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The Case of Switzerland in the EU's Privileged Partnerships: Diplomats in Institutionalization Processes

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Abstract

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Abstract:

Swiss-EU relations have been studied previously through the angle of External Governance theories and the concept of Privileged Partnerships (Gstöhl & Phinnemore, 2019; Lavenex & Schimmelfennig, 2009). To nourish the research of the relations between Switzerland and the EU, this thesis brings Diplomatic Practice Theory to the study of this special partnership (Pouliot, 2008; Pouliot & Cornut, 2015; Adler-Nissen, 2015; Neumann, 2002; Constantinou et al., 2021; Kuus, 2015/2023). The research focuses on institutions and the actors within these institutions, the diplomats and those practicing diplomacy. Moreover, it also explores the interplay of formal and informal institutionalisation, following the theory of new institutionalism (March & Olsen, 1984; Mackay, Kenny & Chapell, 2010).

The objectives and aims of this thesis are two-fold. Firstly, it aims to inquire how diplomats and experts from Switzerland perceive their negotiations work in terms of institutional development of Swiss-EU relations. Secondly, it aims to better understand the interplay of formal and informal diplomatic practices.

The method used for this research was to proceed with conducting and analysing, twelve (12) qualitative research interviews with diplomats and experts working mostly for the Swiss FDFA (Federal Department of Foreign Affairs) and one diplomat from the EU (European Union). The interview data was analysed through qualitative content analysis, which was chosen to best

bridge new institutionalism theory with diplomatic practice theory, inductively inquiring into the experiences and interactions of Swiss diplomats and experts working in Swiss-EU relations.

The main findings of this research are, firstly, that diplomats are limited in their agency and possibility to act, because of the rigid structures in place in diplomatic relations. Secondly, due to this rigidity and the limited formal access that Switzerland has in the EU decision-making as a non-member, this setting encourages for the flourishing of informal diplomatic practices. A prominent actor in this informal and formal interplay is the Swiss Mission to the EU in Brussels, which work in large parts informally. Finally, my research showed that the Swiss political system and its internal institutions form a political block opposing the advancement of diplomatic work and negotiations on formal institutional agreement with the EU.

In terms of significance, the thesis brings important insights into the practice of Swiss diplomacy in the negotiations and agreements set between Switzerland and the European Union. It addresses the academic gap in political science of the widely studied research on the peculiar Swiss-EU relation, more specifically here inquiring the negotiations (2014-2024), from a diplomatic studies angle. Moreover, it underlines the possibility of examining these relations using qualitative research methods and encourages additional research on the topic. More specifically, pointing towards further research on discriminatory practices and structures of diplomacy, as well as methodological developments of qualitative research in domains ruled by a high level of secrecy.

List of Abbreviations

AI	Artificial Intelligence
CH	Confoederatio Helvetica (the Swiss Confederation's Latin name)
COREPER	Committee of the Permanent Representatives of the Governments of the Member States to the European Union
DG Relex	Directorate General for External Relations
DI	Differentiated Integration
DNA	Deoxyribonucleic acid
EEA	European Economic Area
EEAS	European External Action Service
EFTA	European Free Trade Association
EU	European Union
FDF	Federal Department of Finance
FDFA	Federal Department of Foreign Affairs
GDPR	General Data Privacy Regulations
IA	Institutional Agreement, also synonym: Framework Agreement
PDC	Parti Démocrate Chrétien (Christian Democratic Party)
PLR	Parti Libéral Radical (The Liberals)
PS	Parti Socialiste (Social Democratic Party)
QCA	Qualitative Content Analysis
ERI	Education, Research and Innovation
SECO	State Secretariat for Economic Affairs
SEM	State Secretariat for Migration
UDC	Union Democratic du Centre (Swiss People's Party)
UK	United Kingdom

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1 Introduction

1.1 Background of the Swiss-EU Relation

For the European Union, Switzerland is simultaneously a partner of important economic exchanges, a neighbour at its heart and an irritating collaborator. Following a history of close cooperation, the two entities have gone through a phase of tension, but recently the atmosphere has relaxed somewhat. The future of their relations remains uncertain and could still be tumultuous because of their sometimes-conflicting approach to their relations. Based on analysing research interviews conducted with eleven (11) Swiss diplomats and experts and one (1) EU diplomat, this thesis will offer insights into the diplomatic practices that shaped this relation over the years. This qualitative research nourishes the study of diplomacy's practices, focusing on negotiations work with the EU, of diplomats and experts working at and around the FDFA (Federal Department of Foreign Affairs) of Switzerland. Furthermore, it brings insights about the institutionalization processes of Swiss-EU relations.

A watershed moment in Swiss-EU relations was the 1992 referendum on the adhesion to the European Economic Area (EEA), an international agreement which gives European Free Trade Association (EFTA) countries access to the European Union single market under the condition of certain political and economic integration policies, developed below in the Norwegian case. This referendum and the many others that have followed in the Swiss-European Union relations was a result of the Swiss Direct Democracy System, in which constitutional order imposes mandatory referendum on any modification of the constitution, but also for the ratification of major international treaties and membership in supranational organisations (Papadopoulos, 2001: 35). Swiss democracy is further characterised by a high popular participation in the decision-making processes within the Swiss institutions, including the possibility for any individual Swiss citizen to gather one hundred thousand (100'000) signatures in eighteen (18) months to propose a popular initiative (Art.139 al.1) or provoke an optional referendum (Art.141 al.1) with fifty thousand (50'000) signatures of Swiss citizens within eighteen (18) months (Federal Constitution of the Swiss Confederation of 18 April 1999). The 1992 EEA referendum was called by Gstöhl and Phinnemore a *critical juncture* (Gstöhl & Phinnemore, 2019: 11). It marked the beginning of a special almost tailor-made relation, based on bilateral agreements,

between the two partners and the start of a path dependency, where Switzerland would try to match EEA access to the EU internal market without the possibility to formally be part of it. The clear popular vote refusal of the EEA adhesion marked a halt to further European integration, tinted by debates about Swiss sacred sovereignty and neutrality (ibid).

This decision also marked the moment when Norway and Switzerland – the stubborn and reluctant-to-joining-the-EU couple – parted ways (Gstöhl, 2002). Norway followed a path of economic institutional integration with the EU through the EEA Agreement, which consisted of strong norms projection by the EU (Hillion, 2011: 6-10). Norway imported the EU *acquis communautaire* and adopted the Case Law of the European Court of Justice, which resulted in a differentiated EU membership (ibid). Thereafter, Norway enjoyed more participation and deeper integration to the EU and its common internal market than Switzerland.

Instead, the EU-Swiss relation evolved in Bilateral Agreements I, adopted in 2002. They are a package of 7 agreements bound together with a guillotine clause, which means that all agreements can only enter into force if all agreements are accepted and if one of these would fail to be adopted or be respected, all the six (6) others would immediately be cancelled (Epiney, 2009:185). The agreements cover an array of topics, such as agriculture, transport, and freedom of movement.

Realising that the cooperation on this model could advance further, Switzerland and the EU concluded another set of bilateral agreements. The Bilateral II, signed in 2004 and entered into force in 2009, covers areas such as media and education, taxation, pensions, and fight against fraud, but also the adhesion to the Schengen and Dublin agreement. Worth noting is that the Schengen and Dublin part, even if formulated as another international agreement, encompasses the integration of Switzerland in the EU *acquis communautaire*, meaning there is a principle of obligation to adopt its further developments even if not part of the decision-making process of this legislation (ibid: 186). The application of the *acquis communautaire* to a third country to the EU is part of a more general trend that the EU adopted in its partnerships with key neighbours. This phenomenon is the result of a tendency of non-EU member will, to access the common market of the EU, without formally being a member of it. Gstöhl and Phinnemore in 2019 called these relations “privileged partnership,” meaning a more intensive cooperation with the purpose of integrating the countries closer to the

EU with an institutionalized framework governing the relation (Gstöhl and Phinnemore, 2019: 3). A process of institutionalization according to the EU privileged partnership approach was started in 2014 with the beginning of the talks for an Institutional Agreement (IA), but the formal negotiations ended with the unilateral withdrawal of the Swiss government on the 26th of May 2021. To summarize the history of Swiss-EU relations (1992-2024) through the thesis, Figure 1 below presents a comprehensive timeline of the important events.

