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THE EUROPEAN UNION'S ROLE IN BROKERING THE JOINT COMPREHENSIVE PLAN OF ACTION

A process tracing analysis of the negotiations with Iran between 2010 and 2015

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ABSTRACT

(English version below)

In tegenstelling tot de gewoonlijke kritiek op het EU buitenlands beleid, werd de betrokkenheid van de EU bij de onderhandelingen van de nucleaire deal met Iran sterk geprezen. Het doel van deze masterproef is om te ontdekken waarom dat was en of dit een voorbode is voor toekomstige diplomatieke successen van de EU. Dit onderzoek analyseert welke rol de EU precies speelde tijdens het onderhandelingsproces van 2010 tot 2015 en welke factoren hierbij een positieve of negatieve impact hadden. Gebaseerd op de methodologie van Schunz (2010), wordt deze analyse uitgevoerd aan de hand van een process tracing analyse, op basis van primaire bronnen. Deze wordt gecombineerd met reputational analysis, waarvoor vier semi-gestructureerde interviews zijn afgenomen om zowel het Europees als het Iraans perspectief te vatten. Aan de hand van Niemann en Brethertons (2013) criteria voor het evalueren van *actorness*, wordt vastgesteld wanneer de EU het meest actief kon zijn en welke factoren hierbij een beïnvloedende rol speelden. De conclusie van deze masterproef luidt dat de EU over relatief sterke *actorness* beschikte tijdens de onderhandelingen met Iran. Vooral na de verkiezing van Rouhani in 2013 – een cruciaal moment in het proces – kon de EU echt de rol van bemiddelaar opnemen en hierbij gebruik maken van kwaliteitsvolle politieke instrumenten. De mogelijkheid om zo'n bemiddelingsrol op te nemen, is echter sterk afhankelijk van de juiste externe omstandigheden. Hier was vooral het feit dat Rouhani's verkiezing leidde tot een meer coöperatief Iraans standpunt belangrijk. De voorwaarden van bereidswillige conflictpartijen en een internationaal bemiddelingsmandaat voor de EU lijken momenteel niet vervuld in andere (inter)nationale conflicten. Deze masterproef concludeert dan ook dat het weinig waarschijnlijk lijkt dat de EU binnenkort nog eens zo succesvol zal kunnen bemiddelen.

The praise the EU has received for its involvement in the negotiations of the JCPOA, stands in stark contrast with the usual critique on its foreign policy. This thesis aims to discover why the EU was successful in these negotiations and if this could be a precursor for more EU diplomatic success stories. In this research, the analysis will be made of what role the EU played during the negotiations between 2010 and 2015 and which factors enabled or hindered it in this process. Based on Schunz' (2010) methodology, this research is conducted by complementing descriptive process tracing with reputational analysis. The former is mainly carried out based on primary sources. For the latter, information was gathered during four semi-structured interviews to obtain the European and Iranian perspective. Niemann and Bretherton's (2013) framework for 'actorness' will be used to determine when the EU was most able to play an active role and to discuss which factors enabled it to do so. The conclusion is drawn that the EU possessed considerable actorness during the negotiations with Iran. Especially after Rouhani's election in 2013 – a decisive turning point in the process –, the EU fully took on the role of mediator and employed high-quality political instruments. However, this kind of mediating role is highly dependent on the right external circumstances, in this case Iranian cooperation as a result of the Rouhani presidency. Unfortunately, it does not seem that the EU will be able to repeat the JCPOA's success in another setting any time soon, as these external conditions of cooperative parties and an EU mediating mandate do not seem to be met in any other contemporary conflicts.

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LIST OF ABBREVIATIONS

CFSP	Common Foreign and Security Policy
CPE	Civilian Power Europe
CSDP	Common Security and Defense Policy
EEAS	European External Action Service
EPC	European Political Committee
ESS	European Security Strategy
EU	European Union
EUGS	European Union Global Strategy
HR/VP	High Representative for Foreign and Security Policy
JCPOA	Joint Comprehensive Plan of Action
JPOA	Joint Plan of Action
NPE	Normative Power Europe
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
PMD	Potential Military Dimension
UNGA	United Nations General Assembly
UNSC	United Nations Security Council
WMD	Weapons of Mass Destruction

INTRODUCTION

> *"What we achieved in Vienna is a victory of diplomacy, of multilateralism and […] a victory of the European Union" (Mogherini, 2015d)*

With these words, High Representative Federica Mogherini addressed the European Parliament in Strasbourg on September 9th 2015. As she indicated, July 14th 2015 marked a historic day in the diplomatic efforts of the European Union (EU). After more than a decade of disputes and tensions around Iran's nuclear program, the EU, Germany, France, the United Kingdom, the United States, China and Russia finally struck a deal with Iran in Vienna: the Joint Comprehensive Plan of Action (JCPOA). The main technical achievement of this deal was that it increased the break-out time, the time it would require for Iran to produce a nuclear weapon, by limiting Iran's enrichment abilities in return for the termination of international sanctions against the country (Bassiri Tabrizi, 2015). Furthermore, by putting a -be it temporary- end to the nuclear dispute, the agreement paved the way for future diplomatic and political engagements with Iran, a country that the EU has long recognized as an important player in the region (Geranmayeh, 2015a; Solana, 2003).

Federica Mogherini referred to the deal as historic and emphasized the role the EU played in brokering it (Mogherini, 2015c). Indeed, unlike the United States, the EU never chose to isolate Iran, but rather continued to negotiate a nonmilitary solution (Kaussler, 2012). Before the 2002 discovery of Iranian nuclear activity the EU was negotiating a trade agreement with Iran and both in 2003 and 2004 it negotiated nuclear deals respectively in Teheran and Paris, although these proved not to be successful (Bergenäs, 2010a; Dupont, 2010). Despite ups and downs in the EU-Iran relationship, it is clear that the EU was involved in negotiating with Iran from the start. However, the extent to which the nuclear deal was an achievement of the EU and the strength of the EU during these negotiations remain a point of discussion. While Mogherini insisted that Europe was the main actor that facilitated the talks, other players put less emphasis on the role the EU played. A simple indicator of this fact is the way in which has been referred to the negotiating parties. While Europe and its media talked about the E3/EU+3 -with E3 referring to Germany, the United Kingdom and France-, international politicians and media wrote about the negotiations between the P5+1 -a reference to the UN Security Council members joined by Germany- and Iran.

The EU has been committed to profiling itself as an international player, especially since the Treaty of Lisbon that institutionalized the role of the High Representative and the European External Action Service (EEAS), but neither scholars nor politicians seem to agree on the extent to which the EU actually has the capacity to influence international events. The nuclear deal provides an interesting opportunity to try and provide an answer to that question in the context of negotiations that the EU

itself labelled as successful. The Iran deal is of particular relevance, because the EU had never before taken the lead on such high-profile issue in the field of nonproliferation. This was thus a new type of activity for the EU and its member states (Meier, 2013). Both out of interest sparked by the ongoing debate on Europe's international role and the potential of the Iran-deal to reflect on future diplomatic engagements of the EU, this thesis aims to carry out a process tracing analysis to determine whether and when the EU was able to play an important role in determining the outcomes of the negotiations with Iran.

The first chapter of this thesis consists of an introduction to the EU's approach to foreign policy and profiling itself on the international scene. After a short history of the integration of this policy domain on European level, its shortcomings will be pointed out as well as its potential, illustrated by the success of the Iran deal. The second chapter outlines the academic debate surrounding the question of which role the EU plays in international relations and touches upon the question of the EU's actorness in external actions. Bretherton and Vogler's model to evaluate actorness will be the main theoretical basis of this thesis and will thus be further elaborated. The third and fourth chapter outline the underlying research questions and methodology used to conduct this research. The analysis will be conducted in the fifth chapter, first describing the process of negotiations – outlining what the EU did – and subsequently analyzing the factors that enabled or hindered EU actorness during this process, and their interaction. The sixth chapter provides a look into potential future developments of the JCPOA and similar opportunities for the EU. Finally, in the seventh chapter this thesis arrives at a conclusion that attempts to answer the research questions as clear as possible.

1. THE EU'S EXTERNAL ACTION

1.1. FOREIGN POLICY INTEGRATION

The issue of the European Union's international role has been subject to much soul-searching within the Union itself. The collapse of the Soviet Union, the consequent ending of the bipolar world order and the reunification of Germany all led to increased expectations of the outside world regarding the EU's external action (Annan, 1999). This intensified the feeling that Europe needed to reinvent itself as an actor in the world. For a long time, coordination of foreign policy took place outside of the official institutional set-up, namely within the European Political Cooperation created in 1970. However, gradually foreign policy became more and more institutionalized and the EPC entered in the treaties in the 1987 European Single Act, albeit still on a completely intergovernmental basis. The Treaty of Maastricht established the Common Foreign and Security Policy (CFSP) as the second pillar of the European Union. In this second, intergovernmental pillar, consensus was required to make any decisions, except for certain implementation measures. The Treaties of Amsterdam and Nice introduced a few changes to the CFSP, but unanimity remained the norm (Bache et al., 2011). This hardly allowed for easily reached common positions.

Especially after the internal divisions over the Iraq war in 2003, Member States realized that a common foreign policy strategy was needed to increase cohesion in the countries' actions on the international scene (EEAS, n.d.). The European Security Strategy (ESS) was the first document to ever clearly outline the ambitions of the European Union in international relations. The ESS stresses the importance of effective multilateralism, which was in great contrast with the 2003 US National Security Strategy's turn towards unilateralism. Effective multilateralism is the approach the EU takes in order to reach the *'development of a stronger international society, well-functioning international institutions and a rule-based international order'* (European Council, 2003). Effective multilateralism implies engagement with and strengthening of international regimes on the one hand, and pressure through enforceable multilateral obligations on the other (Biscop & Drieskens, 2006; Laatikainen & Smith, 2006). Although an improvement from previously having no clearly outlined strategy at all, many still criticized the document for being too vague and incomplete. Bisschop (2010) argues that the ESS only outlines the way the EU should approach its foreign policy, but does not clearly outline what the priorities in the EU's foreign policy are.

The Constitutional Treaty envisioned a reform of the EU's cooperation on foreign policy. While this treaty was not ratified due to referenda in France and the Netherlands, many of its aspects were incorporated in the Lisbon Treaty, ratified in 2009. The most important new developments regarding

foreign policy were the provision for the creation of the EEAS and the instalment of a new position: High Representative of the Union for Foreign Affairs and Security Policy (HR/VP). The CFSP still has a separate statute from other policy areas though, as decisions in this field can only be taken by unanimity in the Council. The European Parliament does not play a role in most of the decision-making in this field and the policy cannot be reviewed by the European Court of Justice, essentially leaving it with strong resemblances to the original second pillar (Van Elsuwege, 2010).

In June 2015 Federica Mogherini got the mandate to draft a new EU foreign policy strategy, which she presented on June 28th of this year. This EU Global Strategy (EUGS) outlines five priorities in the EU's foreign relations, and as such provides an answer to Biscop's earlier critique. Biscop warmly welcomes this new strategy. However, in a policy area that is still so strongly intergovernmental, Member State support will be crucial for the EUGS to be successfully implemented (Biscop, 2016). Only time will tell if the EUGS will have signified a new step in the integration process of the EU's foreign policy.

1.2. MULTITUDE OF ACTORS AND APPROACHES

Foreign and security policy has thus been steadily integrated throughout the past few decades, but one can hardly argue that it has reached the same level of integration as some of the other external policy domains that the EU has within its competences, such as trade. While in the latter EU action has absolute priority over Member State action, cooperation on foreign policy follows a different logic. As mentioned above, this policy domain still shows a lot of characteristics of the Maastricht pillar system, and is prone to potential vetoes by the Member States.

The arduous integration regarding foreign policy may to a large degree be attributed to the fact that many still consider defense and foreign policy to be at the heart of national sovereignty. Foreign policy, high-level diplomatic talks and especially defense matters often automatically invoke images of meetings of heads of state and other important members of government. The dominant realist perspective still equates actors in the international political scene with nation states, which can explain why Member States have been so reluctant to transfer this policy area more towards the supranational level. This intergovernmentalism has led to a multitude of critiques about the CFSP, as it is said to inhibit the EU from achieving an effective, coherent foreign policy (Wagner, 2003).

When looking at the EU's external action it also becomes clear that there is also incoherence as to who represents the EU towards the outside world. It is striking that on many issues, the main players negotiating EU's foreign relations are not EEAS officials, nor are they the presidents of either the

European Council or the Commission. On the contrary, high level foreign policy negotiations are often being carried out by heads of state. The German Chancellor, Angela Merkel, has been particularly prominent when the EU's foreign policy has been discussed lately. Not only did she represent the EU during the negotiations with Turkey regarding the refugee deal, she also played a central role in maintaining the EU's relations with Russia after the annexation of Crimea. On other issues, such as the Iranian nuclear program, the main players are EU officials. In this case, which is the focal point of this thesis, the High Representative and her EEAS team played the key role in representing the European Union. This multitude of actors can be confusing for outsiders. Moreover, it may well cause the EU to seem fragmented and incoherent and therefore weaker and less reliable than nation states with one clear foreign minister and head of state or government.

1.3. THE EUROPEAN EXTERNAL ACTION SERVICE: THE EU'S DIPLOMATIC WEAPON?

The combination of a low level of integration regarding foreign policy, a decision-making process riddled with vetoing opportunities and a variety of expectations and actors, seems to make the EU an unlikely main character in foreign policy on the world's stage. There are thus many obstacles that hinder the EU from being a strong player in international affairs. Notably the lack of cohesion and the variety of actors were issues that were attempted to be addressed by the Treaty of Lisbon.

As mentioned above, this Treaty established the position of the High Representative for Foreign and Security Policy and Commission Vice-President, as well as the EEAS, the diplomatic service supporting the High Representative. The Service was established by a Council decision on July 26th 2010 and formally launched on January 1st 2011. The European Council decision outlines the EEAS's main tasks as '*supporting the High Representative in carrying out her mandate to conduct the Common Foreign and Security Policy and ensuring the consistency of the EU's external action'* (European Council, 2010c).

