und Humblot.
- Martin, Lisa L. (2006): "Distribution, information, and delegation to international organizations: the case of IMF conditionality," in Darren G. Hawkins et al. (eds.): *Delegation and Agency in International Organizations*, Cambridge, MA: Cambridge University Press, 140–64.
- Mayntz, Renate (1998): "Informalisierung politischer Entscheidungsprozesse," in Hans-Peter Burth and Axel Görlitz (eds), *Informale Verfassung*, Baden-Baden: Nomos, 55–66.
- Menon, Anand, Anthony Forster, and William Wallace (1992): "A common European defence?" *Survival* 34, 98–118.
- Missiroli, Antonio (2002): "EU-NATO Cooperation in Crisis Management: No Turkish Delight for ESDP," *Security Dialogue* 33 (1): 9–26.
- Nielson, Daniel L. and Michael J. Tierney (2003): "Delegation to International Organizations: Agency Theory and World Bank Environmental Reform," *International Organization*, 57 (2): 241–76.
- Niskanen, William A. (1971): *Bureaucracy and Representative Government*, Chicago: Aldine-Atherton.
- North Atlantic Treaty Organization (1992): *Final Communiqué, Ministerial Meeting of the North Atlantic Council*, 17 December 1992.
- Oliver, Christine (1991): "Network Relations and Loss of Organizational Autonomy," *Human Relations*, 44 (9): 943–61.
- Owen, Robert C. (ed, 2000): *Deliberate Force: A Case Study in Effective Air Campaigning*, Alabama: Air University Press.
- Peters, Dirk (2013): "Voting rules in international organizations: A nested-analysis approach for studying conflicting notions of equality among states," Paper presented at the 8th Pan-European Conference on International Relations, Warsaw, 18–21 September.
- Pfeffer, Jeffrey and Gerald R. Salancik (2003): *The External Control of Organizations: A Resource Dependence Perspective*, Stanford, CA: Stanford University Press.
- Porter, Toby (1999): "Coordination in the midst of chaos: the refugee crisis in Albania," *Forced Migration Review* 20 (5): 20–3.
- Reed, Ronald M. (2000): "Chariots of Fire: Rules of Engagement in Operation Deliberate Force," in Robert C. Owen (ed.): *Deliberate Force: A Case Study in Effective Air Campaigning*, Alabama: Air University Press, 381–430.
- Reichard, Martin (2006): *The EU-NATO Relationship: A Legal and Political Perspective*, Aldershot: Ashgate.
- Riddell, Roger C. (2009): *Does Foreign Aid Really Work?* Oxford: Oxford University Press.
- Rittberger, Volker and Bernhard Zangl (2010): *International Organization: Polity, Politics and Policies*, New York: Palgrave Macmillan.
- Romme, A. Georges L. (2004): "Unanimity Rule and Organizational Decision Making: A Simulation Model," *Organization Science* 15 (6): 704–18.
- Rose, Michael (1998): *Fighting for Peace: Bosnia 1994*, London: The Harvill Press.
- Schäferhoff, Marco (2009): "Kooperation oder Konkurrenz? Zur Kooperationsbereitschaft internationaler Verwaltungsstäbe in transnationalen öffentlich-privaten Partnerschaften," in Dingwerth, Klaus, Dieter Kerwer and Andreas Nölke (eds.): *Die Organisierte Welt: Internationale Beziehungen und Organisationsforschung*, Baden-Baden: Nomos, 211–31.

- Scheffer, Jaap de Hoop (2007): "NATO and the EU: Time for a New Chapter, Keynote speech in Berlin," 29 January 2007.
- Schnitzer, Marcy H. and Max Stephenson (2006): "Interorganizational Trust, Boundary Spanning, and Humanitarian Relief Coordination," *Nonprofit Management & Leadership* 17 (2): 211–33.
- Smith, Martin A. (2004): "Kosovo, NATO and the United Nations," in Stephen Badsey and Paul Latawski (eds.): *Britain, NATO and the Lessons of the Balkan Conflicts 1991–1999*, London: Frank Cass, 153–80.
- Smith-Windsor, Brooke (2011): "Misery Makes for Strange Bedfellow: The Future of the UN-NATO Strategic Partnership," in *ibid.* (ed.): *The UN and NATO: Forward from the Joint Declaration*, Rome: NATO Defense College, 15–52.
- Thompson, Alexander (2007): "Principal Problems: UN Weapons Inspections in Iraq and Beyond," Paper presented at the Annual National Conference of the Midwest Political Science Association, Chicago, USA, 12–15 April 2007.
- Tsebelis, George (1995): "Decision Making in Political Systems: Veto Players in Presidentialism, Parliamentarism, Multicameralism and Multipartyism," *British Journal of Political Science* 25 (3): 289–325.
- United Nations Development Group (2006): *UN High-Level Panel on UN System-Wide Coherence: Delivering as One*.
- UN Security Council (1993a): Resolution 816 (1993) Adopted by the Security Council at its 3191st meeting, on 31 March 1993, S/RES/816.
- UN Security Council (1993b): Resolution 836 (1993) Adopted by the Security Council at its 3228th meeting, on 4 June 1993, S/RES/836.
- U.S. Department of State (2008): Speech of U.S. Ambassador to NATO Victoria Nuland in Paris, 22 February 2008.
- Van de Ven, Andrew H. (1976): "On the Nature, Formation, and Maintenance of Relations among Organizations," *Academy of Management Review* 1 (4): 24–36.
- Waltz, Kenneth (1979): *Theory of International Politics*, New York: McGraw-Hill.
- Yost, David (2007): *NATO and International Organizations*, Rome: NATO Defense College.