Unanimity in EU Economic Statecraft: Decision-Making Constraints and Reform Options

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Abstract

This conceptual article examines whether unanimity constitutes an inherent structural problem for diplomacy or whether its dysfunctional character depends on the specific form it takes and the economic diplomacy instrument it constrains. Drawing on illustrative cases from EU Common Foreign and Security Policy practice and applying Pirozzi's (2026) four-type taxonomy as its analytical framework, the study argues that unanimity is not uniformly problematic. Necessary unanimity, constitutionally embedded, fulfils a legitimacy function and must be distinguished from instrumental unanimity, where veto power extracts concessions on unrelated issues, and from negotiable unanimity, where accommodation costs erode effectiveness. The costs of unanimity vary across instruments: sanctions are most sensitive to delays, trade agreements are vulnerable to hollow implementation, and financial mechanisms face exposure to inevitable unanimity through procedural constraints. The article connects EU institutional law, economic diplomacy theory, and formal bargaining theory to produce a differentiated analytical framework enabling targeted, Treaty-compliant reform proposals.

Keywords: *economic diplomacy; EU Common Foreign and Security Policy; qualified majority voting; sanctions; multilateral decision-making.*

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1. Introduction

When the European Union finalised a EUR 90 billion support loan to Ukraine in April 2026, following a change of government in Budapest that removed the final procedural obstacle to an arrangement blocked since December 2025, it illustrated in concrete terms how collective decision-making rules can delay economic diplomacy instruments well beyond the moment at which they are strategically needed.

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The debate on unanimity in EU foreign policy is not new, but it is intensifying. Some regard the requirement as an obsolete relic of inter-governmental decision-making ill-suited to today's global reality; others see it as essential protection for smaller member states against the tyranny of qualified majorities; still others view it as a foundational element of the Union's sovereign compact. While these views are difficult to reconcile, they share a common shortcoming: they treat unanimity as a single institutional mechanism with a single purpose. Requiring unanimity to deploy military force in a crisis management operation is a fundamentally different matter from requiring it to prevent a member state from blocking a sanctions regime unless its energy dependence is carved out. Treating both as the same type of consensus produces reform proposals that are either constitutionally unachievable or disproportionate, and obscures the conditions under which unanimity is truly dysfunctional rather than merely slow.

This article attempts to develop an analytical model to respond precisely to this question. Building on Pirozzi's (2026) four-type taxonomy of consensus in EU foreign policy and linking it with multilateral bargaining (Miettinen & Vanberg, 2025), two-level games (Putnam, 1988) and economic diplomacy (Okano-Heijmans, 2011; Woolcock, 2011) theories, it shows that consensus per se is not a problem for diplomacy. Rather, the extent to which consensus is dysfunctional is contingent upon the form it takes and the economic diplomacy tool it restricts. The costs of consensus are therefore not uniformly borne across institutions and cannot be reduced to a single reform proposal: they vary according to sanctions regimes, trade and association agreements, financial tools and other instruments, and accordingly require similarly varied responses.

Two principal contributions follow from this article. On the analytical level, it brings together three distinct literatures, EU institutional law, economic diplomacy theory, and formal bargaining theory, which have developed separately until now, and applies a differentiated consensus framework for the first time to the area of economic diplomacy. At the practical level, it offers a targeted and Treaty-compliant framework for designing reforms that are less comprehensive than previous ones.

2. Literature review

Ruggie (1993) defined multilateralism as the organisation of collective action among three or more states based upon generalised principles of conduct. Multilateralism therefore represents a structural commitment to non-discriminatory practices and indivisible interests that may limit sovereignty. This inherent tension between institutional consistency and state autonomy is present at every stage of decision-making related to diplomacy.

Putnam (1988) developed a two-level game model to analyse the influence of both international negotiation and domestic ratification logic on diplomatic outcomes, arguing that the design of decision-making processes shapes what agreements are feasible. Read together with Ruggie's (1993) structural framework,

these two approaches show that the design of decision-making rules, including unanimity, is not a neutral procedural matter but one that shapes diplomatic outcomes substantively.