The initial expectations for this new institution were high. When addressing the European Parliament, Catherine Ashton called it a 'once-in-a-generation' opportunity to bring together all the EU's instruments in support of a single political strategy, thus increasing the Union's coherence in foreign policy (Ashton, 2010c). However, quickly the critique came rolling in. Especially the appointment of Baroness Catherine Ashton as the EU's first HR/VP was subject of much debate. Many pointed out that she had no previous experience in European diplomacy, nor did she in foreign affairs in general (The Economist, 2009). In addition, the EEAS as a whole received its fair share of critique, as it was said to be inefficient and failed to make the EU's foreign policy more coherent and visible (ECDP, 2013).

However, despite the amplitude of critique on both the EEAS and the High Representative during Catherine Ashton's term in office, the role she and her team played during the negotiations with Iran attracted much praise. John Kerry described the Baroness as a 'persistent and dogged negotiator', acknowledging the pivotal role she played. After the conclusion of the first, interim agreement with Iran, the Telegraph wrote that the negotiations had taken Ashton from 'zero to hero' (Blair, 2013). They even claimed that this deal put the High Representative in the world's most important diplomatic position, brokering peace between the United States and Iran. This interim deal was agreed upon two years after Ashton was appointed and thus when the EEAS was still a relatively young organization, which might make it all the more important. After all, this institution and its head were erected in order to make the EU a more present player in international relations. At worst, the Iran deal was beginner's luck. At best, it set a precedent as to what this Service can achieve for the EU. Either way, it is worth looking into why the EU played the role it did and what enabled it to do so.

2. LITERATURE REVIEW: THE EU IN INTERNATIONAL RELATIONS

2.1. THE EU AS A FOREIGN POLICY ACTOR?

2.1.1. ROLE CONCEPTS

The position of the EU in international relations has long been up for academic debate as well. While some authors see the Union merely as an agent of the Member States, others claim that it constitutes a new kind of player that has its own set of tools, strategies and instruments to exert influence in international relations.

The former reflects a neorealist perspective, in which nation states are inarguably the primary actors in international affairs. Neorealists are focused on hard power, particularly its military component, and 'high politics'. The EU is often characterized as being primarily rich in soft power, therefore easily excluding it from neorealists' scope. Consequently, few neorealist scholars have been involved in research on the European Union's foreign policy (Hyde-Price, 2006; Barrinha, 2016). According to Jørgsen (2004) neorealists argue that EU institutions are no more than arenas in which member states pursue power politics. This implies that, in the eyes of neorealists, the EU cannot be an autonomous international player, seeing as it is not a state. Realists thus tend to downplay not only the EU, but international organizations in general, claiming that these cannot be powerful, independent actors in today's international system (Dryburgh, 2008).

However, that interpretation of international actors is evolving and, increasingly, research is being conducted on the actions and influence of non-state actors, such as the EU, in international relations (Dryburgh, 2008). When examining the existing literature, many of the authors addressing the European Union's foreign policy frame it in a discussion about the EU's role in international relations. In this context, most researchers rely on existing or new role concepts, that describe the European Union's international position as a sui generis actor (Whitman, 2002). They attempt to analyze and describe what kind of international power the EU is or should be. Role concepts thus indicate expected or appropriate behavior of an actor, in this case the EU. They are both determined by an actor's own conceptions about what behavior it deems appropriate and by expectations of others (Holsti, as cited in Elgström & Smith, 2006).

The role concept that has long been at the heart of the study of the EU's role in the world is Duchêne's Civilian Power Europe (CPE), developed in the 1970's. This is a pluralist concept, that defines the European Union as an international society with a particularly strong societal element

(Whitman, 2002). The strength of the EU is that it possesses such high levels of structural, economic power that other (state and non-state) actors define themselves in relation to the EU when it comes to areas of low politics. For example, states define themselves as candidate member states, or free trade partners of the European Union. Without having to draw upon or even possess hard (military) power, the EU can thus exercise influence over other actors in international relations. Duchêne argued that 'lacking military power is no longer the handicap it once was' (as cited in Orbie, 2009). As a matter of fact, Whitman (2002) suggests that Duchênes conception of a European civilian power was dependent on the fact that a nuclear armed European federation would not come to exist. Much like the dynamic of its own integration process, the CPE aims at creating a world based on negotiation and soft instruments, rather than military confrontation. Essentially, the Civilian Power Europe approaches foreign affairs with the same tools as its home affairs, and as such domesticates international relations or externalizes the European integration process as envisioned by Jean Monnet (Whitman, 2002).

Civilian Power Europe thus suggests that the EU is powerful, albeit not in the military sense. The EU possesses high degrees of economic power, allowing it to exert influence beyond its borders. Unlike what realists suggest, military capacity is thus not necessary to play a role in the international system. Another contrast between CPE and the realist approach, is that the European Union is not expected to act merely in its economic self-interest. Orbie (2006) suggests that the goal of a CPE external action is to promote certain values, inherent to the EU, internationally. While Duchêne claims not to think of Europe as morally superior, he did argue that it could have a stabilizing effect by spreading these values (Orbie, 2009), thus nevertheless expressing a certain positive judgement about the (then) European Economic Community's international role. Stavridis (as cited in Whitman, 2002) already pointed out that there was a certain degree of normative assertion underlying CPE in 2001, but this 'ethical' or normative side would be much more obvious in later role concepts.

A more recent role concept that is inspired by and, to a certain degree, very similar to CPE is Manners' Normative Power Europe (NPE). Manners' article 'Normative Power Europe: A Contradiction in Terms?' quickly became one of the most referred to sources regarding the EU's global role, having been cited over 2600 times since its publication. Manners focusses on the ideational impact of the EU in international affairs, claiming that it constitutes a normative power. For Manners, more than the EU's economic weight, it is its history and founding values that lead it to play a certain role in the world. He argues that that the EU's foreign policy and external action are aimed at diffusing five core norms and four minor norms he identifies as laying at the basis of the EU's existence (Manners, 2002). Normative Power Europe thus implies that the EU projects its internal values externally, hence defining what others consider to be 'normal' or ethical (Niemann &

Bretherton, 2013). Similar to CPE, the means through which the EU achieves this are the use of its soft power, be it economic or cultural, and attraction. With NPE, the focus lays more on the immaterial forms of soft power than the economic forms, though (Manners, 2006). The value judgement of the author is much more clear with NPE than with CPE: whereas Duchêne was cautious about making claims about whether the EU was a force for the good, Manners clearly states in his 2006 response to Diez that the EU *should* be a normative power.

Seeing as these two role concepts outlined above express a clear positive judgement towards the EU's external action – or at least towards its potential, ideal role – it should come as no surprise that others have countered these by drawing different conclusions about the merit of the EU's international role. Already in the 1970's Galtung countered Duchêne's concept of a CPE by describing the then European Economic Community as a "*wolf in sheep's clothing"*, by exerting substantial structural power without being suspicious due to its lack of military power. He claimed that the EU, as a capitalist super state, aimed at gaining power by using its economic weight to create a Eurocentric world and a unicentric Europe. Similarly, Mario Teló described the EU as a continental trading state. He considers the EU to be a traditional neo-liberal actor, who's economic interests will always dominate over normative goals and values (Orbie, 2009). In a way, these authors are thus much inspired by rational thinking about an actor's motives than both Duchêne and Manners. These role concepts clearly sketch a much less positive image of the EU's involvement in international relations, painting an image of a power-thirsty, neo-colonialist actor.

2.1.2. EU ROLE CONCEPTS AND THE IRAN DEAL?

These role concepts outlined above have provided a good framework to study the European Union's external relations, by acknowledging the fact that an international organization such as the EU can, in fact, play a role in international politics. However, three factors make them ill-suited to study the European Union's involvement in the negotiations of the Joint Comprehensive Plan of Action.

Firstly, they focus mainly on policies that would have fallen under the old 'Pillar 1' category, such as the EU's trade and development policy (Storey, 2006; Orbie & Versluys, 2009), or its role in global environmental policy (Burchell & Lightfoot, 2004; Vanden Brande, 2009; Afionis & Stringer, 2012). Much of the research conducted based upon this framework thus either confirms or denounces a certain role concept applied to one of these more 'soft' policy areas. Both the role concepts of Civilian Power Europe and Normative Power Europe argue that the EU's lack of military capacity, or hard power, is an advantage. As Dryburgh (2008) puts it, they seem to aim at legitimizing the EU as an international actor *despite* the Common Foreign and Security Policy (CFSP), rather than *as a result*

of this CFSP. These interpretations of the EU as an international actor mainly, or exclusively in low politics as a result of its soft power, were helpful in allowing for the study of the EU as a *sui generis* actor in international relations. They provided an answer to realists' neglect of this kind of new actor in the international scene due to its lack of hard power. However, their near exclusive focus on these soft areas, makes them ill-suited to study the negotiations with Iran. After all, these took place in the context of a very high-level politics, as they touched upon topics such as nuclear threat, war and security. Within the European Union's institutional context, the process of negotiations fell under the CFSP, a policy domain often disregarded by these role concepts.

Secondly, these role concepts focus on what the EU *is* or *should be*. The latter is important to take into account, as role concepts are often criticized for being biased. Particularly in regard to the concept of Normative Power Europe, Diez (2005) argues that Manner construed a concept that is biased in favor of the European Union. He argues that the concept of NPE is based on a discourse of 'othering'. The values the EU aims to spread through its external action are seen as not only belonging to the EU, but as universal and thus unquestionably just. By presenting the other as inadherent to these values and essentially in need of conversion, the EU is presented as morally superior. Diez warns that the claim that the '*good'* norms and values that inherently lie at the EU's foundations are dispersed through its external action, could be used by some to justify all and any EU external action. Because these role concepts, especially NPE, seem so biased in favor of the EU, they are often criticized for being Eurocentric. Niemann and Bretherton (2013) argue that the EU's role is perceived very differently by external actors, particularly in the south. Studying the EU's foreign policy in this framework thus carries the risk of neglecting the outside perspective, while this is crucial when discussing an issue such as the Iran deal. The main actors between which the EU needed to broker peace were Iran and the United States. Considering their perspective of the EU's role might give necessary insight in why and how it acted during the negotiations.

Thirdly, in addition to carrying the risk of being biased, Schunz argues that these studies and papers mentioned above, are carried out on a rather abstract level (Schunz, 2010). He claims that the debate should focus more on the micro-level of international affairs. Karen Smith supports this claim and adds that that debates about what kind of power the EU is do not contribute much to the development of the study of International Relations at the moment. Rather, she pleads for increased engagement *"in a debate about what the EU does and why it does it and with what effect, rather than what it is"* (Smith, as cited by Schunz, 2010). Both Schunz and Smith call for a shift of attention away from the current literature towards more empirical research on the actual influence of the European Union in international affairs. While the existing literature extensively covers what the *EU is or should be*, it thus lacks a broad enough coverage on what it is the EU *does*, and how. According

to Jovanovic and Kirstensen (2015), there are three benefits to shifting the focus to the latter. Firstly, the Iran negotiations are proof that the EU is confronting new kinds of challenges. These new challenges call for new studies of how the EU behaves and to what extent it can position itself as an actor. Secondly, the EU is constantly evolving, thus so is its international presence. The study of the EU's actions, especially in a case that spans several years such as the negotiations with Iran, can give insight into how the EU as an actor evolves. Thirdly, it is important to analyze EU's behavior at different crucial moments and external developments during the negotiation process. The practices the EU develops as a result of these, can give an insight into how the internal and the external dimensions of the EU are interlinked.

This thesis is in line with these authors' request. The aim is to assess how and under which circumstanced the EU was able to be an actor in these negotiations, while avoiding being influenced by previous assumptions about the broader role the EU plays or should play in international affairs. Thus, the goal of this thesis is not to determine the extent to which the negotiations confirm or contest any of the concepts outlined above. Rather, as Schunz and Smith suggest, this research focusses on what the EU did in this specific high politics context and why and to what extent it established itself as a considerable actor during this process. The method used in this thesis will be elaborated below, but it can already be stated that the aim is not to start from a perspective of what kind of player the EU is to then interpret its actions based on that (biased) perspective, but rather to look at an underexplored area of EU foreign policy with a fresh perspective.

2.2. ACTORNESS

2.2.1. DEFINITION

In order to develop a framework to base this analysis upon, this thesis draws on the concept of 'actorness'. Actorness is a concept first presented by Sjöstedt (1977) and further built upon by many scholars to develop frameworks through which the EU as an international actor could be studied. Actorness is defined as *'the ability to function actively and deliberately in relation to others in the international system'* (Niemann & Bretherton, 2013). It is useful when addressing the central debate of this thesis on how much capacity the EU had to be influential in the negotiations with Iran, thus to what extent it possessed actorness in this specific case. The concept of actorness is closely related to that of effectiveness, which can be defined as goal-attainment (Niemann & Bretherton, 2013). However, while closely related, they are two conceptually different notions. Effectiveness relates to

the external effects of an actor's actions, while actorness refers to the internal and external preconditions that allow an actor to carry out its actions. Actorness is thus a necessary, but not sufficient condition for effectiveness (Groen & Niemann, 2013).

Sjöstedt not only defined actorness, but also presented the first suggestions as to by which criteria the concept could be evaluated. Among these criteria were delimitation from other actors, autonomy and possession of a number of state-like characteristics (Huigens & Niemann, 2009). These criteria are exclusively focused on internal factors, particularly the kind of characteristics that are traditionally associated with states. In a sense, the early conception of actorness was thus still strongly influenced by the neorealist perception that the EU's actorness would increase only if it moved more towards statehood (Niemann & Bretherton, 2013). However, as it became clear that the European Community – and later the European Union – did possess actorness despite not being a state, authors started developing more nuanced criteria to assess actorness that tried to also take into account external factors (see infra).

2.2.2. ACTORNESS IN THE AGENT VS STRUCTURE DEBATE

Cmakalová and Rolenc (2012) situate the debate about and evolution of the concept in the agent vs structure debate in International Relations. This is an ontological debate between those that believe human beings and their organizations are purposeful actors, who shape and transform their surroundings through their actions, on the one hand, and those that consider social structures as formative of actors within society on the other (Wendt, 1987). The former perspective can be attributed to neorealists, who adhere to an individualist ontology that presumes that rational behavior is at the basis of actorness (Cmakalová & Rolenc, 2012). It is clear that Sjöstedt's criteria were inspired by this first ontological perspective, especially 'autonomy' indicates the belief that the ability to determine one's own actions constitutes actorness. The latter is typical for what Wendt calls world-system theorists. Their approach reduces agents to the outcome of and mere objects in the capitalist world system (Wendt, 1987).