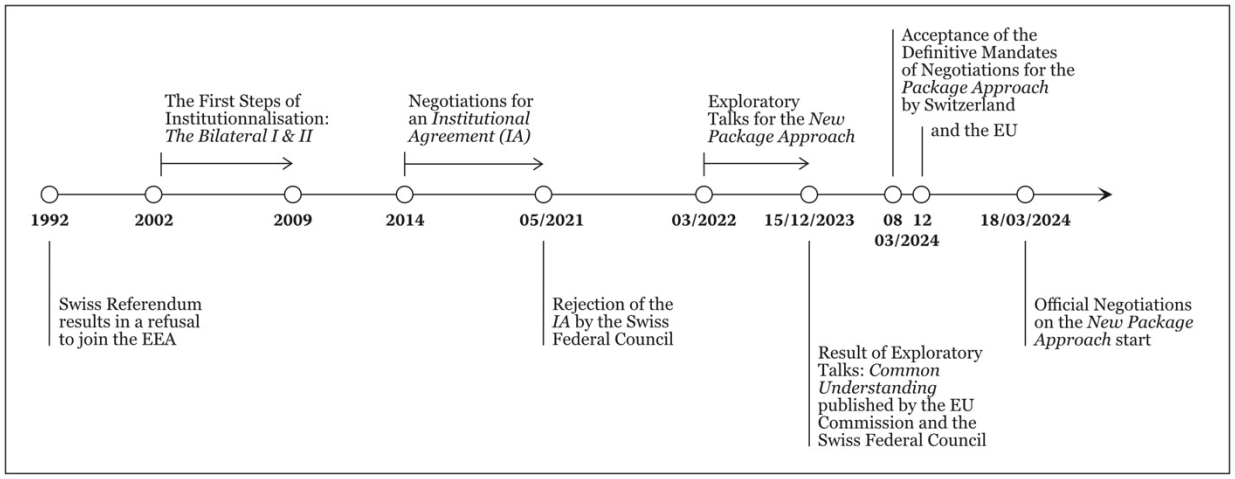

Figure 1. Timeline of the Swiss-EU relations (1992-2024). Own work based on Swiss Confederation, n.d.; Council of the EU and the European Council, n.d.; European Commission, n.d.

The rejection of the institutional agreement by the Swiss government has had a lot of consequences for Swiss and EU business cooperation in the chemical and machinery industry, in European research, and in many other fields directly impacting every Swiss citizen. The Federal Council of Switzerland itself had stated in its explanation for the refusal of the IA that it would affect the current agreements that could not be renewed, and the competitivity of Swiss businesses in the single market in comparison to other EU partners (Schwok, 2022: 36). According to the Swiss executive, this situation would further lead to judicial insecurity, and overall could lead to a diminishing of the attractivity of the Swiss economy, as well as the investments in Switzerland (ibid).

The relations were kickstarted again in 2023, with discussions on a mandate of negotiations for a new Package Agreement approach which took place within the Federal Council of the Swiss Confederation and the European Commission and their respective diplomatic corps. An important date in the Swiss calendar was the acceptation of the mandate of negotiations with the EU by the two Commissions of Foreign Policy of the Swiss Parliament on the 30th of January 2024, after the

proposition of this mandate by the Federal Council on the 15th of December 2023. Switzerland accepted a definitive mandate on the 8th of March 2024 and the EU on the 12th of March 2024 (Swiss Confederation, n.d.; Council of the EU and the European Council, n.d.). The negotiations based on these mandates effectively started on the 18th of March 2024 with a visit of the Swiss President Viola Amherd in Brussels. The EU Council had shortly before accepted the mandate of the European Commission for the negotiations with Switzerland on the 12th of the same month. Some pro-European movement in Switzerland, such as the *Mouvement Européen Suisse* hope for an effective Agreement to be signed as early as in the summer of 2024 (Bez, 2024).

This history of passionate and prolonged negotiations, made up of moments of acceptance and moments of rejections, is the starting point for my master's thesis and led me to ask the following research questions, developed in the next section.

1.2 Research Question

Originally, I wanted to offer a comprehensive picture of the positioning both from the Swiss perspective and the EU perspective, on the flows of the negotiations. However, I was granted access to Swiss diplomats relatively easily, while I received very limited answers from EU diplomats on the matter. As a result, I ended up privileging the Swiss diplomatic relations and interplay of formal and informal relation to dig deeper in this side of the relation.

Consequently, the main research question of this thesis is: What institutional processes are manifested in practices of Swiss diplomats and experts, in the Swiss – EU relation? This question encompasses the aspect of institutionalization process that was developed by theories of external governance and the aspects of privileged partnerships by Gstöhl & Phinnemore (2019), as well as Lavenex & Schimmelfennig (2009). Furthermore, it focuses on the specific case of Switzerland, whose special institutionalization format with the EU has been analysed by René Schwok & Sandra Lavenex (2015). I will bring to this literature the perspective of new institutionalism (March & Olsen, 1984; Mackay, Kenny & Chapell, 2010) and practice theory of diplomacy (Pouliot, 2008; Pouliot & Cornut, 2015; Adler-Nissen, 2015; Neumann, 2002; Constantinou et al., 2021; Kuus, 2015/2023) to answer my research question

through the empirical analysis which will focus on diplomats and experts' eleven (11) qualitative interviews from Switzerland and one (1) from the European Union.

In addition to this main research question, I will answer these four sub questions:

1) How do diplomats and experts perceive Swiss-EU institutional relations over the years?
2) What kind of institutionalization processes took place in Swiss-EU relations, according to Swiss-EU diplomats and experts during the negotiations and after the refusal of an Institutional Agreement (2014-2021), and the early stages of the package agreement negotiations (2022-early 2024)?
3) Moreover, to what extent can informal relations of diplomats and experts patch up the relation between the EU and Switzerland in the absence of an agreement on a formal institutional and political setting, and what is the nature and influence of interpersonal relations of diplomats and experts in such context?
4) Finally, what is the influence of the internal institutional setting of Switzerland in the diplomatic practice of the Swiss-EU relation?

1.3 Aims and Objectives

The aims and objectives of this thesis work two-fold. Firstly, I want to know how diplomats and experts from Switzerland perceive their negotiations work in term of institutional development of the Swiss-EU relations. Secondly, I want to understand better the interplay of formal and informal diplomatic practices. I define informal practices as dinners, networking strategies, influencing strategies and want to inquire their interaction with the formal setting of the negotiations, or the formal maintenance of the already agreed bilateral agreements with the joint committees' meetings, for instance. I focus on the period of the negotiations for an institutional agreement, all the way to its refusal (2014-2022), and the situation that resulted from it until the beginning of 2024. My method of research consists in inquiring the Swiss diplomats and experts' point of view about the institutional processes at play, during and around the negotiations, between the EU and Switzerland.

From a research angle, I want to contribute to the research gap in the explanations of the situation resulting to the rejection of the IA, where the political and diplomatic

negotiations did not result in the signature of further institutional agreement between Switzerland and the EU. Previous research has focused more on the political aspect of the decision to reject the IA or have tempted to explain the complexity of the Swiss reality through classical International Relations (IR) theories. However, little research has focused on diplomatic practices in this context or illustrated the role of diplomatic interactions in the bilateral relation between Switzerland and the EU, for the period of interest.

Therefore, I want to investigate the social interactions of key actors of diplomacy in the Swiss-EU relations, and to inquire the processes of institutional mixed closeness, characterised by phases of rapprochement (the bilateral agreements and their maintenance) and distance (IA rejection). Influenced by Practice Theory (Pouliot, 2008; Pouliot & Cornut, 2015; Adler-Nissen, 2015; Neumann, 2002; Constantinou et al., 2021; Kuus, 2015/2023), my research will follow the "practice turn" of diplomatic studies and will be based on qualitative interviews. My objective in applying these theories is to unfold the diplomatic practices at play in the Swiss-EU diplomatic relations in this tumultuous period and see what the influence of these practices were on the processes of institutionalisation of the relation. Sandra Eckert argued that a form of institutionalization goes often with informal mechanisms of cooperation (Eckert, 2022:1190). Therefore, I inquired into this formal-informal influence on the latest relations between the EU and Switzerland. Such social interactions are best grasped using a diplomatic practice approach since, in the words of Merje Kuus, a professor of Geography who specialized in this method of research, it considers spaces such as restaurant, coffee, tennis court as actual spaces of diplomatic sociability which are not incidental, but fully and voluntarily part of diplomatic practice (Constantinou et al., 2021: 568). Thus, my objective is to understand and analyse these diplomatic social interactions.

This introduction offered an outline of the different topics and theories, as well as the research questions I am examining. I will now develop the scholarly literature cited briefly in this chapter in more details.

2 Literature Review

This literature review aims at exploring the scholarly literature written on and around the topic of this research. It also introduces the authors and theories from which this thesis departs and is meant to underline the gaps in the literature, which my thesis will try to contribute towards. I will show how authors have presented the EU's strategies for further institutionalisation with third countries and partners, and in the Swiss case. These strategies are defined by the EU's "extension of internal rules and policies beyond formal membership" (Lavenex & Schimmelfennig, 2009: 791-92), noting that the partnerships that englobe the *acquis communautaire* are the ones the EU is trying the most actively to institutionalize (Gstöhl, Phinnemore, 2019: 1).