Multilateral cooperation is the larger framework within which economic diplomacy operates. Okano-Heijmans (2011) identified five distinct approaches to economic diplomacy ranging from commercial to geopolitical, with a critical finding that economic diplomacy is fundamentally relational: a diplomat's success in achieving an economic goal is contingent upon the credibility and cohesiveness of the representing entity, regardless of available resources. Woolcock (2011) extended this work to the EU, finding that economic diplomacy conducted by the EU is fundamentally fragmented due to the division of competence among various forms of EU governance and associated voting requirements, thereby hindering its ability to project a unified economic strategy internationally.

The empirical research generally supports these assertions. A meta-analysis by Moons and van Bergeijk (2017) of thirty-two empirical studies found a consistently positive relationship between diplomatic representation and bilateral trade flow, concluding that credibility and continuity in diplomatic engagement, characteristics eroded by diplomatic gridlock, have tangible economic implications. Bayne and Woolcock (2017) further argued that time and certainty in economic diplomacy are becoming increasingly crucial, as delayed or ambiguous collective reactions provide asymmetrical advantages to countries acting unilaterally.

Formal models of multilateral bargaining developed by Miettinen and Vanberg (2025) analysed how actors make public commitments to minimum demands prior to each round of bargaining. Their core finding is that among all majority-based decision-making rules, unanimity is uniquely inefficient: strategic pre-commitment is individually rational for each actor under unanimity, but collectively disastrous, causing delays and deadlocks. Using fourteen years of data from UN climate negotiations, Rietig et al. (2023) similarly conclude that the confusion between consensus and unanimity in multilateral fora creates uncertainty about whether agreement exists at all. Despite differing methodologies, these studies share a common diagnosis: unanimity causes suboptimal outcomes through different mechanisms.

Neither study, however, examines the specific context of economic diplomacy, nor do the authors differentiate between uses of unanimity intended to fulfil legitimate institutional purposes versus those used as bargaining tools unrelated to the subject matter of the negotiation.

Most developed empirical and institutional research on unanimity in diplomatic decision-making involves the EU's Common Foreign and Security Policy (CFSP). A wide range of scholars agree that the unanimous vote requirement in CFSP has resulted in repeated instances of policy paralysis. Meissner (2023) analyses EU sanctions imposed on Russia after its invasion of Ukraine, finding that urgent circumstances were consistently moderated by member states' need to accommodate dissenting parties. Korkea-aho et al. (2025) extend this inquiry by showing how Russia's invasion of Ukraine resulted in an

informal separation of EU sanctions activities into ordinary and emergency tracks, concentrating agenda-setting authority in the Commission while introducing additional legitimacy risks.

Finally, Pirozzi (2026) offers the most analytically sophisticated treatment to date, arguing that the debate surrounding unanimity is theoretically impoverished due to over-simplification of unanimity into a single phenomenon. She identifies four operationally distinct types (necessary, negotiable, inevitable, and instrumental unanimity), each serving different institutional functions and each requiring different solutions.

This distinction addresses a major shortcoming in prior scholarship: none of the formal economic literature nor EU-specific empirical literature addressed differences between situations in which unanimity reflected a legitimate national interest versus situations in which it served as a tool for extracting concessions unrelated to the issues under discussion. While Pirozzi's research focuses on CFSP as an organisational/legislative system, she does not explicitly link her four types to specific economic instruments of diplomacy such as sanctions, trade agreements, association agreements, or financial mechanisms.

In summary, this review has shown that there is overwhelming evidence that unanimity is formally inefficient (Miettinen & Vanberg, 2025); operationally difficult to implement effectively in multilateral settings (Rietig et al., 2023); and institutionally challenged in EU foreign policy (Meissner, 2023; Korkea-aho et al., 2025; Pirozzi, 2026). However, no previous study has examined how unanimity functions as a decision-making rule in relation to varying forms of economic diplomacy or distinguished between various forms of unanimity designed to perform legitimate institutional roles from those used strategically as bargaining tools.