Despite paying attention to this debate and trying to incorporate attention to structure, many authors who write about actorness, have still tended to focus mostly on behavioral criteria that give disproportional weight to agency and are thus in line with the individualist ontology. Jupille and Caporaso criticized earlier authors for not developing clear, observable criteria that would allow researchers to determine the status of the EU as an actor (Niemann & Bretherton, 2013). They therfore outlined a framework of four criteria to do so. Jupille and Caporaso conceptualisation of actorness identifies four variables through which the EU's actorness can be studied: cohesion,

authority, recognition and autonomy (Jupille & Caporaso, 1998). While this framework is fairly easily adaptable and applicable to various case studies, it still contains some weak points when considering the agent vs structure debate. All but one of the factors they take in consideration are internal. Only the concept of recognition allows for some external influence. Niemann and Bretherton (2013) argue that, through their excessive concern with internal factors, Jupille and Caporaso fail to take into account crucial, more structural influences on actorness.

According to Bretherton and Vogler (2006), they themselves have attempted to combine both of the ontological insights outlined above, trying to account for agency as well as structure when developing frameworks of criteria according to which the degree of actorness can be evaluated. They draw on social constructivist theory to develop their framework. In their conceptualization, there is an interplay between agency and structure. The authors consider structures as 'action settings', not determining, but rather enabling or constraining an actor's behavior. Simultaneously, actors are aware of and able to influence these action settings (Bretherton & Vogler, 2006). Social constructivism in International Relations was strongly influenced and inspired by Anthony Gidden's (1984) sociological theory of struturationism (Jackson & Sørensen, 2016). Giddens attempts to bridge the gap between these two ontological perspectives by giving both actors and structures equal ontological status. Agents and structures are thus seen as co-determined or mutually constructed entities (Wendt, 1987). Attempting to take into account this reciprocal nature of agents and structures, Bretherton and Vogler focus their analysis on the inter-related concepts of opportunity, presence and capability (Niemann & Bretherton, 2013). Firstly, opportunity concerns elements of the external environment that enable or constrain actorness. This concept is thus closely linked to that of action settings. Secondly, presence indicates the European Union's structural power. Lastly, capability considers the internal context: the EU's instruments and its ability to use them (Bretherton and Vogler, 2006).

Cmakalová and Rolenc (2012) claim that a framework such as Bretheron and Vogler's, allows for actorness to be assessed both on the basis of internal factors and structural (external) opportunities. Furthermore, it takes in account possible interactions between both. Jovanovic and Kirstensen stress the importance of allowing for this interplay to be considered. The authors argue that the EU is an actor that is influenced by many unpredictable changes, both internally and externally and that the Union's recent responses to several crises have demonstrated the interconnectedness between internal EU policy making and its external behavior. Considering that the EU acts along global as well as internal dimensions, the authors consider it crucial to understand the linkage between both, in order to further the understanding of actorness (Jovanovic and Kirstensen, 2015).

This thesis considers the EU's actions in the context of negotiations, and will thus inevitably carry a strong focus on the Union's interactions with other actors. It is reasonable to assume that the EU's ability to act in this case study will therefore to a considerable degree be dependent on other actors' behavior. External factors, that the EU may not be able to influence, are clearly expected to play a major role in this analysis. Furthermore, throughout this research, much value is attached to Jovanovic and Kirstensen's conviction that external and internal factors can never be completely isolated from each other. Considering this and having determined that Bretherton and Vogler's framework to evaluate actorness caters best to this interplay between the external and the internal, between structure and agency, their framework was chosen to base this analysis upon. Below, their criteria to evaluate actorness are outlined in more detail.

2.2.3. BRETHERTON AND VOGLER'S ACTORNESS FRAMEWORK

2.2.3.1. Opportunity

Opportunity refers to the external context of ideas and events that enable or constrain the European Union in its action (Bretherton & Vogler, 2013). Opportunity is thus a structural factor. However, structural does not imply static. Opportunity is a dynamic process where ideas are interpreted and events accorded meaning (Jacobsen, as cited in Bretherton & Vogler, 2006). Changes to the external environment can strongly impact EU actorness, either negatively or positively (Bretherton & Vogler, 2013). The end of the Cold War, for example, delivered a big shock to the EU's external environment. With a considerable number of newly independent Central and Eastern European states in its direct neighborhood, the EU was presented with an increase in opportunity to position itself as an actor. The EU's influence in these states, especially through its accession process, has been thoroughly studied. Another opportunity was presented in the early 2000's. As the United States turned towards unilateralism, which was made clear in its 2003 National Security Strategy, opportunity increased for the EU to be a leader in several of the multilateral forums that the US seemed to withdraw itself from. The Kyoto Convention was an opportunity the EU grabbed to position itself as the leader in global environmental policy – although presence also played a significant role here (see infra). However, external events can also diminish EU opportunity. The economic rise of China, and the BRICS in general, poses a challenge to the EU. These countries are starting to demand that their influence in international organizations, such as the World Trade Organization, mirrors their increasing economic weight (Bretherton & Vogler, 2006; Bretherton & Vogler, 20013).

2.2.3.2. Presence

The concept of presence was first developed in detail by Allen and Smith (1990). These authors argued that presence is more significant than actors themselves, as it influences expectations and actions of participants in the international system. Bretherton and Vogler built upon these authors' work and conceptualize presence as *"the ability of an actor, by virtue of its existence, to exert external influence and shape the perceptions, expectations and behavior of others"* (Bretherton & Vogler, 2013). Presence is a passive concept, as it does not assume any purposive external action to be generated. The concept comprises two closely interrelated factors: the EU's identity and the external (unintended) consequences of its internal priorities and policy choices (Bretherton & Vogler, 2006). The importance of the former was articulated by Charles Kupchan in 2002. He stated that "An EU that encompasses Western Europe and Central Europe is *in and of itself* a counterpoise to America" (Kupchan, as cited in Bretherton & Vogler, 2006). Kupchan refers to the EU's identity as an economic bloc and a single market. However, Bretherton and Vogler point out that other characteristics of or narratives about the EU could also play a role. For example, the EU's self-identification as an 'credible and effective global actor' in the European Security Strategy (European Council, 2003) could in itself change the perception and expectations external actors have of the Union. The latter – unintended consequences of internal action – touches upon the structural power of the European Union. This structural power is particularly strong in the economic sense, as a market of 500 million people naturally attracts the attention of other players, and its choices and behavior influence other actors' actions. Another example is in the environmental debate. During the run-up to the Kyoto Convention of 2005, outsiders perceived the EU's domestic environmental policy as particularly proactive, generating expectations that the EU would also be a leader in environmental affairs on a global level. As elements that can influence the EU's presence, Bretherton and Vogler mention outside perceptions of its purpose, unity and effectiveness (Bretherton & Vogler, 2013).

2.2.3.3. Capability

Capability refers to the internal context of the EU's external action or inaction (Bretherton & Vogler, 2013). This is the factor in Bretherton and Vogler's framework that leans toward the 'agent' side of the agent vs structure debate. According to the authors' most recent work, two main dimensions of capability constrain or enable the EU's actions in the international scene, thus 'governing its ability to capitalize on presence or respond to opportunity'. These are, firstly, the ability to formulate priorities and develop policies and, secondly, the availability of and capacity to utilize policy instruments (Bretherton & Vogler, 2013). In their original framework, two more factors were conceptualized

based on Sjöstedt's work from the 1970's: shared commitment to a set of overarching values and domestic legitimation of decision processes and priorities relating to external policy (Bretherton & Vogler, 2006).

Coherence

Successful policy making and prioritization is dependent on coherence. Obtaining coherence can be challenging in a complex international organization as the EU though, with a multitude of levels of governance and a variety of decision-making processes. Bretherton and Vogler identify three dimensions of coherence, all of which are interconnected and necessary for effective policy-making. Arriving at a coherent stand point between all Member States is particularly challenging in more sensitive areas, one of which the authors identify as foreign and security policy, the policy domain studies in this thesis (Bretherton & Vogler, 2013).

- Vertical coherence

Vertical coherence, or consistency, refers to the degree in which external policies of Member States are complementary to those of other Member States and those of the European Union. It denotes the political commitment of Member States to the agreed upon common policies (Bretherton & Vogler, 2013). If some Member States actively go against the official EU position on a certain issue, or fail to actively support it, vertical coherence thus suffers. In principle, article 4(3) of the Treaty of the European Union, from which stems the *principle of sincere cooperation*, Member States have to 'facilitate the achievement of the Union's tasks and refrain from any measure which could jeopardize the attainment of the Union's objectives'. However, this mainly applies to exclusive EU competences and to a certain degree to mixed competences as well. Member States are most bound by EU policy on matters that are exclusive EU competence, such as trade. Bretherton and Vogler (2013) notice an increased risk of vertical incoherence in those policies that are of mixed competence and particularly in areas such as CFSP, for which unanimity is required.

- Horizontal coherence

Horizontal coherence denotes the absence of tensions between different policy areas. In the case of horizontal coherence, the Union's actions in one domain do not interfere with, or render ineffective, its actions in another. In order to achieve horizontal coherence, good coordination between actors involved in the various policy domains is crucial, the responsibility of which lays with the Union's central institutions (Bretherton & Vogler, 2013).

- Institutional coherence

This dimension of coherence refers to the internal coordination of policy procedures within the European institutions. While horizontal coherence deals with discrepancies between different policy areas, institutional coherence denotes the absence of contradictions in policies of different institutions within the same policy area. Achieving institutional coherence is the task of the HR/VP. Assisted by the EEAS, the HR/VP should provide a diplomatic service that gives strategic direction to the Union's external action and ensures coherence (Bretherton & Vogler, 2013).

Policy Instruments

There are three main categories of policy instruments traditionally utilized to carry out external policies: political instruments – diplomacy and negotiations –, economic instruments – incentives and sanctions – and military means. In this thesis, the focus will primarily be on the first, but economic instruments will also be taken into account. The EU's main political instrument is diplomacy. The creation of the EEAS, with its delegations in third countries, is expected to facilitate the EU's ability to engage in diplomatic negotiations. These political instruments are crucial, as being able to negotiate with others in the international system is a necessary condition to being able to be a part of that system. Concerning economic instruments, the EU's economic weight provides it with plenty of opportunity to use incentives and sanctions to exert influence on other actors. However, diminishing economic opportunity, as described above, might have a negative impact on this ability. One crucial prerequisite for the EU to be able to use its policy instruments, is its vertical coherence (Bretherton & Vogler, 2006; Bretherton & Vogler, 2013).

2.2.3.4. Overlap and interlinkages

These three concepts outlined above are not perfectly separated from each other. External perceptions of the EU can generate expectations about the EU's proactivity, pressuring the Union to develop certain tools to respond and live up to these expectations. Presence can thus lead to a change in capacity. Similarly, the Lisbon Treaty envisioned the creation of new instruments, amongst which the EEAS. This (expected) increase in capacity influenced the expectations other had about the kind of actor the EU would become, thus impacting presence. Opportunity is also linked to both other factors. For example, the declining opportunity of the EU because of the economic rise of China is mainly important because it shifts perception and thus presence. In absolute terms, the EU is still the largest economic player in the world. However, its relative decline and China's relative rise cause others to shift focus away from Europe and the West in general, thus diminishing the EU's presence. Opportunity is also interlinked with capability. As a response to a change in opportunity, the EU might create new policy instruments or shift its policy focus. It could be argued that the development

of CFSP and CSDP were to a large degree a response to the EU's failure to deal with the violence in the Western Balkans in the early 1990's (Bretherton & Vogler, 2013).

Because of the overlap that exists between the various components that make up actorness, Bretherton and Vogler (2013) argue that they are able to not only consider the internal complexities of EU policy-making, but also the constraining and enabling factors that are related to external perceptions and expectations toward the EU.

3. RESEARCH QUESTIONS

The EU's involvement in the JCPOA negotiations was thus deemed as a success, while foreign policy is a policy area with a relatively low degree of integration that is traditionally regarded as one of the EU's weaker points. It was also one of the first major tasks that the EEAS took on, making it an appropriate case study to take a look into the potential of this service. Having determined the above, and taking into consideration the academic literature available on the European Union's external action, several questions can be distilled that will be attempted to be answered in this thesis.

1. How did the European Union behave during the negotiations?
    a. What position did it take on at the negotiation table?
    b. What measures did the European Union take?
2. What factors enabled or constrained European Union action?
    a. To what extent did it possess actorness (opportunity, presence, capability)?
    b. How did the various dimensions of actorness affect each other during this process?

4. METHODOLOGY

4.1. METHODOLOGY

Drawing on the framework developed by Schunz (2010), in this thesis a mixed method of descriptive process tracing and reputational analysis will be employed. Schunz outlined this method as a way to determine the EU's influence during negotiations in international regimes. The context he had in mind is thus well suited for this research, though some adaptations to the method will be made to fit the purpose of this thesis, which is not to determine influence, but rather to take a closer look at the EU's actions and its actorness. Schunz built his method on the EAR instrument, developed by Art and Verschuren in 1999. This instrument uses triangulation – the incorporation of various points of view in data collection and analysis – to increase validity of a researcher's findings. These authors' instrument combines the perspectives of the Ego (the studied actor), the Alter (other actors in the negotiations) and that of the Researcher. Schunz, however, turns this sequence around and advocates for the conduction of an in-depth process tracing analysis, carried out by the researcher, complimented with reputational analysis of the Ego and the Alter's perspectives (Schunz, 2010). This will also be the sequence in which this research will be carried out.

4.1.1. PROCESS TRACING

The process tracing aspect refers to the detailed description of a political process over time to see how the EU attempts to impact the process and with what success. George and McKeown argue that "the process tracing approach attempts to uncover what stimuli the actors attend to; […] ; the actual behavior that then occurs; the effect of various institutional arrangement on attention, processing, and behavior; and the effect of other variables of interest on attention, processing, and behavior" (George & McKeown, as cited in Falleti,2006). This method is praised as a useful way to study the influence of single actors in international contexts (Schunz, 2010). However, in this thesis the focus will not be on influence. Rather, the process tracing part of the analysis will attempt to provide the necessary insights to answer the first question and its subquestions. A thorough analysis of the process should allow for the conclusion of how the EU behaved during the JCPOA negotiations, which measures the EU took and which position it adopted.