Institutionalization is at the centre of the literature discussion of the Swiss-EU relation (Gstöhl & Phinnemore,2019: 1 and 11; Lavenex & Schimmelfennig, 2009: 795). René Schwok and Sandra Lavenex define the Swiss case, as a "unique type of association" with the EU, because it is made of sector-based agreements, without centralized coordinated institutionalization (Schwok & Lavenex, 2015: 36). A type of association that permits the EU and Switzerland to cooperate on areas of common interest, without affecting each other's sovereignty (ibid). In this context, the EU's external relations have evolved towards differentiated partnerships. The countries that were meant to be granted accession to the EU have mostly joined the EU in the 2004 and 2007 enlargements, and almost all the rest of the countries willing to join the EU are stuck in trying to meet the EU's accession criteria. However, there's a special remaining group, which Switzerland is part of together with Norway or Iceland. These are countries that would easily meet the accession criteria, but have decided not to join and are not planning to join the EU in a near future due to individual motives. These motives are either legal- or identity-related reasons, which keep them away from membership. As mentioned briefly earlier, Switzerland decided not to join the EU based on sovereignty and neutrality concerns, which came out of the debate during the popular vote on Swiss accession to the EEA in the 1990s (Gstöhl & Phinnemore, 2019: 11). From an EU perspective, after the enlargements of 2004 and 2007, the paradigm shifted from discussion of accession conditionality to mechanisms and conditions of alternative EU governance, as well as differentiated trajectories of Europeanization (Lavenex & Schimmelfennig, 2009: 794).

In response to this situation, Lavenex & Schimmelfennig concluded that the EU needed to develop alternatives forms of partnerships, moving away from partnerships that were solely based on future accession. This was because clearly interdependence between the EU and its neighbours was nevertheless growing (Lavenex & Schimmelfennig, 2009: 793). This phenomenon pushed the EU to adopt more differentiated "strategic partnerships" and "external governance" mechanism, relevant to the Swiss case. This concept of strategic partnership, or privileged partnerships was defined by Gstöhl and Phinnemore in 2019, as well as other authors (Lavenex & Schimmelfennig, 2009; Eckert, 2022; Gstöhl & Phinnemore, 2019). Privileged partnerships have been defined as involving important institutional arrangements for governing the relationship. In the Swiss case it is characterized by the bilateral agreements' institutions (ex. council, committee, subcommittees, joint parliamentary committee) surveillance and even judicial enforcement arrangements, as well as dispute settlement mechanisms, and in some case privileged decision-shaping access to EU institutions/bodies/agencies. These deep acquis-based relations can cover big parts of the internal market (ex. EEA), or important sectors (ex. Energy Community or EU Common Aviation Area) (Gstöhl & Phinnemore, 2019: 5).

An example of clear privileged partnership that offers the EU and its partner the guarantee of stable institutionalization is the EEA agreement. Switzerland decided not to join the EEA because of the institutional arrangements of the EEA agreement that was argued would hurt Swiss neutrality and sovereignty. The EEA entails an independent authority and the adoption of EU laws in a dynamic manner, supervised by a Court. Furthermore, the EEA members must follow the Case law of the European Court of Justice. In this context, Switzerland could not follow the classical trajectory of privileged relations offered to EEA members, since membership to the EEA was subject to a popular vote, which has been rejected in 1992 and could have been opposed again in the 2010s (Linder, 2013: 200). As a matter of fact, in 2012 a *gfs.bern* poll ordered by the SSR (the Swiss public broadcaster) showed that only 23% of the respondents thought that the rejection of the EEA in 1992 was a mistake, and 66% thought it was the best decision for Switzerland (Keiser, 2012).

The situation is more nuanced today, for example in 2022 the *Swiss European Movement* mandated another *gfs.bern* poll on the future of the Swiss foreign policy,

and the results showed that the first priority of the Swiss population is to have a stable relation with the EU (also supporting with 71% a membership to the EEA). However, this priority conflicts with the second priority which is for Switzerland to stay as independent and neutral as possible (Doriot, 2022). Even if more positive towards an EEA path of institutionalization, this poll demonstrates how challenging the Swiss population's opinion can be about the EU.

Nevertheless, through its bilateral way, Switzerland enjoys some characteristic of a privileged partner, such as privileged access to the EU's internal market, without being a formal member of the EU nor the EEA. Instead of following the EU's common approach to its "privileged partners", based on the EEA Agreement's model, Switzerland started a long process of negotiations in 2014 after the EU signified the need to incorporate institutional aspects to their bilateral relation. The project of the Framework Institutional Agreement would have guaranteed Switzerland's access to the EU's market overtime, by complying with the EEAS's common approach to EU's partnerships (Veuthey, 2020: 3-5). The EU common approach applied to Switzerland would include the dynamic adoption of EU laws in Swiss laws for the agreements' parts which regulate the access to the internal market of the EU, as well as an arbitrary court for the supervision of the application of these laws, and to settle possible disputes in the implementation of these laws. However, the IA was never accepted in Switzerland because of these specific conditions, and the Federal Council decided to abandon the project of agreement in May 2021. Overtime, this situation resulted in high cost of non-compliance for Switzerland (ibid). Already in 2014 Switzerland was rejected from the Erasmus+ Programme. The situation deteriorated further after the decision of May 2021 which resulted in further retaliation from the EU, which rejected Switzerland from key cooperation schemes in research such as the Horizon program.

Another concept called differentiated integration (DI) affects the EU integration approaches and can relate to the Swiss case with its multiple institutional design (Bellamy & Kröger, 2023; Hillion, 2011: 8). Indeed, Switzerland is affected by the side effects of differentiated integration, since the EU is less willing to cooperate flexibly with a non-member state, because it already has many models of integration with its own members. In this situation, the Union fears that misunderstood DI threatens its core values of procedural and substantive fairness between in-members and out-

partners and could result in feeding Eurosceptic discourse (Bellamy & Kröger, 2023: 62). From the EEA perspective, Hillion explains how the DI and the successful export of the EU acquis to non-members, such as Norway, can blur the line between who is in or out of the group, which can result in some outsiders being more integrated to the EU than some insiders themselves (2011: 8). Switzerland is not a member of the EEA, but we can question whether Swiss bilateralism is less hegemonic than the EEA case, which adds to DI concerns from the EU point of view (Schwok & Lavenex, 2015: 36). Furthermore, according to Schimmelfennig & Winzen, DI affects sovereignty of EU member states when treaty revision or new agreement made by the EU collides with a states' identity or constitutional concerns (Schimmelfennig, F., & Winzen, T., 2014: 355). Such reasoning applied to Switzerland is interesting, because Swiss Eurosceptics criticize that Switzerland has subjugated itself to EU laws and the pro-EU Swiss denounce the participation of Switzerland in vast areas of the *acquis communautaire*, without having a formal say in the decision-making processes in the EU, which are both concerns over constitutional and legal issues (Schwok & Lavenex, 2015: 36). European integration conflicts with the sovereignty and can cause worry about constitutional Swiss law, such as the principle of neutrality, and the importance of national and regional level democracy and participation (Morris and White, 2011: 105-109).

In a similar way, the literature that looks into the effects of Brexit on the tense final negotiations of the IA unveils comparable points. This literature tends to look at whether the Brexit negotiations had an influence on the stronger stance taken by the EU towards Switzerland (Lavenex & Veu, 2023; Eckert, 2022; Gstöhl, Phinnemore, 2019: 1). René Schwok (2022: 57) ruled out influences of the Brexit events on the outcome of the IA negotiations with Switzerland. Other authors, nevertheless, stressed how the IA negotiations tensions and Brexit put pressure on the Legal Service of the Commission and the DG Relex and the EEAS to keep stricter stances with third parties, such as Switzerland and the UK (Lavenex & Veu, 2023: 348). Furthermore, Switzerland is said to have looked for an ally in the UK, but the Commission reminded both partners that: "privileged commercial ties access needed strong institutions and guaranty of the homogeneity of the single market" (ibid: 355). In this regard, we can see that Brexit at least did not help the Swiss case (ibid).

In the light of differentiated forms of cooperation, according to Sandra Eckert (2022: 1191) the Swiss-EU bilateralism is characterised as privileged agreements where informal cooperation and the involvement of the private sector is especially facilitated. Furthermore, horizontal agreements (such as the IA) are considered as saving transaction costs from both the EU and the third countries point of view. However, according to the author, it limits the sovereignty or the agency on the long term of the third country (ibid). Interestingly, later in her contribution, she focuses on both the electricity sector (1199) and the financial sector (1203), where the Swiss-EU bilateral agreements are scarce, but where Switzerland plays a prominent role, due to its strategic position. Therefore, in these sectors, Switzerland has an influence in Brussels and internationally even without formal agreement for cooperation on these areas (1200 and 1203-1204). This latter point is interesting because it opens up the discussion around the inclusion of Switzerland in EU governance, outside of formal treaties. This form of cooperation was implicitly accepted in experts' group that advise the Commission but was revoked, at first gradually and then strongly after 2016 when the EEAS (European External Action Services) released its EU's Global Strategy, which stressed the importance to adopt a common approach to external cooperation, both externally and internally (Veuthey, 2020: 1-3). This stronger stand of the EU to lock out its institutions from outsiders' participation is due to different events and realities (DI, EEA membership refusal from CH, Brexit, EU Enlargements).

Moreover, from a political analysis point of view, the case of the rejection of the IA was studied by René Schwok (2022). He identified a gap where the political positioning and the result of the diplomatic negotiations did not coincide, which this thesis will try to contribute to explaining. On this matter, Schwok underlines the final decision taken by the Federal Council alone without a vote in the chambers of parliament, even though it had been consulted on the text of the agreement earlier on (Schwok, 2022: 39). Furthermore, the author emphasizes the role of the political parties' weight in the Federal Council and their influence on this specific decision, which was characterised by a rejection of the agreement from the right-wing party (UDC, Europhobe) and the Socialists (PS, saw the IA as threatening the wages and salaries of Swiss workers), as well as an unclear positioning from the two centre-right parties (PDC, PLR) (ibid: 40-55). In brief, the perspectives were very dark for the signature of the IA at the end of the negotiations, with little to no support at all from the Swiss political forces. As said

before, this thesis aims to explain this moment where political and diplomatic elements did not meet.