3. Problem statement and research question

The practical consequences of the requirement of unanimous agreement have been clearly demonstrated. In the EU's Common Foreign and Security Policy, the need for all 27 member countries to agree to any foreign policy decision has created a number of instances of stalemate. Greece used its right of veto in 2017 to block a joint statement condemning human rights abuses committed by Turkey against Kurdish populations in Syria. Hungary used its right of veto during 2022 and 2024 to block several rounds of humanitarian assistance to Ukraine. The repeated vetoes over successive rounds of sanctions on Russia resulted in lengthy negotiations to reach agreement. As noted above, these are not marginal cases. The time required to reach consensus among 27 member countries using the method of unanimous agreement is virtually equivalent to eliminating any meaningful use of a given economic instrument.

The analytical problem is no less significant. The available literature converges on the view that requiring unanimous agreement is costly, yet does not provide a systematic distinction between which forms of unanimity are costly,

under what conditions and for which instruments. Consequently, the literature on economic diplomacy treats decision-making rules as background factors. There is a structural disconnect: the literature that documents problems associated with unanimity does not explore differences in how various forms of unanimity affect different types of economic diplomacy instruments; and the literature that examines economic diplomacy instruments does not develop theory-based explanations for decision-making procedures governing their utilisation.

Since unanimity is generally treated as a singular phenomenon, reform discussions tend toward all-or-nothing options between complete retention and complete abandonment for qualified-majority voting. However, both the game theoretic literature (Miettinen & Vanberg, 2025) and historical data (Pirozzi, 2026) demonstrate that unanimity is not a single rule with a single purpose. Reform agendas that fail to distinguish these forms risk abandoning legitimate sovereignty protection while pursuing efficiency improvements that could have been achieved through less far-reaching measures.

Against this backdrop, the paper below addresses the following research question: Is unanimity per se inherently a structural problem for diplomacy, or is its dysfunctional character dependent upon the specific form it takes and/or the economic diplomacy tool it restricts?

This paper posits that unanimity is not inherently dysfunctional for diplomacy; rather it is the intentional weaponisation of veto power to extract concessions on non-relevant issues that constitutes functional dysfunction. Additionally, it is within the realm of economic diplomacy that this weaponisation occurs most frequently, most consistently and is theoretically least understood. Two secondary questions emerge: first, which forms of unanimity practised in EU foreign policy are most commonly employed in economic diplomacy decision-making and produce greater losses in instrument effectiveness? And second, what reform mechanisms will be effective in addressing dysfunctional forms of unanimity without undermining legitimate institutional functions?

4. Methodology

This study represents a conceptual, analytical study. It will not generate primary data based upon field work, surveys, structured interviews or statistical analysis. However, it will develop an original analytical framework, applying a differentiated unanimity taxonomy to the area of economic diplomacy, based on existing theoretical literature and illustrative case material from EU foreign and security policy practice. According to Bayne and Woolcock (2017), developing frameworks is a prerequisite to cumulative empirical inquiry in areas of scholarship in which key concepts are controversially defined and inconsistently utilised.

The epistemology employed is interpretive/qualitative. The article seeks to clarify how different institutional forms of unanimity function in the area of economic diplomacy, and why these differences are important for purposes of policy analysis and reform design. The approach aligns with the body of research

in international political economy and diplomatic studies from which the article draws its inspiration (Putnam, 1988; Okano-Heijmans, 2011; Ruggie, 1993).

The theoretical and empirical bases were developed through a review of relevant literature, using Web of Science and Scopus as primary databases with Google Scholar added to enable cross-referencing. Three sets of related concepts were searched: (i) unanimity, consensus, veto, qualified majorities; (ii) multilateral diplomacy, collective decision-making, international organisations; (iii) economic diplomacy, sanctions, CFSP/EU Foreign Policy. Literature was limited temporally to items published between 2011 and 2026. Classic theoretical works (Ruggie, 1993; Putnam, 1988) have been incorporated when their contributions cannot be replaced.