Careful description is the foundation of process tracing, as drawing conclusions on the phenomena observed is impossible to be done qualitatively without adequate description of the process. Process tracing normally implies a second phase, after the descriptive inference, namely causal inference (Collier, 2011). However, that relies on previous assumptions or theoretical foundations about causal links between different steps in the process. The second step is thus aimed at testing previously specified theories (Falleti, 2006). The theoretical foundation of this thesis is not a model or concept that predicts EU behavior (and thus assumes what kind of actor the EU is). Rather the choice has been made to analyze the EU's actorness with no previous assumptions. Therefore, this second phase of process tracing will be omitted.

An important aspect to process tracing is the decision of when to start and end the timeframe under analysis (Falleti, 2006). The choice has been made to study the JCPOA negotiations from 2010 to 2015. The end date is fairly logical, seeing as the negotiations came to an end on July 14th 2015 – although that does not include implementation negotiations. Regarding the start date, 2010, the first full year that Catherine Aston took up the mandate of HR/VP has carefully been selected for two reasons. Firstly, this minimizes institutional changes within the EU that have to be taken into account, seeing as the start date is after the 2009 ratification of the Lisbon Treaty. Secondly, pragmatic reasoning played a role. As will be elaborated below, the negotiations with Iran had been going for over a decade, which would be too long a period to fit within the scope of this thesis. A five-year period is more manageable and will allow for a more qualitative analysis.

4.1.2. REPUTATIONAL ANALYSIS

The process tracing analysis will already provide a basis to formulate an answer to the second question and its subquestions. Through careful analysis of the process, preliminary statements about the EU's opportunity, presence and capabilities will be distilled. However, to verify these and to compliment them with more detail, the Alter and Ego perspectives will be accounted for through reputational analysis. Both the EU's perspective and the Iranian perspective of the EU's actorness and its constituent parts were obtained through semi-structured interviews. The second question will thus be answered by analysis of the findings of both phases of the research.

4.2. SOURCES

This research is mostly conducted based on primary sources. Because the negotiations have only been concluded fairly recently, relatively few peer-reviewed articles have been published that discuss them. Those that do, mostly cover the period before 2010 (Bergenäs, 2010a; Dupont, 2010; Dryburgh, 2008). Therefore, the main sources of information for the process tracing part of this research, are official documents from the European Union, the UN Security Council and the IAEA as well as newspaper articles and journalistic analyses in specialized media. In order to conduct the reputational analysis, four semi-structured interviews provided data. Two interviews were conducted with EEAS officials who prefer to remain unnamed. The third interview was provided by Mr. Abbas Golriz, advisor to the Ambassador of Iran in Belgium. Lastly, an interview was conducted with journalist Abas Aslani, who is the General Director of World and Foreign Policy at the Iranian Tasnim News Agency. The choice to interview an Iranian journalist was made to guarantee a broader reputational analysis. The concern was that an embassy official might be bound by political guidelines, although Mr. Golriz was very open and provided detailed information. Still, the second interview was useful, as it gave additional insights, in particular for Chapter 6. Furthermore, some insights were acquired along the way through personal communications of various sources who asked to remain anonymous. These will also be included in the analysis, if they provide additional information.

4.3. REFLECTION

While the methodology and sources outlined above are regarded as the most appropriate to conduct this research, it is important to acknowledge that there are certain shortcomings to them. These are

recognized and the attempt has been made to take them into account as much as possible. However, they may affect the meticulousness of this research.

Firstly, the process tracing analysis focusses only on the E3/EU, the US and Iran. Developments concerning only China, Russia or other external actors will not be taken into account. This decision has been made to ensure a streamlined description of the process that clearly outlines what has happened with regard to these two main players and the EU and to avoid confusing digressions. However, this might mean that certain developments and their impact on the process were overlooked.

Secondly, only one Alter perspective will be analyzed, namely the Iranian perception of the EU. Again, the need to stay within the scope of this thesis was an important factor in not including more perspectives. Iran was chosen because it was the 'rogue' state, considered in need of being redirected towards the international nonproliferation regime. The assumption was thus made that this actor's perception would have the biggest impact on whether or not the EU could act as a mediator. Other actors' perceptions of the EU, their evolutions and the differences between them, could make for an interesting research topic in itself.

Thirdly, regarding the sources, it has to be pointed out that there were considerably few academic sources available for the post-2013 period. The analysis relied mainly on documents of international organizations, newspaper articles and experts' columns. Another issue was the fact that the negotiations were carried out in very secretive conditions. This will be pointed out as a strength later in the analysis, but it made the collection of information particularly difficult. Because the implementation phase is still ongoing, there was still a lot of information that was hard to access. It will be interesting to see what extra information is released within the next few years and which developments were unable to be included in this analysis.

5. ANALYSIS

5.1. BACKGROUND OF THE NEGOTIATIONS

Before advancing to a detailed timeline of the negotiations with Iran since 2010, it is important to give an insight in the European Union's general history regarding the combatting of proliferation of nuclear weapons, as to understand the backdrop of European perceptions and positions against which the negotiations took place. Furthermore, a short description of the circumstances concerning the negotiations with Iran at the time that Catherine Ashton took up her mandate will be provided.

5.1.1. EU'S HISTORY ON NON-PROLIFERATION

While European nuclear cooperation started very early on with the establishment of Euratom in 1957, it was not until the 1980's that member states started coordinating their external actions regarding nonproliferation in one of the EPC's working groups (Zwolski, 2015). However, stark divisions remained between the member states. An important factor that stood in the way of real unity on the issue of proliferation, was the fact that two member states - France and the UK – were (and still are) nuclear powers. In addition, one of those - France - was yet to sign the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and often refused to cooperate in the EPC's working group (Bergenäs, 2010a).

The 1990's saw a universal rise in concern about proliferation of nuclear weapons. The fall of the Soviet Union incited the fear that instability in the region could undermine control of the whereabouts of nuclear weapons and materials (Coolsaet, 2015). Sadam Houssein's use of chemical weapons against Iranian forces as well as citizens in Iraqi Kurdistan towards the end of the 1980's, increased the sense of urgency that measures had to be put in place to ensure that Weapons of Mass Destruction (WMD) wouldn't fall into the hands of authoritarian regimes (Bergenäs, 2010a). During this era of rising awareness of the dangers of proliferation, two factors enabled more coordination on non-proliferation within the EU. Firstly, France had acceded to the NPT in August 1992 (IAEA, 2014). Secondly, the 1992 Treaty of Maastricht established the Common Foreign and Security Policy of which non-proliferation of WMD's was one of the priority areas (Bergenäs, 2010a). This provided a legal base and political justification to embed non-proliferation in the EU's external action (Kobia, 2008). Examples of this increased attention to non-proliferation were, amongst others, the EU's unified support for the indefinite extension of the NPT and the EU's role in the disarmament of post-Soviet Ukraine (Bergenäs, 2010a)

However, despite increased coordination and some success stories in the 1990's, divisions amongst member states remained prevalent. These divisions manifested at different occasions and regarding different aspects of the non-proliferation policy, which can be illustrated with two examples. Firstly, there were clear differences in the eagerness to combat proliferation. This became obvious at the 2000 NPT Review Convention, when Sweden and Ireland joined non-EU countries in the New Agenda Coalition, that pressed a much more ambitious agenda than the EU itself. Secondly, the 2003 U.S. invasion of Iraq demonstrated that some member states – such as the UK – were much less weary than others of using military force in order to deal with proliferators (Bergenäs, 2010a). Thus, before the negotiations with Iran had commenced, non-proliferation had started to be an integral part of the EU's foreign policy, but divisions remained between the member states on how to address the issue as well as on the level of dedication and engagement.

Nonetheless, at the eve of the negotiations, a more pronounced EU strategy for the non-proliferation of nuclear weapons was adopted. Much of this had to do with the fact that, after the end of the bipolar era, the world found itself looking for a new structure for the international system and, consequently, a new set of rules for the international political game. The US National Security Strategy marked the turn towards the super power's unilateral approach. The consequent invasion of Iraq led to stark divisions between the member states. As mentioned above, the European Security Strategy was drawn up partially as a response to this internal conflict. It envisioned a European Union whose external action was guided by 'effective multilateralism'. Concerning countries that have placed themselves outside of the international regime, the ESS envisions EU assistance to reengage these countries, but also sanctions if they do not succeed to do so (European Council, 2003).

In the context of that document, a clearer strategy regarding non-proliferation was also formulated in December 2003 in the form of the EU Strategy Against Proliferation of Weapons of Mass Destruction. The Strategy outlines an approach guided by multilateralism and aimed at disarmament and non-proliferation. It explicitly states that diplomatic measures and cooperation are paramount and refers to the use of force only as a very last resort (Council of the EU, 2003). In line with the emphasis put on multilateralism in the ESS, the EU clearly envisioned a similar approach when it comes to combatting proliferation: engaging with rogue states through diplomatic means, though with the potential back-up of coercive (economic and political) means. In the next part of the analysis, it will become clear that this strategy also guided the EU's actions towards Iran. The negotiations with Iran can be seen as the first real test of the EU's non-proliferation strategy (Meier & Quille, 2005).

5.1.2. NEGOTIATIONS BEFORE 2010

The unreported, sophisticated state of nuclear activity at the enrichment facility at Natanz and the heavy-water reactor in Arak was made public by an Iranian opposition group, the National Council of Resistance of Iran, in August 2002 (Meier, 2013). This sparked fear that Iran was aiming at producing nuclear weapons. As a result of the above outlined commitment to non-proliferation and out of fear for a repetition of the Iraq-scenario if the US were to take the lead, the three foreign ministers of France, Germany and the United Kingdom (E3) went to Tehran to negotiate in the fall of 2003 (Bergenäs, 2010a). When Ashton took up her mandate, negotiations on the nuclear issue between the EU and/or its Member States and Iran had thus been ongoing since 2003, albeit with several interruptions. Since 2004, Ashton's predecessor, Javier Solana, joined the negotiations and the name of the negotiating parties was changed to the E3/EU. This was to a considerable extent to respond to critique from other EU member states, in particular Italy, who did not feel the E3 should be taking the lead on this issue (Meier, 2013). Since 2006 Solana had been mandated to represent the five permanent Security Council members and Germany during the negotiations (United Nations, 2006a), a mandate consequently passed on to Ashton and Mogherini.

The aim of the EU was to *'acquire an objective guarantee and final assurance of the nonproliferation of nuclear weapons in Iran'* (Bergenäs, 2010a). The strategy or method the EU applied during these negotiations, is in line with its non-proliferation strategy. The *dual track* approach combines engagement and pressure to arrive at a non-military solution, essentially being a system of carrots and sticks (Kaussler, 2012). Parallels between the EU's strategy outlined in the ESS towards 'countries that have placed themselves outside the bounds of international society' are obvious. This approach was formulated after the Iranian issue was referred to the UNSC. Before that, the EU's approach consisted of trying to prevent escalation through engaging with Iran. Several deals were proposed, such as the Tehran deal in 2003 and the Paris Agreement in 2004, but these proved unsuccessful. The rejection of these deals, Iranian disengagement from talks with the EU, resumed uranium conversion activities and pressure from the US, all led to referral of the case to the UNSC (Meier, 2013). Several resolutions were passed to impose sanctions on Iran in 2006 (resolution 1737), 2007 (resolution 1747) and 2008 (resolution 1803), introducing the 'pressure' part of the dual track approach.

Conservative powers in both the US and Iran, and especially the fact that the US refused to speak directly to Iran, made the EU's attempts at engagement difficult. However, efforts were continued to be made in light of the dual track approach. In 2009, another proposal was formulated, the first that was backed by the US. Until 2006, the US was not involved in the process, but rather chose to isolate Iran and conduct a sanction regime against the country (Meier, 2013) After 2006, they were involved

through the UNSC, but still didn't engage in direct contact with Iran. Obama's election changed this, as he promised to talk to Iran directly and with no preconditions (Borger, 2009). Hopes were high that this active US involvement and changed attitude would lead to a successful deal (Meier, 2013). However, at the eve of Ashton's appointment, yet another proposed deal failed. The offer presented by the EU/E3+3 to Iran had consisted of exporting Iran's enriched uranium to Russia. After having been converted to reactor fuel, it would then be shipped to France, where it would be transformed into useable metal plates to fuel Iran's nuclear reactors (Kessler, 2009). The aim of the proposal was to delay the potential production of a nuclear weapon, while still ensuring Iran's ability to continue its nuclear activities for civilian purposes by trading its enriched uranium for fuel. Iran's negotiations team had originally agreed to the proposition, but stark domestic opposition forced them to review their standpoint and ultimately reject the offer in November 2009 (Meier, 2013). They thereby effectively ended yet another round of unsuccessful negotiations, despite Solana's hopes that the October 1st 2009 meeting would be the start of an intensive process aimed at finally reaching an agreement between Iran and the EU/E3+3 (Solana, 2009).

5.2. PROCESS

5.2.1. 2010-2013: TURNING UP THE HEAT

It is clear that, when Ashton became HR/VP, the atmosphere was not particularly positive. What many had seen as the most promising draft deal so far, because of US involvement, had failed. Relations between the different parties had cooled down and there were no ongoing negotiations.

Ashton's first goal was thus to reengage Iran in negotiations that had been halted since the last meeting between Solana and Jalili in Geneva on October 1st 2009. She outlined this as her priority when addressing the European Parliament plenary session on January 19th 2010, where she stressed the need for united support of the negotiating effort from the EU as well as from the wider international community (Ashton, 2010a). Ashton also brought up the need to restart the negotiation process at the Munich Security Conference in February 2010, the audience of which included Iranian Foreign Minister Mottaki (Bergenäs, 2010b). In her remarks, the HR/VP addressed Mottaki directly, pointing out the need to restore confidence through meaningful, productive dialogue. However, she also hinted at the EU's readiness to increase pressure if these talks did not resume (Ashton, 2010b). Ashton sent multiple invitations to Iran to restart the process. Before the EU Council meeting on June 14th 2010, Ashton announced to the press that she had written to Jalili, the Iranian chief negotiator,

inviting him to resume the talks (Bergenäs, 2010b). This move was formally approved by the Council later that day (Council of the EU, 2010b). Jalili, a hardline conservative, at first rejected these proposals, but throughout the first years of her term, several negotiation rounds were started up after all, at a variety of locations: on December 6th and 7th 2010 in Geneva, on January 21st and 22nd in Istanbul, on June 18th and 19th in Moscow and on February 26th and 27th in Almaty, Kazachstan (Security Council Report, 2016). However, after his contested reelection in 2009 and after the failure of the proposed fuel swap in the same year, Iranian president Ahmadinejad had eliminated many reformists from the Iranian negotiation team. The team thus primarily consisted of hard-liner revolutionaries, who took on hard stances and refused to speak English (Personal communication, EEAS official, 23/06/2016). The setting of the negotiations was far from ideal, as constant interpretation took away a lot of the flow that was needed to create an atmosphere of trust and understanding. The potential military dimension (PMD) of the Iranian nuclear program was absolutely off-limits for the Iranian team, who either ignored any questions on this issue or changed the topic when it did come up. The dynamic of the negotiations was one in which the different parties stated their demands, without wanting to budge on anything (Personal communication, Abbas Golriz, 23/06/2016). The Iranians in particular, are said to have been great at engaging in talks just for the sake of talking and demonstrated a particular talent for filibustering during these meetings (Personal communication, EEAS official, 14/06/2016). During the first few years of Ashton's term in office, the engagement part of the dual track approach was thus far from successful and the EU expressed its frustration with the Iranian attitude on several occasions (European Council, 2010; Council of the EU, 2010a; PSC, 2011; Ashton, 2013a).