After reviewing the different ways the Swiss-EU case has been studied in the literature, I can now look into the field I will study in this research, namely diplomatic studies. From a diplomatic point of view, René Schwok and Sandra Lavenex have underlined the informal problem-solving strategies already developed in the Swiss-EU relations joint committees of all bilateral agreements, which successfully didn't initiate any formal procedure of dispute settlement (Schwok & Lavenex, 2015: 42). Such strategies are examples of informal practices embedded in the institutionalisation of the bilateral agreements. Furthermore, Baldur Þórhallsson and Alyson J.K. Bailes have linked the concept of small state diplomacy with the need to make use of informal methods to possibly close a gap in lack of resources or a limited capacity to influence the bigger players (Þórhallsson & Bailes, 2016: 303).

All in all, the case of Switzerland is interesting in this regard because it illustrates a case of diplomatic negotiations with the EU for further institutionalization, and this relation has not been studied from a Practice Theory of Diplomacy (Pouliot, Adler-Nissen, Constantinou, Kuus) point of view before. I will discuss Practice Theory of Diplomacy later in the theory section. The diplomatic relations between Switzerland and the EU have been studied as seen above through the classical international relation paradigm of governance, or external governance by Sandra Lavenex, Sieglinde Gstöhl, David Phinnemore and Frank Schimmelfennig. However, Merje Kuus criticizes the risk to forget the agents of this governance, the "individuals and social professional groups, rooted in transnational and national societies that govern this global governance" (Constantinou et al., 2021: 568) in the latter methods. What practice theory tries to bring to diplomatic studies instead, and what I will try to bring to the study of Swiss-EU relations research, is a focus on what it means to practice diplomacy (ibid: 561) and in what way this practice shapes Swiss-EU relation.

To sum up this literature review, I demonstrated how *institutionalization* is the watchword for the EU with its partners, especially those who have access to its internal market. As seen through the literature reviewed in this chapter, Switzerland is no exception to this policy. Furthermore, the topic of *privileged partnerships* has been

previously studied and scholars have found that Switzerland is a differentiated type of partner with the EU. It is not part of the EEA or another framework of institutional integration but pursues its own trajectory through the bilateral agreements. The fact that Switzerland has these tailor-made agreements reinforces the idea of a "privileged" approach together with the EU. However, the EU has changed its approach after the 2010s, and now wants Switzerland to align with its conditions for partnerships with third countries. Trying to explain this scenario, René Schwok has been studying the relation from a political point of view, but he did not explain why the diplomatic negotiations ended in a political dead-end. Therefore, I will aim to fill the literature gap on the institutionalisation of the privileged partnership of Switzerland with the EU, by focusing on the diplomatic practices which might have affected the processes and see where and why these processes have stumbled.

3 Theory and Theoretical Concepts

In this chapter, I will present the theories that relate the most to the focus of my research, from the theories I have previously identified. From there, I can begin to introduce the theoretical grounding of this thesis. There are two key theories which drive this thesis, which I will now explain more in details: *new institutionalism* and the *diplomatic practice theory*.

This thesis will nourish the theoretical developments of institutionalization, more specifically to offer a practical approach to the theory of new institutionalism developed by March & Olsen in 1984 as a foundational text, and the modern development of this approach presented by Mackay, Kenny & Chapell in 2010.
Traditional theory of institutionalization focuses specifically on formal institutions, and solely on them. What this thesis aims to bring to the theory, is a focus on the intricacies and relationships between informal and formal institutions, as well as discuss whether informal practices can be formalized through repeated and long-lasting enactment. In other words, I built my theoretical framework and its linked concepts in a way that brings light to the role of human actions and interactions in a diplomatic practice setting and how these can offer a more comprehensive analysis of the situation and support further theorization of new institutionalism.

The diplomatic practice turn was introduced in a paper by Swedish author Iver B. Neumann in 2002, and subsequently was developed by Vincent Pouliot in 2008, Rebecca Adler-Nissen in 2015 and authors such as Costas Constantinou, Merje Kuus, and others whose jointly-publish Discussion was instrumental in inspiriting this thesis, and which goes over the different perspective of the theory of diplomatic practices: Constantinou et al. 2021.

Reflecting on the concepts presented in the literature review, this thesis develops the conceptualization of privileged partnership and external governance of the EU (Lavenex & Schimmelfennig, 2009; Eckert, 2022; Gstöhl & Phinnemore, 2019), by focusing on a specific instance of these partnerships, which is the one between the EU and Switzerland. The institutionalization of the Swiss-EU relation will be researched in a bottom-up approach, thus bringing a practical illustration of the theories based on

fieldwork. In this case, I have conducted qualitative interviews that enrich the understanding of practices in the EU context (Adler-Nissen, 2015: 88). This approach also invites more nuance and brings everyday practices into the stiff conceptualization of governance, which sometimes overlooks individuals in the global scheme of governance (Merje Kuus in Constantinou et al., 2021: 568). Furthermore, enquiring into the Swiss case is interesting because of the paradox of Switzerland having close ties with the EU, despite that their relations in formal institutionalisation are unsettled. In this context, it is interesting to approach the diplomatic arena from this angle, since scholarly understanding can be at odds with that of practitioners who rather emphasize the very practical and inarticulate nature of diplomacy (Pouliot, 2008: 258). This thesis aims to narrow the gap between theory and practices, in Pierre Bourdieu's words between *opus operatum* and *modus operandi* (quoted in Cornut, 2018: 719).

3.1 New Institutionalism Applied to the Thesis' Case

In order to achieve such contribution, I want to focus on the institutionalization mechanisms that are characterized in the paradigm of new institutionalism, of both formal and informal practices (March & Olsen, 1984; Mackay, Kenny & Chapell, 2010). What I understand as "informal relations", considers rules, norms and practices where individuals within the institutions combine an approach of following the rules, while also acting as self-interested actors (Mackay, Kenny & Chapell, 2010: 575). These authors have further studied the theory of new institutionalism, underlying the context in which informal relations seem to play an important role. According to them, informal rules flourish in settings where institutions are incomplete (2010: 576). Such coexistence of formal and informal institutionalization is commonly developed in privileged partnership and external governance at play in the EU relations with third countries to go beyond the rigidity of the institutions.

In the Swiss case, sustaining common agreements over a long period of time leads also towards close ties between the third country negotiators and the EU diplomatic apparatus. Similarly, Sandra Eckert has applied this theory to the Swiss case, by saying that: "institutionalized frameworks are always accompanied with informal mechanisms of cooperation, to extend the agreements over areas that it doesn't cover." (Eckert, 2022: 1190). Another relevant instance of informal practices development that can be applied to the Swiss case is when actors cannot achieve institutional solutions

(Mackay, Kenny & Chapell, 2010: 576), such circumstances have risen after the rejection and during the process of the negotiations of the IA. Moreover, a second instance of such flourishing of informal practices is in situations where actors are pursuing goals which are unlikely to be accepted by the public (ibid). In short, I am interested in the individual agency of diplomats and experts in the absence of formal rules or obsolete rules and seeing to what extent such informalities of institutionalization have developed or not.

3.2 Diplomatic Practice Theory Applied to the Thesis' Case

To test these human interactions between diplomats and experts from the Swiss-EU relation, I will follow practice theories defined by Rebecca Adler-Nissen in 2015 and Vincent Pouliot in 2016. These authors have underlined the tensions between structure and agency in the practice of social processes, which at the diplomatic multilateral level create complex hierarchies and intricacies (Adler-Nissen, 2015: 88; Pouliot, 2016: 10). The goal of practice theories is to unveil the apparent stability of certain social systems, such as the EU for example, through the focus on individual's agency (Adler-Nissen, 2015: 92). In the case of this thesis, I want to unmask these processes and see them as driven by humans, working within a system with specific rules and hierarchies. A certain extent of practice theories go so far as to analyse the environment in which the social interaction takes place (venue, decoration of meeting rooms, menu, and wine for dinners, etc.) (ibid). A detailed approach such as this has inspired my methods in this thesis, especially the idea of zooming into the elements that are hard to grasp or are unsaid, and even taken for granted (ibid). Unfortunately, I won't be able to go as far in my analysis as I would like, because of the limited resources and time I have at my disposal. Instead, I will focus on the analysis of the interviews data I have obtained, which can already give some level of understanding of these elements of interest in practice theories.