The inclusion criteria included: (a) peer-reviewed journal articles and books published by reputable academic presses; (b) official documentation from institutions carrying formal legal or policy status (Treaty Articles, Council Decisions, Commission Proposals, European Parliament Reports); and (c) analytical reviews produced by widely recognised research institutes (IAI, SWP Berlin, Carnegie Endowment for International Peace) where they contribute new insights not available in the peer-reviewed literature.

The analytical contribution consists of two stages. Stage One is Taxonomic Adaptation. The four-type classification of unanimity by Pirozzi (2026) provides the conceptual framework. Each type has been mapped onto the principal instruments of economic statecraft (sanctions regimes, trade and association agreements, financial mechanisms). The purpose of this mapping is to show that while unanimity imposes similar costs regardless of the instrument employed, there are distinct ways in which those costs can be realised depending on the instrument. Stage Two is Comparative Institutional Analysis, applying the framework to illustrative cases drawn from EU CFSP practice between 2014 and 2026: the successive Russia sanctions packages; the proposed suspension of the EU-Israel Association Agreement; and the debate over the EUR 90 billion Ukraine Support Loan. There is no claim that these cases form a representative sample; their use is intended to validate the analytical framework's discriminant capability.

Three limitations require acknowledgement. First, the absence of primary data makes analytical claims subject to empirical validation by future studies. Second, the illustrative material is largely confined to the CFSP context, limiting applicability to other multilateral contexts without additional conceptual modification. Third, there exists a normative component to the consideration of reform options that cannot be entirely decoupled from analytical components: identifying instrumental unanimity as the most significant potential site for reform reflects a pre-existing value-based assessment regarding the relative weights assigned to efficiency and legitimacy.

5. Findings and discussions

The first kind of unanimity identified in the analytical framework, necessary unanimity, indicates decisions where the requirement for complete consensus is institutionalised by the Constitution and cannot be replaced. Within the EU, such decisions include CSDP mission launches with executive mandates, changes to the multiannual financial framework, and treaty changes. Within the multilateral sphere, it encompasses UN Security Council decisions under Chapter VII, which require that no permanent member cast a negative vote, a veto, while abstentions are permissible under established practice and do not prevent adoption.

For the purposes of analysing economic diplomacy, this type of unanimity is particularly significant since it can never be changed without fundamentally changing the basis upon which an organisation operates, thus undermining its legitimacy. As Pirozzi (2026) notes, the discussion on unanimity in EU foreign policy often confuses constitutionally irreducible necessity with institutional contingency, leading to reform initiatives that either seek the impossible or consider genuine necessities as merely obstacles. Any realistic reform initiative regarding economic diplomacy decision-making needs to clearly identify those forms of unanimity that are constitutionally required versus those that are not, a distinction consistently left unspecified in the research literature on EU sanctions (Meissner, 2023; Korkea-aho et al., 2025).

Negotiable unanimity constitutes the empirical form most relevant to economic diplomacy. It identifies cases in which the voting unanimity rules are technically applicable yet function in reality as a negotiating mandate: a decision will ultimately occur, yet only through processes of side payments, exemptions, transitional arrangements and similar mechanisms that inevitably reduce the value of an instrument. The nineteen packages of restrictive measures adopted by the Council between February 2022 and October 2025, with a twentieth adopted in April 2026, provide the paradigmatic example of negotiable unanimity.

These formally unanimous decisions under Article 29 TEU conceal a bargaining dynamic that closely resembles Miettinen and Vanberg's (2025) game theoretic models: while Hungary was perhaps most visible in publicly declaring positions that maximised its extraction of concessions while assuming the collective costs of delay, other member states (Slovakia, Austria and Greece) at different times made similar commitments. Many of the specific derogations that occurred throughout this period (for example, Hungary's exemption from the oil embargo through the Druzhba pipeline and longer transitions for seaborne oil supplies) did not represent anomalous behaviour. Rather they represented a structural output of how unanimity works when applied to sanctions instruments that rely on speed, comprehensive applicability and non-discrimination (Meissner, 2023).