The second part of the approach, pressuring Iran, was much more prominent during those first years. Several push factors caused the EU to take on a harder stance towards Iran and employ coercive measures. Firstly, the Iranian nuclear program was taking big strides in a concerning direction. In February 2010 Iran announced that it was ready to produce 20% enriched uranium at Natanz, a level at which the further technological developments to arrive at weapons-grade uranium are considered dangerously close (Meier, 2013). Furthermore, in April of that year, Iran announced plans for constructing a new enrichment plant (Security Council Report, 2016). Concerns about the potential of an Iranian nuclear weapon thus increased, causing a lot of tension in the international community and amongst EU member states. Secondly, Israel considered the Iranian nuclear program as an existential threat to the country. The Israelis issued several threats towards Iran, implying that Israeli military action aimed at preventing Iran from obtaining a nuclear weapon was not unrealistic (The Economist, 2010). In April 2010, Netanyahu called for 'crippling sanctions' against the country (Reuters, 2010). And in 2012, Obama had to urge Netanyahu not to undertake military action against

Iran, who Israel believed to be on the brink of acquiring a nuclear weapon (Lander, 2012; Heller, 2012). This increased risk of another conflict in the region escalating, urged the EU to take more concrete actions. Thirdly, the United States exercised considerable pressure on the EU. After the failed fuel swap of 2009 they had taken on a much harder stance, demanding further nuclear-related sanctions to be imposed on Iran (Meier, 2013). Internally, the turn towards stricter sanctions was also pushed by the French, who had traditionally taken a much harder stance on Iran than the rest of the European Union (Meier, 2013). This was, amongst other factors, caused by the close ties the country has with Saudi-Arabia, especially since the start of the Syrian civil war (Geranmayeh, 2013b). However, a little French grandeur probably also lays at the basis of this strict standpoint (Personal communication, EEAS official, 14/06/2016). A fourth round of UN sanctions was thus imposed by UNSC resolution 1929 on June 9th 2010. Interestingly, the EU did not only impose these UN sanctions, but went beyond them. For the first time, the EU imposed unilateral sanctions on Iran that were much more drastic and far-reaching than those required by the UNSC resolution. Additional sanctions were put in place by the EU on July 26th 2010, targeted at the energy and financial sectors (Council of the EU, 2010c). The EU's most drastic sanctions were announced on January 23rd 2012, when a full ban on Iranian oil exports was agreed upon (Council of the EU, 2012). This oil ban came at an economic cost for the EU, particularly for Italy, as some of its refineries were developed specially to process Iranian oil (Personal communication, EEAS official, 14/06/2016). During the peak of the financial crisis, the oil ban received some resistance from southern states such as Greece, Italy and Spain, but no member state obstructed its installment (Meier, 2013). The EU thus expected the benefits to the negotiating process to outweigh the pain of the economic setback, hoping that the economic pressure of the sanctions would bring Iran back to the negotiations table with a more cooperative attitude (Meier, 2013).

5.2.2. 2013: THE TURNING POINT

The major obstacle for engagement to be successful between 2010 and 2013 was the uncooperative stance of the Iranians. However, the long-lasting sanction regime against the country had hit its economy hard. Especially the oil embargo from the EU had a significant impact, causing the Iranian oil export to drop by 40% (Prior, 2013). Total EU imports from Iran decreased by nearly 90%, falling from a worth of 27 billion to little over 3 billion (European Commission, 2016; Personal communication, Abbas Golriz, 23/06/2016). While before, some hard-liners still argued that the sanctions caused Iran to become economically independent from the West, by 2013 Rouhani stated that they had a serious negative impact on Iran (Rouhani, 2013; Personal communication, EEAS

official, 23/06/2016). Rouhani was elected president on the promise of improving the economic situation in Iran. Lifting of the sanctions was crucial for this economic revival. His election as president on June 14th 2013, thus signified a major turning point in the Iranian attitude and for the negotiating process as a whole. This change in attitude allowed the EU to engage much more meaningfully with Iran, taking strides towards achieving a deal.

Rouhani delivered a speech at the United Nations General Assembly (UNGA) on September 24th 2013, where – despite presenting Iran's right to enrichment for exclusively peaceful purposes as non-negotiable – he stated that he preferred *"dialogue over conflict"* and assured the international community that Iran *was "prepared to engage immediately in time-bound and result-oriented talks to build mutual confidence and removal of mutual uncertainties with full transparency"* (Rouhani, 2013). Consequently, the E3/EU+3 met with Iran in the sidelines of the UNGA two days later at the ministerial level. The meeting was chaired by Catherine Ashton and marked the highest-level direct contact between representatives of Iran and US in six years time (Russia Today, 2013). Afterwards, Ashton stated that the contact had been "substantial" and "energetic" and that the parties had concluded to "go forward with an ambitious timeframe" (Ashton, 2013b). Negotiations, led by the HR/VP, continued in Geneva on October 15th and 16th, where the Iranian delegation provided a detailed proposal, a big difference with the previous administration's vague and impractical frameworks (Geranmayeh, 2013a). After experts on nuclear energy and sanctions from all parties convened at a lower level, ministers met again on November 7th to 9th with a positive outlook on reaching an agreement. During this round of negotiations, Ashton not only chaired the multilateral meetings, but also facilitated bilateral contacts between each of the E3 and Iran (Tass, 2013). Furthermore, she hosted a crucial, five-hour meeting between Kerry and Zarif. The EU's facilitation of meetings between the US and Iran, resulted in more direct contact between the two countries in 24 hours than in the preceding three decades combined (Borger & Kamali Deghan, 2013).

The negotiations came to an end without conclusion due to a surprising interference of the French Foreign Minister Laurent Fabius. As negotiations seemed to make promising headway, the French suddenly demanded a tougher deal, saying that they would not accept 'a sucker's deal' (Borger & Kamali Deghan, 2013; Geranmayeh, 2013b). In what has been described as 'an amateurish diplomatic blunder', Fabius did not wait for Ashton to make the first statement about the negotiations' progress after the talks had ended. Rather, he told the press that no agreement had been made before Ashton could make a public appearance, sparking anger amongst Iranians and demonstrating division within the E3/EU+3 (Kamali Deghan, 2013). Fabius mentioned the arrangement around the Arak heavy water reactor as his main point of concern. One of the byproducts of this reactor, once it would be completed and activated, would be weapons-grade plutonium (Recknagel, 2013). As mentioned

above, there were other factors that led to France taking on relatively hard stance compared to its partners. However, an anonymous source said that, while these played a role, another significant contributing factor to Fabius' remarkable neglect of diplomatic procedure was the fact that the French were frustrated with the Germany, the United Kingdom and the US because of their refusal to aid them with an intervention in Syria after Assad's use of biological weapons against Syrian civilians.

Finally, an interim deal was struck on November 24th 2013, after five days of intense negotiations in Geneva: the Joint Plan of Action (JPOA). The deal was announced after a long night of meetings, at 3 a.m. This deal, the pen-holder of which was the EEAS, was not yet a full nuclear deal, but rather a declaration of intentions. However, it had immediate consequences. For Iran, the JPOA implied an immediate stop to further developments to its nuclear program and subjection of its nuclear sites to controls of the IAEA. Furhtermore, Iran committed to suspension of all uranium enrichment above 5 percent, as well as neutralization of its 20 percent enriched uranium stockpile to 5 percent. The E3/EU+3, from its side, committed to a limited degree of sanctions relief that would allow Iran to recover around 7 billion dollars in frozen assets (Geranmayeh, 2013c). This deal was time-bound, lasting for 6 months, and its continued implementation relied on all parties carrying out their obligations. The deal served as a building block to reach a final, comprehensive agreement. The JPOA explicitly acknowledged that, when a final deal was reached, it would ensure Iran's right to nuclear energy and would imply the comprehensive lifting of all nuclear-related sanctions imposed on the country (JPOA, 2013).

5.2.3. 2013-2015: TOWARDS A COMPREHENSIVE DEAL

Missing deadlines

From late 2013 onwards, the negotiators were thus focused on reaching a comprehensive agreement. During this final stretch of the decade-long negotiation process, the HR/VP and her staff were again the main negotiator for the E3/EU+3, still based on the 2006 mandate given to Javier Solana by the UNSC. On the level of political directors, Helga Schmid was the main mediator, while Stephan Klement and Klemen Pollak took up that role on the technical level. The EU was the main penholder of the Joint Comprehensive Plan of Action, conducting the last check on every word that was put down on paper. The EEAS thus chaired the talks between the E3/EU+3 and Iran and coordinated the meetings of the E3/EU+3 to arrive at coherent standpoints to take to the negotiating table with Iran. An EU official was also present at all of the bilateral meetings between the US and Iran (Personal communication, EEAS official, 14/06/2016).

Seeing as the JPOA lasted for six months and went into effect on January 20th 2014, the deadline for the conclusion of the negotiations on a comprehensive plan was originally July 20th of that year. However, the negotiations proved much more cumbersome than first hoped. The E3/EU+3 and Iran met in Vienna and Geneva throughout the course of these six months. Several times deadlines were pushed back, only to be missed again. After the first deadline was extended, the parties agreed to extend the format of the JPOA until November 24th 2014, exactly one year after the signing of the JPOA. In addition to maintaining the conditions of the JPOA, Iran accepted extra limitations on its nuclear program and the E3/EU+3 committed to freeing up an additional 2,8 billion dollars in frozen Iranian assets (Geranmayeh, 2014b). After the decision was made to extend this second deadline as well, until June 30th 2015, no additional demands were made from Iran, as the IAEA had repeatedly confirmed that they had carried out all of their obligations faithfully. The E3/EU+3 did commit to continuing to give Iran access to about 700 million dollars per month in frozen assets (Geranmayeh, 2014d). This missed deadline also marked an important moment for the EU's negotiation team, as a new European Commission also implied a new HR/VP, the Italian Federica Mogherini. To ensure continuity at the negotiating table, Mogherini appointed Ashton as her Special Advisor for the Iran talks. This implied that Ashton continued to chair the negotiations for a while (EEAS, 2014). However, insiders say that the new HR/VP essentially took over the file as soon as she took office (Personal communication, EEAS official, 14/06/2016).

Key issues

The negotiations were particularly tedious, because the comprehensive deal had to provide a solution to technical issues related to Iran's nuclear program. These issues required very detailed solutions, leading to lengthy negotiations and those postponed deadlines. Contrary to the JPOA, the JCPOA thus implied much more than a deal consisting of political commitments. The two key points that undoubtedly gave many of the technical negotiators a headache more than once throughout the process, were the timeline of sanction relief and the level of enrichment allowed for Iran (Geranmayeh, 2014c). The former was a sensitive issue, because of the simple question of *"who does what first?"* Did Iran have to further restrict its nuclear program to obtain sanction relief or would sanction relief lead to restrictions on the Iranian program? Ultimately, the side that agreed to carry out its obligations first, relied heavily on trust that the others would uphold their end of the deal. The question of enrichment capacity was a particularly technical question, that touched upon arranging fuel swap shipments and the number and kind of centrifuges permitte. While slight changes in numbers might seem like details, on this particular issue each side tried to get the other to concede as much as possible, essentially turning a technical issue into a political battle ground.

These technical issues resulted in strong political debate not only amongst the parties, but also internally. Especially in the US and Iran, hardliner opposition made it difficult for either party to concede on its key points, or 'red lines'. In the US, Congress threatened not to ratify the agreement or even to impose new sanctions on Iran, which would be a breach of the JPOA (Al Jazeera, 2015). In Iran, on the other hand, hardliner revolutionists still opposed striking a deal with the 'enemy', the USA (Farhi, 2014). In addition, any deal reached would need approval of the Supreme Leader, Ali Khamenei, and thus be at his mercy. The need to sell the deal domestically for both Obama and Rouhani, led to some harsh standpoints. A crucial point of disagreement was whether or not Iran had the inalienable right to enrich uranium for a peaceful nuclear program. Different interpretations of the NPT led to a positive answer to that question in Iran, but a negative reply in the US (Geranmayeh, 2013c). This struck a particularly sensitive chord in Iran, as they saw their nuclear program as a source of national pride. Because of this, Iran also demanded that the previous UNSC resolutions targeting the country would be fully dismissed if a deal was reached, and replaced by a new resolution approving the JCPOA (Personal communication, Abbas Golriz, 23/06/2016). In the EU, there was very little principal objection to a peaceful nuclear program in Iran, with some exception from the French. The EU was thus placed in between both actors and tried to influence them both to remain at the negotiating table (Geranmayeh, 2014a). The German Foreign Minister, Steinmeier, addressed the US Congress, assuring them that a deal would be implemented if reached, regardless of their judgement. Mogherini also took on an active role, inviting Zarif to Brussels for a meeting with the E3 (EEAS, 2015). This meeting could provide an opportunity for Mogherini to attempt to both reassure the Iranians that the EU was fully committed and to talk to them about which concessions were possible. The EU's involvement was thus critical at keeping relations between these two parties as smooth as possible.