More precisely, I understand my research into practices of diplomacy through an ordering approach, which means that I focus on activities that can be very vast, but that require skills to be performed, and can therefore be performed better by certain individuals, called *practitioners* (ibid). In this thesis, the *practitioners* scrutinized are the diplomats or experts. I use the term expert in this thesis because some of these practitioners interviewed required me to refer to them as "experts", furthermore

because the term “diplomat” is codified in the FDFA, it is best to refer to this general group of practitioners as “diplomats and experts”. These experts can be technical staff who work in the relation with the EU because of their specific expertise in one area of cooperation, or because they represent another Swiss institution, such as the regional governments of the Canton, which works in the relation with the EU, employed by the Swiss State. Following Pouliot’s definition of practices as: “unfolding of everyday practices that produces the bigger phenomena and social realities that we know of” (Pouliot, 2016: 50), I will attempt to unfold and understand the bigger phenomena and social realities at play in the formal and informal interactions of diplomats and experts which, in the cases studied here, such realities may speak to the more substantial processes of institutionalization.

While diplomats can be identified based on their official title (whether a person has been selected and has been awarded the title of diplomat in a state or ministerial context), “who” gets to practice diplomacy is a more difficult task to define. Furthermore, in the words of Vincent Pouliot, to give a clear definition of who is a diplomat, it needs to be defined first what we consider as diplomacy as a category of practice (Constantinou et al., 2021: 566). This discussion finds its roots in the historical dominance of diplomacy as a profession of the elite, which uncovers a deep normative and ethical question on the topic, issues such as the exclusion of certain voices (ex. indigenous people, young people) in international diplomacy settings such as the UN or the EU in this case (ibid; 570). Therefore, focusing on the state-centric approach of diplomacy alone could be incomplete and problematic (ibid: 565). The issue being that by studying diplomacy from this elitist point of view, we would be reproducing these historical divides. Nevertheless, in this thesis I will follow Pouliot’s perspective, which considers the problematizing of this state-centrism, rather than the will to legitimize this elitist positioning (ibid). Moreover, by focusing on professional diplomats and their surrounding (experts and technicians) I also aim at best analysing the system that continues to seize and structure international relations today (ibid: 564).

I acknowledge the state-centric approach of this thesis, however I wish to problematize this reality and I want to emphasize here that there are participants in the interviews I conducted who do not have the title of ‘diplomat’ but can rather be considered as experts or technicians, and are – to my understanding – part of the field of diplomatic

practices. I wish to extend the field of study of diplomacy to those practicing diplomacy without the title of 'diplomat', yet this thesis still focuses on the very close surrounding of the state-led diplomacy.

To answer the question of "where" diplomatic practices take place in the Swiss-EU case, I decided to focus on the negotiations because of its central and all-encompassing setting for the period studied. Thereafter, I considered all activities and places mentioned by the interviewees, in this wider context of the negotiations, as places of diplomatic practices. The question of "where" diplomacy takes place, is also a crucial question to define what action, and therefore practice is considered as diplomatic. Merje Kuus, in the same discussion as Pouliot previously, stresses the transnational nature of diplomatic work, which goes beyond state and the inter-state spaces (Kuus in Constantinou et al., 2021: 567). I will focus on these in-between spaces by questioning the interplay of formal and informal diplomatic work and the places in which they both take place.

To summarize this theoretical and conceptual chapter, I want to stress the different points of focus of this thesis from a theoretical perspective: I will piece together the theory of new institutionalism, which focuses on formal and informal diplomatic interplay with diplomatic practice theory. Diplomatic practice theory looks for answers and examples of these interplays, by researching diplomacy in an inductive way, through qualitative research, and looks for the experiences and the knowledge of the diplomats and those practicing diplomacy themselves, in order to study hands-on and human-focused perspectives.

4 Methodology and Data Collection Process

In this section I review and justify the decision to use qualitative interviews for the empirical research. I also address questions of gender representation within the sample of interviews and explain how the interview process unfolded. This section helps to give further transparency over the interviewing process and therefore legitimize the method of qualitative interviewing that I selected for the thesis.

4.1 A Qualitative Interviewing Research

To conduct the research on the role of diplomats in institutionalization processes of the privileged Swiss-EU relations, and to shed light on the social interactions between diplomats and experts working in this context, I have conducted qualitative interviews with twelve (12) diplomats and experts. Following the methodology presented by Valentine Berthet et al. (2023:14), after having familiarized myself with the previous research findings developed in the first sections of this thesis, I have analysed gaps in this literature. The gap that this thesis aims to begin to fill is to research qualitatively the Swiss-EU diplomats' connections and practices of diplomacy and its role in institutionalization processes.

My goal is to engage with the key concepts of qualitative research in diplomatic research and discuss it in the light of the peculiar Swiss-EU relations. Especially its complex institutional context, during the negotiations and after the withdrawal from the institutional agreement that was meant to oversee and rule the institutional relation. The secrecy and rule-based order that surrounds diplomacy makes it an interesting yet challenging context in which to conduct qualitative research. According to Arceneaux & Bier (2022: 228) qualitative research in diplomacy allows for a better understanding of international communications. The current blurred state of communication between the two partners, Swiss and EU, therefore, certainly calls for a qualitative investigation.

4.2 Qualitative Expert's Interviews

Nevertheless, I believe that to grasp and analyse these experiences and practices of everyday diplomacy best, I must conduct research that focuses on human interactions, which qualitative interviews are best suited for. As justified in the previous chapter of this thesis about theories, I will focus on expert interviews (Vincent Pouliot in

Constantinou et al., 2021: 564), which in this case are experts and diplomats working or that use to work for the Swiss Confederation and its relations with the European Union. Hence, it is important to note that qualitative interview of experts is not uncontested, it raises question about: what constitutes an expert? What kind of qualitative interview is used for questioning those experts? And finally, does interviewing experts perpetuates and confirm the legitimacy of social hierarchization? (Bogner, Littig & Menz, 2009). To answer this question, it is important to underline the specifics of qualitative expert interviews. Stefanie Döringer points out the meaningful role of such interviews, help us to understand social realities and permits to collect special information about this particular social field (Döringer, 2021: 265-66). Thus, it gives access to technical and processual knowledge based on practical experiences and institutional context of actions, by the experts (ibid). In other words, instead of establishing expert knowledge as a supreme science, I would like to focus and try to understand better the interactions between the various Swiss and EU experts. I want to know whether these interactions constitute or contribute to a possible form of institutionalization of diplomatic relations between Switzerland and the EU. This is how I justify the use of qualitative research interviews of experts to help answer my thesis research question.

4.3 The Qualitative Interview Process

In order to produce this qualitative research, I have conducted key informant interviews with delegation negotiators from Switzerland. Most interviews were conducted in French, as it is either the native language of the interviewees or a language they know very well. Furthermore, it is also the language of diplomacy that these experts regularly use in connection with the EU, and diplomats or experts working on EU topics must be proficient in French. Moreover, French is my first language, therefore it offers a more intimate and comfortable interview setting for both the interviewees and for me, the interviewer. I also have granted the possibility to conduct the interview in English, according to the interviewee's. Two interviews were conducted in English, and the remaining were conducted in French. The purpose of these interviews is to get a deeper understanding of EU-Swiss relations and to inquire into the role of these individuals during the negotiations of the Institutional Agreement. Hence, the aim is to distinguish what the other alternatives are after the

framework agreement failed to be adopted by both parties and also to evaluate what the current state of the relation is on informal grounds.

To conduct the interviews, I proceeded in multiple steps: First, I interviewed a high-ranking diplomat from Switzerland, who subsequently recommended another possible interviewee to me. I proceeded to interview this other person, who then recommended further contacts to me. Furthermore, I also made direct contact with key interviewees whom I selected myself, based on their current or past work position and its relevance to this research. In a more practical sense, to recruit my interviewees I developed a template for e-mailing potential subjects, which can be found in Appendix 3 of the thesis. Further, to comply with ethical and legal guidelines it was also necessary to send a Data Privacy Notice to each participant during the recruitment process. The template Data Privacy Notice I used is available on the *flamma* website of the University of Helsinki. I filled it in according to my research design and processes. A version of the Data Privacy Notice I used, compliant with the EU's General Data Privacy Regulation (GDPR) legal framework, can be found in Appendix 4 of this thesis.

By mixing the approaches of both identifying key persona myself based on my own pre-determined criteria and of identifying contacts based on the recommendation of interviewees, whose experience was in the heart of the negotiations, I offer here a representation of opinions and personalities from this small circle of workers who have specialised knowledge about Swiss-EU diplomacy. Furthermore, the twelve (12) people interviewed have been working in key positions over the entire period spanning from the 2010s until today, and many of their accounts were repeated across my interviews, which shows a certain saturation of the information and convinced me that there was no need to interview more people on this matter, for the analysis and purpose of this thesis.

I recorded the interviews, with the participants' agreement, and then transcribed the interviews verbatim. I then translated the interviews into English if necessary, using the help of the software *DeeplPro*. *Deepl* is a German company and therefore is submitted to European Union Data Protection laws, the company ensures that text on *DeeplPro* is never stored for any purposes (*EU Data Protection Standards*, n.d). All interviews happened online except for one. I used *Teams* for online interviews, while

one interviewee requested to use *Webex* instead. *Teams* has a functionality for recording and later transcription using the Microsoft app called *Stream*. *Teams* also offers guaranties for the security of data and transcription because it saves the data directly onto the device where it was recorded and not on a server somewhere else in the world. *Teams* was recommended to me for online interviews by Professor Johanna Kantola. The Microsoft app *Stream* was used on the Helsinki University server and cloud, which offers further data protection because accessing the recording is secured with a username and passcode. The processing of personal data was explained and shared with the interview participants ahead of their interviews, and this can be consulted in Appendix 4 of this thesis, under *Data Privacy Notice*.