Okano-Heijmans (2011) specifies credibility and consistency as key elements for efficient economic diplomacy; Woolcock (2011) explains how the ability of the EU to exercise influence abroad is severely impaired by the

fragmentation of its own decision-making processes. Negotiable unanimity inherently results in policies that increase internal political stability at the expense of external instrument strength. Bayne and Woolcock (2017) also contend that the cost of this trade-off grows exponentially as global competition intensifies: in an environment where the speed of reaction is a sign of credibility per se, the time consumed by negotiations required by negotiable unanimity represents a real capability reduction, not a neutral inefficiency. Nevertheless, negotiable unanimity serves a legitimate institutional purpose: it ensured continued membership by countries that could potentially defect entirely, something that qualified majority voting would not guarantee. There is a genuine conflict between legitimacy and effectiveness that this analysis identifies but does not attempt to resolve.

Inevitable unanimity describes situations in which decision-making procedures are modified to bypass the necessity for unanimity at some stage in order for unanimity to re-emerge as a procedural constraint at a later stage. It is directly pertinent to economic diplomacy since it occurs specifically at the juncture of foreign and economic policies, where the CFSP and the TFEU converge. An example is provided by the case of the EUR 90 billion Ukrainian aid loan (Regulation EU 2026/467). Participating member states used the Article 20 TEU Enhanced Cooperation procedure to agree to provide Ukraine with this loan, despite Hungary opposing such a move. However, this procedure did not eliminate the unanimity constraint: any amendment to the Multi Annual Financial Framework Regulation still needed to be approved unanimously in the Council, giving Hungary effective veto powers over a decision formally structured to bypass it (Pirozzi, 2026). Hungary effectively blocked the loan until a new government came to power in Budapest after the April 2026 elections. The lesson from economic diplomacy is that bypassing unanimity procedurally does not address the underlying political issue; instead, it shifts the constraint to a different institutional stage while adding potential constitutional risk.

Instrumental unanimity is the form most directly responsible for the problems identified in our research questions and most open to institutional remedy. Before proceeding, it should be noted that the present study adapts Pirozzi's (2026) category of instrumental unanimity beyond its original formulation. In Pirozzi's framework, the term refers to situations in which the absence of unanimity is invoked to account for or justify an absence of political will, including in contexts where qualified majority voting would technically suffice. The present article employs the term to designate the deliberate use of a veto threat as a bargaining instrument to extract concessions on matters unrelated to the decision at hand. This reinterpretation is introduced explicitly here and is justified by its greater analytical precision in the context of economic diplomacy instruments.

Instrumental unanimity describes situations in which a member state invokes unanimous consent not because it genuinely objects to a decision based on an irreconcilable interest conflict but rather as a bargaining chip to obtain concessions on other issues. What separates it from negotiable unanimity

analytically is that the stated objections are pretextual. Examples include Hungary's consistent use of its veto over Ukraine-related decisions to put pressure on other member states with regard to unrelated rule of law disputes and EU funding issues (Pirozzi, 2026), and the proposal to suspend the trade component of the EU-Israel Association Agreement in September 2025, which was defeated not due to any substantive disagreement with respect to the trade measure itself but due to member states' blocking positions related to broader foreign policy signalling purposes.

The game theoretic literature provides an exact description of why this behaviour is rational at an individual level and detrimental at a collective level. Miettinen and Vanberg (2025) show that under conditions of unanimous consensus, public commitment to a strict stance prior to negotiations yields higher expected concessions, and this dynamic applies irrespective of whether the actors involved are acting in good faith.

Therefore, instrumental unanimity should not be viewed as an issue of political will or institutional culture but as an inherent structural incentive problem generated by the rules themselves. From a Putnamian perspective (Putnam, 1988), this constitutes a "pathological" interaction between Level I (the international sphere) and Level II (the domestic sphere): the domestic veto player constrains the negotiator not in furtherance of true ratification interests but utilises the international negotiating process for domestic political leverage, reducing all negotiating parties' win sets and increasing the likelihood of mutually sub-optimal non-agreements.