The final stretch: framework agreement and JCPOA

An important round of negotiations started at the Beau-Rivage Palace hotel in Lausanne, Switzerland, in March 2015 and lasted until April 2nd. By the end of this round – that started at the level of the political directors – all the negotiators at ministerial level were present. Their presence signaled a potential breakthrough in the negotiations, as was confirmed when Federica Mogherini announced that the parties had reached solutions on key parameters of the JCPOA. Tensions rose high during this round, as some of the major issues were to be sorted out. Both Kerry and Zarif at one point nearly left the room, infuriated about the other's unwillingness to budge, requiring Mogherini to take control and keep them in the room as the mood got heated (Personal communication, Abbas Golriz, 23/06/2016). At the lower level, Helga Schmid also repeatedly had to intervene and convince negotiators to remain at the table (Personal communication, EEAS official, 14/06/2016). During her

press statement on April 2nd, Mogherini elaborated on some of the issues that were pointed out above as points of disagreement. It seemed that some of the broader issues that carried a lot of political weight had started to be resolved. Amongst other issues, the framework stated that the Arak reactor was to be converted so that it did not produce any weapons-grade plutonium and that the IAEA was to continue to be permitted access to the Iranian nuclear sites. Regarding commitments from the E3/EU+3, Iran received assurance of the termination of sanctions and of the fact that a new UNSC resolution would terminate all previous nuclear-related resolutions (Mogherini, 2015a). While this framework agreement was an unwritten understanding, it laid crucial foundations for a formal, comprehensive deal (BBC, 2015).

The framework agreement was the starting shot of the final stretch towards a comprehensive agreement. EEAS negotiators and their Iranian counterparts met again in Vienna on May 12th, to start drafting the agreement based on the agreed upon parameters (Arms Control Association, 2015). In June, multilateral negotiations resumed as the E3/EU+3 and Iran arrived in Vienna. These negotiations took place in a true marathon-fashion, with late nights of negotiations and talks that were dragging on and on. The negotiations went on for so long, and were constantly at such critical point, that John Kerry spent three continuous weeks in Vienna during this final stretch of the negotiations. This is the longest that any US Secretary of State spent in one place since the second World War (Iran Daily, 2015). Most of the issues that were still to be sorted out were the more technical aspects of the deal, outlined above, and each party was determined to still gain as much as possible. Again, deadlines were missed, to great frustration of the journalists covering the event, and the final date for an agreement was pushed back from June 30th to July 7th. On the day of that last deadline, Mogherini announced to the press that the negotiations would continue and said that the deadlines were to be 'interpreted flexibly', as they would continue to negotiate until a deal was reached (Mogherini, 2015b). As the penholder of the agreement and the mandated negotiator for the E3/EU+3, the EU played an important role during these negotiations. Most press coverage went to meetings between the US and Iran, who's standpoints were furthest apart, and to multilateral meetings between the E3/EU+3 and Iran. However, most progress on the actual drafting was made in bilateral EU-Iran meetings (Personal communication, EEAS official, 14/06/2016).

The negotiations in Lausanne and Vienna were very secretive, with negotiators entering the hotel through the kitchen's backdoor and a consistent ban of cell phones in the negotiation rooms (Personal communication, Abas Golriz, 23/06/2016). Impressively, with so many people involved from seven different countries and the EU, no significant information was leaked during the negotiating process. Getting a good overview of the exact progress of the talks during this period is thus particularly hard. Even the journalists at the scene didn't know exactly what was going on. So

out of boredom and frustration with the lack of information, they ended up tweeting and writing about arbitrary things such as the negotiators whereabouts for dinner or Kerry's bike ride around the city (BBC, 2016). While seemingly trivial, this lack of substantial information of journalists, indicates the near waterproof nature of the negotiations.

Finally, after seventeen days of continuous negotiations, at 3 a.m. on the 14th of July, EEAS officials laid their hands on the last details of the final text (BBC, 2016). Mogherini announced the deal in a joint statement with Zarif. They stated that the JCPOA – that would contribute to regional and international security – proved that courage, political will, mutual respect and leadership could deliver (Mogherini, 2015c). The main implications of the deal for Iran was the increasing of its break-out time by a reduction of its enrichment capacity to 3,67% with a maximum stockpile of 300kg for 15 years. The E3/EU+3 committed to lifting all nuclear sanctions, although sanctions related to other issues, such as human rights and terrorism, remained active. Furthermore, dispute resolution and snap-back mechanism were put in place and a Joint Commission, to meet quarterly, was set up (Geranmayeh, 2015b). The JCPOA was formally endorsed by the UNSC on July 20th, through resolution 2231. This resolution replaced all the previous ones, as Iran had demanded. On the same day, the Foreign Affairs Council of the European Union also approved the deal (Council of the EU, 2015). January 16th marked Implementation Day of the JCPOA. After confirmation of the IAEA that Iran had implemented its nuclear obligations, the EU's nuclear-related sanctions were terminated and US sanctions ceased (Geranmayeh, 2015b).

5.2.4. CONCLUSION

It can thus be concluded that 2013 signaled a crucial turning point in the negotiating process, due to Rouhani's election as president of Iran. Between 2010 and 2013, little to no progress was made in achieving a diplomatic agreement that would ease the international community's concerns about the potential military dimension of Iran's nuclear program. The main developments before the summer of 2013 were the installment of new sanctions, both multilateral UN sanctions and unilateral EU (and US) sanctions, with the EU oil embargo as a climax. These sanctions were put in place under increasing pressure from the US, due to Iran's strides in its nuclear program and because of the looming escalation of Middle-Eastern regional conflict between Iran and Israel. After Rouhani's election, the dynamic switched to one of engagement and negotiations and an interim agreement was reached quickly. Harsh standpoints and red lines still obstructed an easy road to a comprehensive agreement and led to many an extended deadline. However, chaired by EEAS

officials, the negotiations finally came to a close and a comprehensive, historical deal between the E3/EU+3 and Iran was reached on July 14th 2015.

5.3. THE EU'S BEHAVIOR THROUGHOUT THE PROCESS

As the dynamic of the negotiations changed from before and after 2013, the EU also took up a different role, behaving differently and employing different policy instruments. The first research question will therefore be answered in two parts.

Between 2010 and 2013, the EU functioned as a diplomatic communication link between the US and Iran. Despite the lack of progress, the EU used its diplomatic ties with the Iranians to continue to engage the country in different negotiation rounds. Because US diplomats were not allowed to engage in direct bilateral talks with the Iranians under the Ahmadinejad rule, the US relied on the EU to host these multilateral talks and keep contact between the two countries going (Personal communication, EEAS official, 14/06/2016). Through its links with both countries, the EU attempted to ensure the avoidance of a military escalation. The Union tried to employ its diplomatic service as a political policy instrument. However, as outlined above, it was obstructed from fully taking up the position of mediator because of reluctance to engage on the Iranian side. The EU therefore had to rely on other instruments in order to be able to engage in the process that they intended: a diplomatic negotiating process aimed at avoiding military escalation in the region as well as internationally. The main policy instruments used during this period, were economic instead of political. More specifically, the EU relied on sanctions to push the Iranians into a more favorable position at the negotiation table. The EU's role was thus double. It was both an interlocutor between Iran and the US and an actor applying economic pressure to influence one of the other parties in the negotiations. Throughout these 4 years, the EU took both political/diplomatic and economic measures, but relied most heavily on the latter.

During the second phase of the period of negotiations analyzed in this thesis, the EU was able to fully play out its role as mediator and chairman of the negotiations. As mentioned above, the EU was the penholder, so EEAS officials at all levels had access to information on each actor's preferences and negotiables. The EEAS negotiating team was the EU's main instrument during this phase. This team was relatively small and consistent throughout the entire negotiations. Helga Schmid worked under both Ashton and Mogherini and Stephan Klement was involved in the Iran file for twelve full years, which meant that both of them had built up an invaluable amount of knowledge and insight. However, besides being the mediator, the EU was also still a party in the negotiations. In this role, it relied on economic incentives – the lifting of sanctions – to seduce Iran into agreeing to take

measures that would assure the other parties of the peaceful nature of its nuclear program. Again, the EU thus had a double role of mediator and negotiating party, but during this phase of the negotiations the focus was on the former. After all, the incentive of sanction relief was not an active measure that the EU took, but rather a luring promise that would only be activated once the deal was signed. Its main measures were thus taken on the diplomatic side, relying on its diplomatic team as a political instrument.

In conclusion, there was a clear change in behavior from the EU after 2013. From 2010 to 2013, the focus was more on the EU as a party in the negotiations. The EU employed hard economic measures, namely sanctions, to achieve its goal. During the second phase, the EU continued to be an important actor at the negotiating table, but more through its position as mediator than through its position as party. After 2013, the EU relied more on soft diplomatic measures.

5.4. EU ACTORNESS

In line with the answer to the previous question, the components of actorness of the European Union will also be discussed for 2010-2013 and 2013-2015 separately.

5.4.1. EU ACTORNESS (2010-2013)

5.4.1.1. Opportunity

The external context of the negotiations was overwhelmingly negative before Rouhani's election. Despite the more favorable approach taken by the Obama administration compared to previous US administrations, the relation between the US and Iran was still far from amicable. Since the direct diplomatic ties between both countries were cut after the Iranian revolution, animosity and hostility had built up for over three decades, leading to enormous mistrust against one another (Personal communication, Abas Aslani, 11/08/2016). The US and Iran were still not allowed to talk to each other directly under the Ahmadinejad presidency, making the EU's role of mediator all the more important, but also much more cumbersome. Furthermore, the uncooperative stance of the Iranian negotiations team led by hardliner Jalili – speaking only Farsi, refusing to discuss the PMD, … – diminished the EU's opportunity to act even further. It is interesting to point out that this external behavior of Iran, was influenced by the countries internal developments. Ahmadinejad's reelection in 2009 had resulted in many enemies amongst the more moderate Iranians. He was thus left with the support of very strong hardliners, such as the powerful Islamic Revolutionary Guard Corps, leaving

him no room to take on a more moderate position (Personal communication, EEAS official, 14/06/2016).

In addition to this already hostile external environment, the rapid developments in the Iranian nuclear program led to a much tenser atmosphere in the international community regarding the Iran issue. As mentioned above, especially the fact that Iran could enrich uranium up to 20% led to a strong reaction and demand for sanctions by various actors (Personal communication, EEAS official, 23/06/2016). As the US pushed for more severe sanctions, and regional actors threatened to use military force against Iran, one can hardly say that the EU was presented with an atmosphere that favored soft, diplomatic actions such as negotiations. Rather, the EU was only presented with the opportunity to employ harder measures and put economic sanctions in place. During this first phase, the opportunity thus allowed for a much less favorable pattern of negotiations than during the second phase (Personal communication, Abbas Golriz, 23/06/2016).

5.4.1.2. Presence

Generally, Iranians have always had a fairly positive connotation towards the EU, especially when compared to their view of the US (Personal communication, Abbas Golriz, 23/06/2016; Abas Aslani, 11/08/2016). The EU and Iran have a long history of trade and cultural exchange, dating back much further than the nuclear issue (European Commission, 2012). That has led to a feeling of familiarity with European products, such as French cars, and the popularity of news sites such as *Euronews* in Iran (Personal communication, Abbas Gorliz, 23/06/2016). The Iranian perception of the EU was thus relatively positive before the implementation of sanctions. However, Rouhani – at the time still Iranian chief negotiator – had implied that the EU was not a player with very much to offer (Bergenäs, 2010b). While seen in good light, the EU did not come across as a very powerful or considerable actor.

The sanctions, and particularly the 2012 oil embargo, influenced this perception of the EU. This measure was perceived as very negative, leading to a less favorable image of the EU in Iran. (Personal communication, Abas Aslani, 11/08/2016). Interestingly however, through the interviews it became clear that the implementation of sanctions, while perceived negatively, was not in se accorded to the EU. The Iranian perception was that the United States were behind all EU sanctions, exerting pressure on Europe to cooperate with the US against Iran (Personal communication, Abbas Golriz, 23/06/2016; Abas Aslani, 11/08/2016). The Iranian mistrust of the US thus ran so deep, that the EU's harmful measures were reflected back upon the US. The sanctions did cause a slight indent in the EU's reputation in Iran. However, because of the presence of the US as Iran's ultimate counterpart, the EU was still considered the more favorable actor. This confirms that Kupchan's statement

regarding the EU as a counterpoise to America (see infra), also applies to more political questions and not solely economic issues. However, while the sanctions had a relatively negative impact on how well the EU was perceived, they also made the EU noticeable as a more powerful actor, as will be seen in the second part of the actorness analysis.

5.4.1.3. Capability

Coherence

- Vertical coherence

The vertical coherence between 2010 and 2013 was fairly strong. France had traditionally taken up a harder stance than the rest of the EU member states, but as the EU as a whole turned towards strict sanctions, internal positions remained sufficiently united (Levy, 2012). Neither during the process tracing analysis nor during the interviews, did any strong vertical incoherence throughout this time period come up.

- Horizontal coherence

Regarding horizontal coherence, there was not much of a chance for other policies towards Iran to interfere with the EU's strategy to deal with the nuclear issue. Since 2005, the EU's concerns over the Iranian nuclear program dominated EU-Iran relations (European Commission, 2012). In very few other policy areas was the focus so overwhelmingly on Iran. The only other policy area in which Iran received a lot of attention, was that of the protection of human rights. Particularly after the crack-down on protests after Ahmadinejad's reelection in 2009, the EU strongly voiced its concerns with human rights violations in Iran. In the context of these human rights violations, the EU has also issued sanctions against Iranian individuals, including asset freezes and admission restrictions (European Commission, 2012). Much like the EU's policy towards Iran's nuclear program, its policy towards the human rights violations implied strong condemnation and sanctions. Both approaches were thus similar, leading to the conclusion that horizontal coherence was strong throughout this part of the process.

- Institutional coherence

Within the institutions, there was widespread support for the HR/VP's actions towards Iran. Both the sanctions as the efforts to engage Iran were commended. The institutional coherence contributing to the EU's capacity was thus strong. However, one institution was not completely on the same line as the others. The European Parliament, while supportive of the EU's policy on the nuclear issue, insisted that the policy be broadened. Particularly the human rights violations were an aspect they

urged the HR/VP to pay more attention to in the EU's relations with Iran (European Parliament, 2011).

All three dimensions of coherence were thus relatively strong between 2010 and 2013, although there were some challenges regarding institutional coherence, notably due to the Parliament's position on human rights violations. However, this slight disadvantage to institutional coherence did not suffice to hinder the EU to carry out its policy consistently. The EU was clearly able to formulate a coherent policy towards Iran, that focused on exerting economic pressure to force Iran back to the negotiating table.