Furthermore, virtual qualitative research is different to regular in-person qualitative research but is not inferior to the latter (Tungohan & Catungal, 2022). This distinct method is best suited for interviewees who have transnational lives (ibid: 3-4). This resonates with my research project which concerns diplomats who have such transnational lives. Also, it is important to note that virtual research is sometimes the one that accommodates the participants the most, in that it respects their schedule and adapts to their lives, thus minimizing the impact of this study on them.

In the analysis of the data produced, I aim to protect the reputation of the participants, even though as I will develop further in the ethical considerations section, anonymity could not be granted knowing that I asked open questions, thus some answers could help someone recognise the identity of the respondent. In this context, I proposed the interviewees to pseudonymise their answers to ensure discretion with their identity. Moreover, I gave the interviewees the opportunity to read through the transcript of the interviews and their translation into English, for them to review and possibly modify certain information that could have been mistranslated or needed more clarification.
This process was ethically correct and important for me, but also brought some frustration. An instance is that certain interviewees deleted entire parts of their accounts after their proof reading, thus damaging the possibility of analysing certain aspects of their answers. Notably, questions around gender equality have been deleted, and I found it important to mention it here, as it shows how the field of diplomacy in the Swiss context is still very reluctant to talk about certain social and gender issues. I

will talk about these accounts in more details in the discussion and limitations chapter of this thesis.

As all interviewees have a professional level of English, they can identify easily if their words had been mistranslated. This process of proofreading the interviews by the participants could be seen as undermining the researchers' role or even as a form of censorship. However, I think that this gives space for building trust with the participants. This idea is supported by constructivist theories, which argue that qualitative research is associated with interpretations, and this knowledge is created through the interview participants' responses and not the researcher alone interpretating and analysing a set of quantitative data (Arceneaux & Bier, 2022: 229).

It is important to note, that out of twelve (12) interviewees, on the Swiss side nine (9) were men and two (2) were women, and the EU diplomat was a man. According to the assessment of the Federal Department of Foreign Affairs for the period 2010-2020, the proportion of women in mid- and senior-level management was 33.8%, the proportion of women in top management (salary classes the highest) was 11.9%, and the proportion of women in management positions was 24.5% (Federal Department of Foreign Affairs, 2022: 6). So, despite the department's goal of reaching 50% in all these sections by 2020, the results are far from the objective and high positions are still mostly occupied by men. In this context, I would say that the impact of under-representation of women in diplomacy and its practice is more of a structural issue, as the Swiss diplomatic sector lacks women's participation especially in the lead of negotiating delegations (FDFA, 2022: 6). Consequently, the focus of the interviews being on experts and diplomats from the Swiss-EU relations, it became a challenge to find women in these positions who were willing to participate in the interviews. Nevertheless, I reached out to experts and diplomats, trying to reach as many women in these positions as possible, with the goal to represent as accurately as possible the interactions of diplomats and experts of the Swiss-EU relations and valuing representativity of gender in the sample of the interviewees. In this quest, I was motivated by the argumentation of Catriona Stanfield as well as Karin Aggestam & Ann Towns, who argue for the need to go on with a gendering turn onto the already practice turn of diplomatic studies (Aggestam, K., & Towns, A., 2019). Moreover, Catriona Stanfield explains how gender is central to the understanding of continuity and change

in diplomatic practices, and problematizes the issue explored in this paragraph, namely the difficulty for women to access high ambassadorship positions, even when we know that women are essential to the functioning of diplomatic work: women are support staff, wives, activists, and ambassadors permitting the whole system to exist, and function (Stanfield, 2020: 141-42).

In this research I have found out in an interview that the theorisation of the exclusion of women or their difficult access to high diplomatic positions was reflected in the interviewee's account. A diplomat interviewed mentioned how "gender plays a role in how diplomacy is practiced" (Interview 9). Moreover, they explained how women may have a different way to negotiate, as they are more result-oriented and more constructive in finding solutions. Such traits were said to be important when negotiating, as it is not a work about individuality and women tend to focus less on themselves (ibid). A deeper analysis of this phenomenon was nevertheless impossible in the framework of this thesis, since as explained in above large part of the interviewees' account on this issue was deleted from the transcripts.

Now, explaining more about the process of interviewing and how it took place, I will present the different tools used for the qualitative interviews to take place the most respectfully and effectively. The interview guide contains all the details about the procedure of interviewing (before-during-after), which I developed to suit the design of my research. The structure of the guide was inspired by previous qualitative interviewing studies, such as the thesis written by R. Visser (2011). The interview guide can be consulted in Appendix 1 of the thesis. Then, I personalized the interview questions for each interview, but they all followed the same themes and question patterns. The questions were mostly adapted to the career and function of each interviewee, and the specific tasks they accomplished in their role in the Swiss-EU relation. Some examples of important questions are the following:

> Would you say that Switzerland has privileged relations with the EU?
> How important do you think diplomats are in the negotiations processes between Switzerland and the EU?
> How important is it to know who you're negotiating with (their background, ideology, etc)?

Would you say that the negotiations for the Institutional Agreement have failed?
Do you meet also outside the negotiating rounds?
Do you happen to meet other EU diplomats in informal events?
Do you think the elements developed before are representing a form of institutionalization of the relation between Switzerland and the EU?

A complete interview question form can be found in Appendix 2 of the thesis. The idea of the interview questions guide was to ensure an open but thematically structured interview. As Stefanie Döringer specifies, this allows for the researcher to stay receptive to the information given by the expert, while also encouraging them to describe their personal and individual perspectives (Döringer, 2021: 268). To analyse such individual perspectives and put them in relation to other perspectives, and thereby understanding the practice of diplomacy in the specific case of the Swiss-EU relations, is really the aim of this thesis.

5 Ethical Considerations

In this research, it is important to consider some aspects of ethics, to ensure the transparency and scientific course of the interview, by focusing on issues of data collection and management, but also the decision to use pseudonyms.

Firstly, I had an open discussion about anonymity with the research participants, specifying the impossibility to ensure anonymity. In fact, anonymisation cannot be promised in any research that provides the participants a chance to respond to open-ended questions. In this specific research case, the interviewee might be recognisable to the public because of their public job title and due to the nature of the key expertise on the research topic they benefit from. Moreover, pseudonymized responses may still be identifiable because the respondent can be deduced from their responses. Also, indirectly identifiable data, such as data that can be made identifiable by combining them with data available elsewhere, can interfere with the secrecy of the identity of the participants. In response to these concerns, I proposed to pseudonymise the participants responses, referring to their identity by their job function and a number; for example, “Diplomat 1”. This solution offers a form of compromise and ensures that one or another’s perspective is not advertised in the research by being cited multiple times by name.

Furthermore, to preserve the reputation of the interviewee and avoid misinterpretation, I sent the transcript of the interview to the participants (as described earlier in more detail), before I started coding the data for its analysis. The data collected that can be considered personal data, such as names and function, for example, has been handled carefully. I ensured that all the original (none-pseudonymised) transcripts and the recordings are secured by a username and password on my personal *One Drive* from the University of Helsinki and I will keep them in a similar safe place once the research is over, keeping the material solely for possible further research as notified in the Data Privacy Notice: “until 2029 (5 years)” (appendix 4). Further ethical consideration about gender representativity of the interview participants and the possible reproduction of patriarchal hierarchy within the field of diplomacy through this means (Stanfield, 2020), was also discussed in greater detail in the previous chapter of this thesis.

6 Method of Data Analysing

Now that I have reviewed and justified the decision to use qualitative interviews for the empirical research and have given further clarity over the interviewing process and ethical considerations I took into account, I will move forward to the more analytical part of the thesis and the methodology used. This chapter presents the qualitative content analysis method I followed in the analysis of the data of the interview transcripts, and then goes on to explain how I analysed this data through coding.

6.1 Inductive Process of Analysing the Interview Data

As explained before at length, qualitative interviewing was chosen for the empirical research of this thesis. Such interviews are not supposed to uncover the entire truth about Swiss-EU diplomatic relations, but rather consider the truth insofar as it was identified by the interview participants as important (Adler-Nissen, 2015: 97). Following this logic, and the diplomatic practice theory perspective, the methodological process is by definition inductive and interpretive. My method of analysis does not try to follow hypothesis testing, nor does it put generalization at the centre of the knowledge development (Constantinou et al., 2021: 564; Mayring, 2014: 10). The methodology that I used to analyse the interview responses is about looking at what the material and the data presents and explains and to then interpret it, rather than trying to apply pre-conceived theory to the data. To help me analyse the data inductively, I applied the method of qualitative content analysis to the interview data. Such method of systematic textual analysing reduces and summarizes the data obtained (Döringer, 2021: 273), in accordance with this thesis' objectives of inquiring into the social interactions between diplomats and experts in Swiss-EU relations and interpreting whether elements of institutionalisation defined by new institutionalism theories can be recognised in these specific cases studied.