When analysing all four types of unanimity together, an emerging trend becomes evident: there is no uniform cost imposed by unanimity on economic diplomacy instruments. Sanctions are perhaps the most negatively impacted instrument by negotiable and instrumental unanimity. They have short-term horizons of effectiveness; their designs require comprehensive scope to preclude evasion; and their signalling function requires rapid speed and unity.

By contrast, trade agreements and association agreements are more durable toward extended negotiation timelines, with protracted negotiations sometimes contributing to the legitimacy of agreements (Bayne & Woolcock, 2017). For these agreements, the primary cost of unanimity lies not during negotiation but during implementation/enforcement phases where the threat of unilateral non-compliance by dissenting member states can nullify even formally adopted agreements. Financial mechanisms are perhaps most susceptible to inevitable unanimity: multi-staged procedural structures employed in EU budgetary decisions provide multiple opportunities for re-emergence of unanimity requirements even if initial decision-making procedures were structured to avoid such constraints (see Pirozzi, 2026).

These varying impacts have important implications for reform design. A single reform prescription, whether through expanded Qualified Majority Voting (QMV), greater use of Constructive Abstentions (CA), or invocation of Passerelle Clauses under Article 31(3) TEU, will not treat the unanimity problem similarly across all instruments. This is the primary analytical contribution of this study: by

breaking down types of unanimity and relating them to specific economic diplomacy instruments, it allows for reform prescriptions that are tailored, Treaty-compliant and politically feasible.

6. Conclusions

This article sought to answer whether the necessity of unanimity represents a structural impediment to the process of diplomacy. Based upon the analytical development presented throughout the previous sections, the conclusion does not support that assumption and suggests a more precise answer.

The conclusions suggest that the problems associated with unanimity exist in other forms. Specifically, the findings show that it is the instrumental form of unanimity, the purposeful utilisation of veto power to secure concessions on issues unrelated to the subject matter of the decision-making process, that creates the greatest dysfunction associated with economic diplomacy. Furthermore, this form is analytically distinguishable from negotiable unanimity (in which divergent interests among parties produce "accommodation costs" that are institutionally explainable although potentially instrumentally costly) and from inevitable unanimity (where procedural circumvention simply shifts the constraint to a subsequent decision-making point rather than resolves it).

Distinguishing among these types is important because they imply fundamentally different reform strategies: while reforms such as expanded qualified majority voting may be effective in addressing the dysfunctional consequences of instrumental unanimity, they would represent over-reaching and politically unfeasible responses to necessary unanimity and would only provide partial relief from inevitable unanimity.

A second analytical contribution of the study relates to the differing impacts of unanimity-related costs on various aspects of economic diplomacy. Sanctions are particularly susceptible to the dysfunctional effects of negotiable and instrumental unanimity due to time-sensitivity, comprehensive design requirements and reliance on rapid and unified signalling of intent to implement. Conversely, trade and association agreements are more tolerant of protracted deliberations during the negotiating phase but more vulnerable to hollow implementation when participating member states formally accept the terms of an agreement but do not internalise them. Financial mechanisms are structurally vulnerable to inevitable unanimity due to the multiple stages involved in the EU's budgetary procedures.

The theoretical contribution is also relatively precise. The application and extension of Pirozzi's (2026) four-type taxonomy to the realm of economic diplomacy, combined with connections to both Miettinen and Vanberg's (2025) formal efficiency arguments and Putnam's (1988) two-level game logic, provides a bridge between three separate bodies of literature: EU institutional law; economic diplomacy theory; and formal bargaining theory.

Two areas for future research flow directly from these conclusions. First, the model articulated in this paper needs to be tested empirically using a greater

variety of examples of economic diplomacy in practice, including multilateral settings outside of the EU such as the WTO's consensus rule or the UN climate negotiations. Second, future research should examine more closely the circumstances under which instrumental vetoes are most likely to occur. For example, there appears to be theoretical plausibility that member states which rely economically on third-party nations will be more prone to employing vetoes strategically. However, this relationship remains speculative until supported empirically.

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