Policy instruments

The answer to the first question already gave a glimpse into the kind of policy instruments used and their availability during this first phase of the analyzed negotiating process. Consequently, these will only shortly be addressed here. The EU employed both diplomatic and economic instruments during this phase of the negotiations, but the focus was much more on the latter. The oil embargo had the biggest impact of all sanctions imposed on Iran, both multilateral and unilateral (Personal communication, EEAS official, 23/06/2016). This was obviously because of the structural importance of the EU in Iran's trade relations, but this will be further elaborated upon in the final part of this chapter concerning the interlinkages between the different factors of actorness. The EU did also try to employ its diplomatic instruments, notably its negotiating team. This policy instrument was less available to be put to use however, as external factors obstructed EEAS officials to operate successfully.

5.4.2. EU ACTORNESS (2013-2015)

5.4.2.1. Opportunity

The external environment during the second phase of the negotiations, was much more in favor of EU actorness in the Iran file. A first, crucial aspect of opportunity was the UNSC mandate awarded to Javier Solana in 2006 (Schmid, 2015; Personal communication, EEAS official, 14/06/2016). While this was obviously also in place in the previous phase, the EU was unable to act on it due to restricting factors in its external environment. The fact that the E3 initiated negotiations in 2003 was the reason that the EU was appointed as lead negotiator for the E3/EU+3. In a form of path-dependency, this also led to the EU being accepted as the main negotiator during this phase of the talks. While this is thus due to EU action (and capability) in the past, it is considered as part of the opportunity here,

seeing as it was part of the setting when the period of investigation of this thesis started and was awarded by actors that were external to the EU as well.

As mentioned above, an important external change was brought about when Rouhani was elected as Iranian president in 2013. All the interviewees regarded this as the most crucial development that allowed a breakthrough in the negotiations. His election substantially changed the Iranian attitude during negotiations, which – as pointed out above – had been a big factor diminishing the EU's opportunity before. Under Rouhani, Zarif was Foreign Minister and chief negotiator. He and his team were allowed to discuss issues that had previously been off limits and that were related to the PMD of the Iranian nuclear program, such as restrictions on heavy water stocks, how to deal with the 20% enriched uranium etc (Personal communication, EEAS official, 14/06/2016). While there were still some 'red lines' as to how far the Iranians were willing to go, the mandate that Rouhani had received from the Supreme Leader was much broader than Ahmadinejad's before him. Seeing as the Obama administration had already signaled that they were ready to negotiate in 2009, this change in Iranian leadership meant that now, all parties were fully committed to achieving a deal through multilateral diplomacy (Personal communication, EEAS official, 23/06/2016). This commitment from all sides was signified by the fact that no real leaks occured throughout the negotiations. Despite the fact that Richard Nephew, one of the American negotiators, recently – quite clumsily – admitted that the parties were spying on each other to gain better insights into the other's cards, they all adhered to the agreement that the information on the developments of the negotiations was to be kept between four walls (BBC, 2016; Personal communication, Abbas Golriz, 23/06/2016).

This secrecy was needed, in order not to give opponents of the deal too much of an insight into what was being discussed, nor an opportunity to try and influence the talks (Personal communication, Abbas Golriz, 23/06/2016). After all, despite a generally much more positive opportunity, certain elements in the external environment could still have led to a derailing of the talks. Firstly, as described in the process, domestic opposition in both Iran and the US was strong. If these domestic opponents were to have gotten their hands on important documents, they might have been able to disseminate that information to the public, presenting it as a danger to the national interests (Personal communication, Abbas Golriz, 23/06/2016). Secondly, there were regional opponents such as Israel, but also Saudi-Arabia, that competes with Iran for regional influence. Thirdly, there was the risk that other international developments would influence the talks, particularly if they breached unity amongst the E3/EU+3. The process tracing analysis already describes the Syrian conflict as such a destabilizing factor, while only temporarily, as the French did support the deal that was reached in November 2013. Another conflict that threatened to derail the negotiations was the Russian annexation of Crimea. All three official sources firmly denied any influence of tensions between the

Russians and the EU on the developments of the negotiations. However, other argue that this did have an influence, as increased pressure on the EU to diversify its energy sources might have motivated it to try and seal a deal as fast as possible (Shirvani & Vukovic, 2015; Personal communication, Abas Aslani, 11/08/2016). Whether or not this crisis actually influenced the EU's position, is unclear, but it certainly could have posed an additional risk if relations between Russia and the EU in other matters influenced the nuclear talks.

The EU's opportunity to be a fully-fledged actor, was thus much bigger after 2013. Particularly the commitment of all parties was a positive influence. However, the road was not without challenges, as opposition and external events posed threats to smooth negotiating.

5.4.2.2. Presence

In the previous assessment of the EU's presence, the negative impact of its unilateral sanctions was pointed out. However, once the negotiations were in full swing, Iran's perception of the EU appears to have been overwhelmingly positive. Despite the fact that the sanctions were obviously perceived as unjust and harmful, the EU was considered to be straight forward in implementing them. All EU sanctions were easily put in place and lifted by a Council decision, which made them easier to understand, especially compared to the complicated maze of different US sanctions (Personal communication, Abbas Golriz, 23/06/2016).

The critique that the EU was too influenced by on or loyal to the US lingered, but decreased over time. The EU was increasingly considered to be following its own path, especially because there was no significant domestic opposition that was negative towards Iran (Personal communication, Abas Aslani, 11/08/2016). The Iranian correspondents interviewed in the context of this thesis, emphasized that the EU was considered to be a trustworthy, neutral actor. The EEAS officials reiterated that they felt their team had earned the trust of the Iranians. Both of the High Representatives involved in the talks, received a lot of praise. They were described as very skillful diplomats, who were willing to talk about any point that came up and behaved as concise, delicate and sensitive negotiators. One source suggested that the trust of the Iranians was in part due to the fact that the EU does not have regular elections for its executive power. Seeing as they did not have to expect a sudden change in leadership or strategy from the Europeans, the Iranian team was more likely to consider the EU a consistent mediator (Personal communication, EEAS official, 14/06/2016).

Again, the EU was also seen as a counterweight to the US. Because of the fact that it carried considerable economic weight and as a result of the close ties with the US, Iranians expected the EU to be able to pressure Congress into supporting the negotiations and, ultimately, the deal (Personal communication, Abas Aslani, 11/09/2016). The EU's political and economic weight, were thus

structural factors that contributed to it being seen as a potential alternative to the US. The EU's structural economic power also played a role in pressuring Iran though, as the prospect of regaining access to the EU's energy market was particularly tempting to Iran in order to revive its economy. Importantly, however, the EU was also seen as relatively effective, quickly implementing both the interim and the comprehensive deal. One of the EEAS officials argued that it was thus big enough to have an impact, but not too big as to require very lengthy bureaucratic processes, as the UN would (Personal communication, EEAS official, 23/06/2016). This is a remarkable point, considering that the EU often gets criticized for having lengthy, complicated decision-making processes.

In conclusion, while the perception of the EU had thus previously already been predominantly positive, it was considered much more of an actor to take into account during the second phase, or at least as an actor that could make a difference. The positive perception of the EU was previously based mainly on its historical ties to Iran, while after 2013, it were its negotiators and its policies that were regarded as its strengths.

5.4.2.3. Capability

Coherence

- Vertical coherence

The process tracing analysis already pointed out certain problems with coherence within the EU's ranks during this phase of the negotiations. Particularly the harsh stand of France and Fabius' media performance in November 2013 showed cracks in EU unity. This 'good cop – bad cop' game between France and the EU did hinder the negotiations at certain points, harming the vertical coherence (Personal communication, Abas Aslani, 11/08/2016). However, these bumps were fairly short-lived, and most parties recognized that this was mostly a public show to satisfy the French allies (Personal communication, Abbas Golriz, 23/06/2016). Seeing as no one seemed to really consider a French derailing of the negotiations as a real possibility, these moments of vertical incoherence don't seem to have harmed the overall process.

- Horziontal coherence

The human rights policy towards Iran remained the same during the second phase of the negotiations. Unlike the approach in the nuclear file, no lifting of sanctions was discussed. However, the last round of human rights sanctions was imposed in 2011. While the list of individuals targeted was regularly updated – the last update was in 2016 – no additional sanctions were put in place (Council of the EU, 2016). Furthermore, these sanctions were targeted at individuals, and thus did not imply economic pressure on the Iranian economy as a whole. They therefore did not threaten the

economic revival promised if nuclear-related sanction relief was afforded. While the horizontal coherence during the second phase was thus less strong than before 2013, it can be argued that there was no real incoherence between the different policy areas either, as one did not hinder the effectiveness of the other.

- Institutional coherence

All of the EU institutions expressed their strong support for the developments between 2013 and 2015. The European Parliament welcomed the JPOA in its 2014 resolution on the EU strategy towards Iran. The institution commended the HR/VP for her involvement and stressed that there could be 'no alternative to a peaceful negotiated solution', thus approving the continued efforts of the EEAS to mediate a comprehensive agreement (European Parliament, 2014). The Parliament did still ask for a broader EU strategy towards Iran, including cooperation on regional issues and in other policy areas, such as trade and human rights. However, no one at the negotiating table considered that opportune, as they insisted the nuclear file be dealt with separately from other issues as not to complicate the talks (Personal communication, EEAS official, 23/06/2016).

The overall coherence of the EU thus remained sufficiently strong, although there were more moments of vertical incoherence than before 2013. Horizontal coherence was less strong, yet still consistent and institutional coherence remained considerably strong.

Policy instruments

The post-2013 era marked the real activation of the EU's diplomatic policy instrument. Its negotiating team could finally fully display its potential. As mentioned before, this team was very consistent throughout the negotiations and thus possessed invaluable insights in and experience with all parties involved. Catherine Ashton was particularly skillful in leading bilateral talks and maintained good relations with Zarif (Personal communication, EEAS official, 14/06/2016). Mogherini was more talented when it came to appeasing to the media. This was a useful skill to have to put the EU more publicly on the map, as media tended to favor coverage of the US and Iran (Personal communication, EEAS official, 23/06/2016). The EU relied on this negotiating team's personal skills. Those were particularly strong, due to the members' years of experience. While those diplomatic instruments were most active during this period of the negotiations, the EU also used economic policy instruments. The incentive of sanction relief was employed to obtain concessions from the Iranian side.

In contrast to the period before 2013, the EU was thus able to really employ its political policy instruments between 2013 and 2015. It relied on its skilled negotiating team to lead the negotiations,

draft the agreements and bring different positions together, both within the E3/EU+3 and between them and Iran. Contrary to before, the EU's economic instrument now came more in the form of incentives than of sanctions.

5.4.3. INTERLINKAGES

Having outlined the different elements of actorness for both phases of the negotiations, the way in which these influence each other can now be analyzed.

Firstly, there is a clear interaction between capability and opportunity, that goes both ways. On the one hand, changes in opportunity had a significant impact on the EU's capability. The UNSC mandate was a crucial element of opportunity that allowed the EU to play the role it did and use its policy instruments. Without this mandate, the EU would have not been able to have its EEAS negotiating team chairing the talks. Seeing as this mandate was not accorded during the period studied, it was not very strongly highlighted during the descriptive process tracing analysis. However, its importance is not to be dismissed. It is clear that Rouhani's election marked a phenomenal change in opportunity for the EU. The fact that both the US and Iran were committed to being present at the negotiating table with a constructive mindset, significantly opened up the availability of the EU's policy instruments, notably that of its diplomatic team. On the other hand, capability also had its impact on the external environment (opportunity). As outlined above, the EU's use of economic sanctions had a considerable effect on the Iranian economy. This economic pressure – as a result of the EU's economic policy instruments (capability) – and its possible relief if the Iranians returned to the talks, significantly contributed to the 2013 electoral victory of the more moderate Hassan Rouhani. There is thus a clear interaction between capability and opportunity, that goes both ways.

Secondly, capability and presence also influence each other. The EU's capability impacted its presence. Once the EU was able to fully employ its diplomatic instruments, they proved to be of great quality. Well-experienced and sensitive mediators contributed to a positive image of the EU in Iran. The analysis of the EU's presence, has shown that the EU was considered a reliable mediator. The EU's clear and consistent policy objective for the negotiations – reaching an outcome diplomatically, that assured the international community of the peaceful nature of Iran's nuclear program – also contributed to this positive image. Both its qualitative policy instruments and its coherence generated a better reputation for the EU. Again, though, this was a reciprocal interaction. Presence also changed capability, especially during the first phase of the negotiations. The economic sanctions could only be as effective as they were, because of the EU's structural economic power. If

the EU had not been such a big energy market for Iran, it is very doubtful that the oil embargo would have had the same impact.

Seeing as both presence and opportunity affect and are affected by capability, they indirectly also influence one another. The direct interlinkages between these two factors of actorness are less obvious than between either and capability. However, there are instances in which an interaction can be observed. For example, the EU's historical ties in Iran as well as its Trans-Atlantic relationship with the US, meant that both countries saw the EU in positive light, or at least as a familiar actor. Acceptance and trust from the different parties at the negotiating table is a crucial condition to be a successful mediator. This relatively strong EU presence, definitely contributed to the fact that the US and Iran accepted the EU as a mediator and responded to its initiatives, opening up its opportunities. Reversely, opportunity also influences presence. As outlined above, there was harsh domestic opportunity to the negotiations in the US. This external development, meant that Iran had to rely even more on the EU to conduct the negotiations. It also gave the EU a relative increase in its presence, as it inevitably looked better as the US looked worse to Iranians. In this instance, opportunity thus impacted presence.

5.4.4. CONCLUSION

In order to answer the first subquestion of the second research question, it can thus be concluded that the EU possessed relatively weak actorness before 2013, as it had little opportunity or availability of policy instruments. However, the EU's actorness significantly increased between the first and second phase of the negotiations. The main reason was an exponential increase in its opportunity, with Rouhani's 2013 election as the most important external development in the entire analyzed timeframe. The availability of its policy instruments, notably political/diplomatic instruments, also became much bigger. The EU's presence was good throughout, but after 2013 it was much more based on its actions and policy instruments, while before the main reason for its good reputation were the EU's historic ties with Iran. It can be argued that the former constitutes a much more powerful, albeit volatile, kind of presence. Below, a schematic representation of the analysis carried out above is provided to give a clear overview of the different factors of actorness for both phases of the negotiations.