6.2 Qualitative Content Analysis

Qualitative content analysis is characterized by the assignment of categories to a corpus of meanings, and it allows for working through a large data set and many different text passages (Mayring, 2014:10). There are two types of qualitative content analysis (QCA): conceptual QCA and relational QCA. Conceptual QCA is defined by Christie in an article by Sabharwal et al., as a research tool which provides

quantification of a number of words and phrases that appear in a document, to determine the presence of words or concepts within a set text or texts (Sabharwal et al., 2016: 253). Relational QCA is more about looking at the implicit, and the meaning of different sets of codes, or word and phrases repetition, and it helps by bringing coherence between combinations of themes, codes, or categories (Robinson, 2011: 200).

For the purpose of this thesis, I coded the interview data using *Atlas.ti*. My goal was to achieve a more interpretive analysis, as explained by the practice of Berthet et al.'s research (2023: 101). In other words, I followed a deeper relational QCA methodology of analysis, rather than a conceptual QCA. Relational QCA seem more adapted to this research as it is broader and provides a more descriptive analysis of the data to then reach contrasted answers to the research question (Mayring, 2014: 13).

6.3 Coding

Once the interviews were transcribed and verified by the interviewees, I used the software *Atlas.ti* to help me code the interviews. *Atlas.ti* has different advantages for my research; it is accessible through the University of Helsinki, it is suited for analysing interview data (Berthet et al., 2023: 82), and it helped me navigate a large set of data. Altogether, the data resulted in the equivalent of more than eleven (11) hours of interviews. I coded the data with the aim of answering my pre-defined research question, and to reduce and summarize the interview data and apply to it a systematic textual analysis, namely qualitative content analysis (Döringer, 2021: 273), which I chose for its interpretive and descriptive qualities, as explained in the previous sections of this chapter.

A code, in this context, is a word or a short phrase, but can also encompass a whole paragraph for example. Saldaña defines coding as: "symbolically assigning a summative, salient, essence-capturing, and/or evocative attribute for a portion of language-based or visual data." (Saldaña, 2013: 3). It allows for summarizing data, without reducing it (ibid: 4). And indeed, it allowed me to summarize and analyse this large dataset on my own, in the short timeframe of the thesis. Furthermore, I have focused on these codes and groups of codes for my analysis, thus leaving the irrelevant part of that data, the parts which were not helpful in answering the research question,

to the side. This process gave me the possibility to focus on the core of the data for intensive analysis (ibid:16). As a code is an interpretive act (ibid), open coding helped me define and scrutinize these experts' and these diplomats' knowledge, in order to interpret their positioning and role in shaping the processes of diplomacy in practice, at play in Swiss-EU relations (Döringer, 2021: 273).

I first started my coding process by looking at length into the data material and coded the data once, following an open coding technic. This resulted in a selection of more than thirty (30) codes. Based on a secondary analysis of these thirty (30) codes, I classified them in five (5) overarching code groups which will be represented and analysed in the *Analysis* chapter, as the five first main sections, plus one (1) section opening up about the current negotiations. These codes and code groups allowed me to dissect dominant themes and categories of the different concepts explained in the interviews (Berthet et al., 2023: 80-82). I did not use any computer-aided coding, available on the software *Atlas.ti*, for this research. I preferred a manual and repetitive process of coding by hand, rather than relying on artificial intelligence. I later looked again into each code group, and individual codes, for getting a deep understanding of each excerpt coded, and this process also helped me to identify interesting and representative quotes that I would use to support my analyses. These quotes are in brackets and italics in the analysis chapter that follows, and are direct quotes from the interviewees.

The coding technique I used helped me to grasp the core of the data from the interviews but was only the beginning of my analysis. The interpretation of the sets of data and categories created by the coding groups and individual codes, as well as connecting these different instances in a coherent whole, still took many more hours of scrutinizing the data and many readings of each individual interview at length. The results and findings of this entire process can be read in the next chapter: *Analysis*.

6.4 Limitations of the Methodology

Regarding the limitations of the methodology used, and how I managed the interplay of research ethics and doing qualitative interviews with experts, different elements limited my analysis and my capacity to research certain topics of the original data gathered. After the interview, participants proof-read the transcript of their interviews,

and a large amount of data deemed "sensitive" were deleted from the transcripts or otherwise greatly altered. The justification for these alterations and deletions were that either the data was politically sensitive due to ongoing negotiations between Switzerland and the EU, or (in my opinion) because of risking retaliation or the possibility of the interviewee being recognized. As an example, information regarding gender disparities were deleted and couldn't be analysed from the transcripts.

I question the method used which let participants delete parts of the transcript about gender equality issues and other "sensitive" data. These limitations to the method, may arise from how I practiced it (offering the option to interviewees to proof-read their transcript, etc). For future research, I would explore methods that do not require participants to risk their careers for fear of retaliation upon, expressing critical opinions about the structural inequalities in the institution, nor when they talk about ongoing negotiations. Ideally, qualitative research should not be interpreted as risking or harming current negotiations, but would show an analysis of the situation based on positioning and information gathered from people working within the institutions. Thus, allowing for an analysis of the current negotiations, and perhaps looking for avenues for development, instead of blocking off the entire possibility of researching something that is ongoing and sensitive.

Another point which limited my research was the lack of willingness from individuals working in the field of diplomacy to participate in qualitative research, and interviews. Numerous times during the process, I was regarded as a journalist, or questioned at length about the reliability of qualitative research, and its process during, before, or after the interviews took place. This experience showed how little these topics are researched, and even less so in a qualitative manner. On that issue, diplomats from European institutions did not reply to any of the interview recruitment messages I sent them, which seem to be part of a wider reluctance of the European Union leadership to see their employees participate in scientific research. In the Swiss case, limitations to the interview process arose more from internal rules about communication, and the press services within the department (FDFA). They pressured interviewees to submit the direct quotes of their interview if they would be recognisable, showing an attempt to take control of the research process and the freedom of expression of diplomats.

These kind of controlling behaviours are problematic and threaten the qualitative research process by making it more difficult to take place. It is alarming, as there is a need to further inquire into these issues with qualitative research methodologies. I argue that the lack of qualitative research on the topic might come concretely from the limitations that these structures and institutions put in place to make the work of the researcher more difficult.

7 Analysis of the Research Interviews

After presenting the theoretical and methodological foundation of the thesis, I will now present the result of the analysis of eleven (11) interviews that I have conducted with Swiss diplomats and experts, as well as one (1) EU diplomat, about the diplomats' role in the processes of negotiations for further cooperation and institutionalisation of the Swiss-EU relation. This chapter is divided into six (6) sections, starting with a more historical analysis of the institutional relation between Switzerland and the EU. Then, I analyse the role of the hierarchy in the discipline. Later, I argue for the connection that exists between the informal and the current institutional format that governs the Swiss-EU relation. Furthermore, speaking about the role of informal connections, I defend the idea that the Swiss Mission to the EU in Brussels plays a pivotal part in it. Finally, this chapter of analysis concludes with the last two (2) sections on the spheres of politics and diplomacy's interplay, which will offer a bridge with the current and future situation of Swiss-EU relations and negotiations.

7.1 The Diplomats and Experts' perception of the institutional history of the Swiss-EU Relation (2010s- early 2024)

In this section, I will present the institutional history of the Swiss-EU relation as defined by the diplomats and experts interviewed. Institutional history of the Swiss-EU relation is defined by the events presented on Figure 1 in the *Introduction* chapter of the thesis. Firstly, I argue that this history is perceived differently by diplomats based on the period during which they oversaw Swiss-EU relations, with fluctuating levels of trust and confidence over the years. Secondly, I underline the current package approach negotiated as the fruit of negotiations and compromise-building over these 20 years. I conclude this section with the current strategies and developments of the institutional relation put in place by the diplomats and experts in charge.

The earliest and landmark event the interviewed diplomats presented was the adoption by Switzerland of a differing track of institutionalisation than the one proposed by the EEA (European Economic Area). They defined this alternative relation as a dense network of agreements, without the political implications of the EEA. They emphasised how Swiss bilateralism is less about political perception of European integration, but rather a necessity since a popular vote in Switzerland decided to refuse to join the EEA

in 1992 (Interview 1,2,3,8). The differentiation of the Swiss case from the EEA case comes from Switzerland's disinterest in integrating the EU (economical) institutions, if it were required to accept common institutional rules such as provided in the EEA agreements[1]. As one interviewee put it, Switzerland was "scared to death" to institutionalise its relation with the EU, and therefore refused to join the EEA (Interview 3). Instead, it successfully articulated a special closeness with the EU. Only Andorra and San Marino have such close relations with the EU, without being member of the EU, nor the EEA. Two diplomats interviewed said Switzerland managed this masters' trick thanks to its privileged market power and common dependence on trade within one another (Interview 10, 11).

This last point is arguably the centre of the current contention with the EU, which accepted such exceptionalism under the condition that Switzerland would join the EU or the EEA one day (Interview 7). However, the possibility of joining the EU is not on the agenda today in Switzerland, thus motivating the EU later to demand such institutional elements to be agreed on as soon as possible if Switzerland wanted to keep its access to the EU internal market that it benefits from. Already after the 2010s, the bilateral agreements started to age, and a new dynamic came into play, with Switzerland and the EU wanting to further institutionalise their relation. The objective of the Framework Agreement, the Institutional Agreement (IA) was to settle the institutional question.