<table>
<tr><th></th><th>2010-2013</th><th>2013-2015</th></tr>
<tr><td>Opportunity</td><td><u>Evaluation:</u>
negative

<u>Influencing factors:</u>
- Uncooperative Iranian negotiating team
- Strides in Iranian nuclear program
- Domestic opposition (US + Iran)
- Regional opposition Middle-East</td><td><u>Evaluation:</u>
Positive

<u>Influencing factors:</u>
- Election Rouhani
- Secrecy and commitment actors
- (relative) separation from international crises</td></tr>
<tr><td>Presence</td><td><u>Evaluation</u>:
relatively positive

<u>Iranian perception EU:</u>
- Historic ties with Iran (+)
- EU dependency on US (-)</td><td><u>Evaluation</u>:
positive

<u>Iranian perception EU:</u>
- Trustworthy and capable
- Economic power
- Counterweight US</td></tr>
<tr><td>Capability</td><td>Coherence
<u>Evaluation</u>:
positive

<u>Influencing factors:</u>
- Domination EU Iran-policy
- Strong backing sanctions (MS + institutions)

Policy Instruments
<u>Evaluation</u>:
negative

<u>Influencing factors</u>:
- Economic instruments available
- Political instruments unavailable</td><td>Coherence
<u>Evaluation</u>:
Relatively positive

<u>Influencing factors:</u>
- French stance (-)
- Human rights sanctions (0)
- Strong backing from MS and institutions (+)

Policy Instruments
<u>Evaluation</u>:
positive

<u>Influencing factors:</u>
- Political instruments available
- Economic instruments (incentive) available
- Quality EEAS team</td></tr>
</table>

Asking the second subquestion has proven to be useful and important, as it was indeed shown that the different aspects of actorness are all interlinked, both directly and indirectly. The links between capability and both presence and opportunity have proven to be particularly strong. This once again shows the importance of abstaining from focusing exclusively on either internal (agent) or external (structural) factors when examining actorness. If that had been the approach taken in this research, crucial links and mechanisms would have been overlooked. All three factors have an impact on one another. Still, from this research we can conclude that the change in opportunity, in the form of Rouhani's election, had the biggest impact on the process. It directly influenced the EU's ability to employ its diplomatic instruments and indirectly contributed to the EU's presence and its image of a trustworthy mediator. Admittedly, the analysis above shows that presence (economic weight) and capability (sanctions) influenced this change in opportunity. However, claiming that Rouhani's

election is to be accredited to the EU, and the EU alone, would bear witness to a distorted, Eurocentric point of view. While the EU's pressure was crucial and had an impact, there were a multitude of other external and Iranian domestic factors that played a role. The relationship presence-capability-opportunity is thus much less strong than the reverse order in this instance. In short, the second subquestion can thus be answered by stating that all factors of actorness influence each other, but that during this process opportunity was the most important, game-changing of the three, strongly affecting both other factors.

6. PROJECTIONS FOR THE FUTURE

Now that the EU's behavior and actorness throughout the process of reaching the JCPOA have been outlined, it is possible to consider potential further outcomes in the deal's implementation and to assess its longevity. Furthermore, an attempt will be made to take a look into potential future mediation opportunities for the EU, based on the insights gained in factors that enabled and hindered it in acting as a mediator for the JCPOA.

6.1. FUTURE OF THE JCPOA

July 14th 2016 marked one year since the signing of the JCPOA. Analysts generally agree that the deal has been successful in ensuring that Iran does not acquire nuclear weapons, seeing as the country has faithfully carried out all of its commitments in limiting the nuclear program (Einhorn, 2016). However, there are challenges ahead for this deal as well.

Firstly, there have been considerable problems concerning sanction relief. While nuclear-related sanctions have been lifted, both the EU and the US still have measures in place against Iran for human rights violations and terrorist activities. The US also targets Iran's ballistic missile program. While the JCPOA states that non-nuclear related sanctions are not to hinder any legally permitted actions, the US sanctions against the financial sector in particular, do obstruct the economic revival in Iran (Personal communication, Abbas Golriz, 23/06/2016). Large business delegations to Iran bear witness to the fact that there is Western interest to invest in the country. However, investors are hindered in their attempts to carry out deals as Western banks fear US fines if they cooperate with Iranian financial institutions. This lag in investments is obviously met with great frustration in Iran (Bozorgmehr & Arnold, 2016). The story is thus not over yet. If the deal doesn't start paying off soon for the Iranian economy, there will be a real chance that Iran either halts its compliance with its obligations or at least exerts considerable pressure by pushing the limits of the permitted levels of enrichment or stockpile size. This would put the JCPOA in danger of derailing. Both Iranian correspondents made it very clear that they expected the EU to continue its mediating role throughout the implementation phase. Iran has also explicitly asked the EU to exert pressure on the US to lift financial sanctions, or at least make it more clear to banks what they can or cannot do without risking sanctions (Russia Today, 2016). The Union will have to lessen tensions between Iran and the US and will have an important role in maintaining and implementing the deal (Personal communication, Abas Aslani, 11/08/2016).

Secondly, a big potential problem can be caused by a change in leadership in either country. There are presidential elections planned for the US in November 2016 and for Iran in May 2017. The JCPOA has most chance of survival as long as the governments in power have ownership of it. However, once a new executive power has been put in place, the risk exists that they will not see the deal as their own, posing threats to its smooth implementation. For Iran, it is too early to speculate about whether or not a hardliner, critical of the deal, might win the presidential election. For the US however, it already seems obvious that the new president will not be as favorable towards the JCPOA as Barack Obama, no matter who wins (Personal communication, Abas Aslani, 11/08/2016). Seeing as the deal was negotiated while Kerry was Secretary of State, Clinton will not see the deal as her own (Personal communication, EEAS official, 14/06/2016). It does seem unlikely that she would undertake actions to really jeopardize the JCPOA's future, but she would likely take a much harder stance and demand much stricter implementation, considering her close ties to Israel. Donald Trump on the other hand, has clearly stated that he 'dislikes' the agreement and that it was 'poorly negotiated' (Hensch, 2016). He claimed that he would renegotiate if he were elected. His election would thus signal a step backwards into the process. Considering the fact that his relations with the EU would probably not be too close either, Trump as a whole would likely be a destabilizing factor.

The future of the JCPOA is thus far from certain. However, seeing as it is approved by the UNSC and considering the multitude of actors involved, it seems unlikely that anyone would really jeopardize it. Yet nothing is set in stone and a change in leadership on either the Iranian or American side could have serious implications. What is certain though, is that the EU will continue to play a role and could be crucial in keeping things from escalating.

6.2. FUTURE OPPORTUNITIES FOR THE EU

After the successful mediation efforts in the negotiations with Iran, some have suggested that the EU could take up a similar role in the conflict between Israel and Palestine, or between the parties in the Syrian civil war (Personal communication, EEAS official, 23/06/2016). However, with the insights gained throughout this analysis, it can be stated that it seems unlikely that the EU will act as a mediator in a major conflict soon. The reasons why the chances of strong EU actorness in a mediation role are slim, are outlined below.

The EU has proven that it has the skills and human resources in its arsenal needed to successfully mediate between two conflicting parties. In principle, it thus has the policy instruments needed. However, throughout this analysis, it has been shown that opportunity is a crucial prerequisite to being able to employ policy instruments. Two aspects of opportunity that are necessary for the EU to

act as a mediator, are commitment of all parties to arrive at a diplomatic solution (here: Rouhani's election) and a mediating mandate (here: UNSC resolution 1696). In neither of the two conflicts that were suggested above, does this opportunity seem plausible in the near future. In both cases it is unlikely that the parties will fully commit to an acceptable diplomatic solution any time soon (Personal communication, EEAS official, 23/06/2016). In the case of Syria, there is a coalition founded to attempt to reach a diplomatic solution, with the support of the UNSC: the International Syria Support Group. However, this group is not led by the EU, but co-chaired by Russia and the US (The Syria Institute, 2016). The fact that other actors take the lead, makes the EU even less likely to act as main mediator.

While the EU might possess the right policy instruments, policy formulation and prioritization as a result of coherence, are also crucial elements of capability. In order to carry out the role of mediator, the EU would not only need an external mandate, but the EEAS would need the Council to approve its actions as well. This means that all member states would have to support a certain approach, or in other words, that there would have to be strong vertical coherence. While the EU's nonproliferation strategy provided a coherent base to work on, on many other issues member state opinions are much more divided. Achieving strong vertical coherence would be particularly cumbersome in the Syrian case, as member states' approaches towards this case vary (European Parliament, 2016). In addition, priority will most likely be given to solving internal crises in the upcoming few years. A looming Brexit, the refugee crisis and continuing economic hardship in the periphery will all require the EU's attention to be turned inwards, rather than outwards.

The EU also has considerable reputational problems. The EU is strongly criticized for not being active enough in trying to resolve conflicts in its direct and wider neighborhood. Particularly since its slow response to the Arab spring and because of its lack of unified response to the Syrian conflict, the EU is increasingly seen as a weak actor, insufficiently involved in international crises. This naturally diminishes the EU's presence, making it less likely that parties will accept the EU as a mediator between them. In principle, the EU's successful mediation of the JCPOA, should add to its reputation, increasing its presence. However, with media coverage focusing nearly exclusively on the US and Iran, very little attention was paid to this European diplomatic effort. Since the EU's mediating went nearly unnoticed, it failed to strongly contribute to its presence (Personal communication, EEAS official, 14/06/2016).

It can be argued that there are few new mediating opportunities for the EU on the horizon. While the EU does possess the necessary policy instruments, it is poor on vertical coherence and rich in internal crises, harming its ability to formulate a coherent foreign policy. Furthermore, the EU's reputation is

harmed by having been too passive in recent international crises. However, the main factor obstructing future EU mediation is opportunity. The most important conditions for the EU to be able to once again play the role it did during the JPCOA negotiations, is full trust and commitment from both sides and an international mandate. At the moment, it possesses neither in the context of any contemporary crises.

7. CONCLUSION

The European Union's foreign policy is often criticized for being incoherent and inefficient. However, the EU – and in particular the High Representative and her team – received a lot of praise for mediating the negotiations of the Joint Plan of Action. This is one of the rare instances where the EU is commended instead of criticized for its foreign policy. That raised the question as to what exactly the EU did during these negotiations, and what factors enabled or hindered it to be successful. This interest translated into two research questions. Firstly, the aim of this thesis was to analyze exactly what role the EU played during the negotiations from 2010 to 2015 and what measures it took. Secondly, an answer was provided to the question of to what extent and why the EU possessed actorness throughout this process.

In a response to the first question, it can be stated that the EU was in the very peculiar position of being both a negotiating party and the mediator during the talks that lead up to the JCPOA. While this double-hatted position was in place throughout the five years under analysis, the research revealed that the EU played two distinctly different roles before and after Rouhani's 2013 election. During the first phase of the negotiations (2010-2013), the emphasis was much more on the EU as a negotiating party than as a mediator. Through coercive measures in the form of economic sanctions, the Union attempted to force Iran back at the negotiating table. The EU thus acted more as a rational negotiating party, attempting to exert pressure on Iran in order to have the country act in a way that would contribute to the EU obtaining its goal of a diplomatic, non-violent resolution of the issue. During the second phase (2013-2015), the scale tipped towards the position of mediator. As all parties returned to the talks, the EU could fully carry out its role of mediator, both between the E3/EU+3 and Iran as within the E3/EU+3 itself. EEAS officials chaired bilateral and multilateral meetings. They were also the ones drafting the agreements. After 2013, the EU relied much more on the quality of its human resources than on brute economic power.

The second research question was answered by analyzing the different aspects of EU actorness for both phases of the negotiations. The conclusion can be drawn that EU actorness increased significantly after 2013. Relative to the period before, an overall increase in opportunity, presence and capability can be observed. Regarding opportunity, Rouhani's election was a major turning point. As a result of his presidency, a switch in attitude of the Iranian negotiators occurred. Before 2013, they took an uncooperative stance, refusing to speak English or discuss certain topics. Afterwards, the atmosphere was much more open, with more issues up for discussion and progression of the negotiations through meaningful talks. Concerning presence, the EU's reputation in Iran was never negative, in part because it was compared to the very negatively regarded United States. However,

after 2013 this positive perception was based on the recognition of the EU's qualities as an important political and economic actor. Before, historic ties laid at the basis of the Iranian impression of the EU. The EU's capability was also strengthened considerably after 2013, mainly because of an increase in availability of high-quality diplomatic instruments (the EEAS negotiating team). Vertical coherence declined slightly during the second phase, because of instances of French disturbance. However, actorness as a whole increased relative to the first phase.

This thesis also considered mutual codependency between the different aspects of actorness. It became clear that all three were closely interlinked when considering EU actorness in the Iran file. The strongest reciprocal relationships were observed between opportunity and capability, and capability and presence. However, while all aspects were influenced by one another, in this case, opportunity had the biggest impact. Rouhani's election acted as a catalyst. The consequent willingness of the Iranian team to take a seat at the negotiating table, was what allowed to EU to employ its diplomatic instruments. The quality of these instruments in turn yielded the EU a better reputation in Iran.

Drawing on the analysis and the obtained answers to the research questions, an attempt was made to formulate projections for the future. Firstly, regarding the future of the JCPOA itself, the conclusion can be drawn that uncertain times await the deal. Incomplete sanction relief and change in Iranian or American leadership are two potentially destabilizing factors. It is clear that the EU will – and is expected to – continue to play a mediating role. Secondly, the potential for future EU mediating efforts was taken into account. While some suggest that the EU could play a similar role in other (inter)national conflicts, this research concludes that that is unlikely to happen in the near future. Necessary conditions would be that both parties are willing to reach a diplomatic solution and that they trust the EU. Furthermore, both an international (UN) mediation mandate and support from all EU member states are required. No conflicts could be thought of in which all these conditions are met or will be soon.

As a final conclusion, it can thus be stated that the EU possessed considerable actorness during the negotiations with Iran. Especially after Rouhani's election in 2013, the EU fully took on the role of mediator. This research has proven that the EU acted purposely as a mediator and could count on a high-quality negotiating team. However, this kind of mediating role is highly dependent on the right external circumstances, outlined above. Unfortunately, it does not seem that the EU will be able to repeat the JCPOA's success in another setting any time soon, as these external conditions do not seem to be met in any other contemporary conflicts.

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