While the goal of the IA seemed logical, the Swiss government abandoned this project of institutional agreement in May 2021, due to different political considerations which I will discuss later in the last section of the analysis. Through the interviews, I found out that the mention of the Institutional Agreement has become a very political and toxic topic in Switzerland. The interviewees of this research were very reluctant to talk about the similarities between the current package approach and the former Institutional or Framework Agreement. I noted that one reason for this reluctance could be that the institutional aspects of the relation are the main and spiky issues for Switzerland, up to this day. This is the case especially, since the new package approach negotiated today is more focused on putting the accent on the sectoral agreements'

[1] EEA Agreement's mechanisms of EU law enforcement in EEA state: an independent authority and a Court to ensure that the law is properly applied.

renewal, and also incorporating institutional aspects in a more sectoral manner, instead of having institutional rules overarching all the sectoral agreements. As explained, mentioning the institutional agreement to a diplomat or an expert working on the matter is complicated, as they rejected the term and the comparison strongly in the first place, even though usually after detailing the similarities between the two, they eventually explained some comparable points about the core of the IA and the content of the package approach.

This malaise around the institutional questions comes from the developments of the Swiss-EU relation through time. Over the years, Switzerland has benefitted from a privileged relation with the EU (Lavenex & Schimmelfennig, 2009; Eckert, 2022; Gstöhl & Phinnemore, 2019). The interviewees have agreed with this statement, however they made sure to precise the term privileged in the sense that relation with the EU is manifested by the number of agreements, hundreds of them, which links the EU and Switzerland economically, and in many other domains (Interview 1, 2, 3, 4, 5, 6, 8, 11). However, they assured me that the EU and Switzerland have a strong interdependence: many EU citizens live and work in Switzerland, and vice versa – though most of them come from neighbouring member states countries, such as Austria, France, Italy, and Germany. Hence, they emphasized the relation's common interest to collaborate, instead of Switzerland being "privileged" in the sense of having favours from the EU (ibid). Switzerland, as small as it is, could never have forced the big and powerful EU to do something it didn't want to or didn't benefit from.

To develop the institutional relation characteristic of today, I decided to use new intuitionalist theory to analyse the interview data (Mackay, Kenny & Chappell, 2010; March & Olsen, 1984). In this theory, institutional relations often take place in the intricacies between formal and informal institutions. In that respect, diplomats' practices described in the interviews put emphasis on the importance of building trust and personal relations between diplomats in order to ensure respectful bargaining and possibly find compromises in the negotiations. I want to now present the role this trust-building played in the common institutional history of the two partners, Switzerland and the EU.

In this context, I analysed the relation formed between the two main negotiators on each side. Even though many have taken over the position through the years, it has always been the core of the job to get to know the counterpart as much as possible, within the timeframe at disposal. Sometimes, arguably, the better this relation was the bigger advancement in the institutional relation took place. This logic of trust built over the years was reiterated in numerous interviews (Interview 1, 2, 3, 5, 6, 8), and the participants talked about common careers and life trajectories, often crossing paths in previous positions, all the way to mentioning a feeling of "common DNA" between counterparts (Interview 2). This relation built over the years was also said to be the most important when trying to find solutions, to "try out ideas off the beaten track" (ibid) with the EU counterpart.

Furthermore, the work of building a trustworthy relation is made ahead of the negotiations: "*It's about identifying contacts, making sure we have a basis of trust with the people we're going to be negotiating with, and that's something we normally have to create before the negotiations start*" (Interview 5). This excerpt illustrates the importance of building the trust before, and outside the round of negotiations themselves. Such preparatory trust-building moments can take part in informal settings, and I will develop this argument further throughout this chapter, by analysing more at length how these relations are being nurtured over time in the section about informal relations.

Arguably, the trust levels have not been constant in this relationship. This trust defined as so valuable and important is said to have been lacking for some time, and the current objective is to build back the trust in order to have negotiations taking place in a safe and constructive environment: "*There was a lack of trust, which is gradually being built back up. It was lacking on the Swiss side because Switzerland found that the Commission, was particularly rigid, inflexible, and dogmatic. It did not want to recognize Switzerland's importance for the common market and European integration in general. It wanted to impose concepts on Switzerland that were completely foreign to it. It didn't want to understand that things could very easily be done differently*" (Interview 1). This interviewee gave an interesting account of the flows in the relationship that can harm trust levels and affect the success of negotiations over time. Moreover, this participant explained how they are positive

about the EU taking a new approach to the relation and adopting a more comprehensive approach and recognising the importance of Swiss concerns, thanks to long-term experience of negotiations and trust built between both partners. I argue that time is an essential element in a diplomatic relation, and practice theory aims to trace space and time, to define whether certain practice take place or not depending on the context (Constantinou et al., 2021: 575). So, in addition to the importance of trust there was also time required to learn to perceive and differentiate the other counterpart's strategy from genuine intentions. This importance is reinforced in situations where tactical considerations are wrapped in rhetoric (Interview 2, 5), a common characteristic of diplomatic communication, which takes time and knowledge to uncover.

I argue that building this knowledge of the others', the EU's strategy, and their negotiators, as well as making sure that the counterpart understood Swiss interests and the reason behind these interests, such as internal and external institutional tradition and rules, took many years. It also took this time for Switzerland to build its own positioning vis-à-vis the counterpart, what interviewee 2 describes as the "prior discussion on a theme, an interest" and possibly a "common desire" to cooperate. It took time for Switzerland to articulate what it really wanted from this institutional relation with the EU, and where its boundaries stood. These flows and development of the situation are the "history" of the relation. There have been near-constant ongoing negotiations, with different mandates and different people taking charge of it over the years. And even when the mandate or agreements were not renewed/rediscussed as a whole, the joint committees of the bilateral sectoral agreement served as an occasion to develop and bargain over the relation and its developments. I argue that the package approach is the fruit of this whole institutional process of getting to know and understand each other better. And the current version, because it is the latest, is the most refined version of this knowledge of one another's interests, points of view, and institutional reality and boundaries.

On the other side, the boundaries of the EU for going further were defined clearly and constantly for the past thirty (30) years. An EU diplomat repeated that further bilateralism could only happen if Switzerland resolves the institutional issues with the EU. If not, then the current bilateral relation would slowly "*erode, crumble, to the point*

where it's worth much less" (Interview 7). So, as identified earlier, the heart of the question for the EU is the institutional question, and if it is not settled the Swiss relation with the EU is heading to an uncertain and probably unpleasant destination. To avoid a confrontation on this burning question, the current Swiss attitude is to avoid misunderstanding and arbitrary perceptions, presented as "meta-perceptions" by an interviewee (Interview 1). Negative meta-perceptions are psychological phenomena which reduce trust and the willingness to interact with another group (O'Brien et al., 2018: 942), illustrated as 'the intentions I think the other group has for me are more negative than the original intentions the other group has for me'. An interviewee presented how to reconstitute this genuine dialogue and ensure the possibility of good negotiations based on trust and common understanding. They said the objective of Switzerland in the current negotiations was to "*remove the elements in the mutual perception that are false and to get to the heart of the matter,*" to avoid perceiving the other as malicious, nor at the dangerous level of meta-perceptions (Interview 1).

The concluding aspect of this section is the expertise needed to understand these misperceptions at play, which an interviewee claimed crystallises in the intricacies of mood and atmosphere (Interview 12). Moreover, talking about the life-expectancy of the agreement, this interviewee said that a situation where one of the two (2) sides has the impression of "winning" the negotiations is never a good sign, especially in terms of sustainability over time of an agreement (ibid). After looking at the diplomatic perspective on the institutional relation and bargaining between the two partners, the words of interviewee 12 light the path for future negotiations which should result in an equally shared discontent or content, that doesn't exceed the other ones, in other words to ensure the perennity of the deal defining the institutional relation forward, though under constant revaluation. Now that I have shortly presented the history and the mood of negotiations for the past 20 years from a diplomats' and experts' perspective, I will proceed with the analysis of a common structural aspect of diplomatic practice – hierarchy – but which has its specific characteristics and consequences in the Swiss-EU relation.

7.2 The Diplomatic Hierarchy as Tension Between Structure and Agency

In this section I want to analyse, in the light of the Diplomacy Practice Theory *Discussion* by Constantinou et al. (2021), the problematics of defining "who" is a

diplomat. The difficulty to define “who” is a diplomat was emphasised in the interviews together with the issue of defining “who gets to talk to whom and when”. In other words, the hierarchy between Switzerland and the EU in many ways specializes and complexifies the processes of negotiations, what Rebecca Adler-Nissen and Vincent Pouliot describe as tensions between structure and agency in the practice of social processes of diplomacy (Adler-Nissen, 2015: 88; Pouliot, 2016: 10). I will start off the analysis of these elements by underlining the role of positionality, as an integral part of the self-image of the interviewees and their definition of the role they play in the structure.

Instances of the importance of positionality in the Diplomats and Non-Diplomats interviewed was the emphasis of their positioning in the organizational chart of the FDFA (Federal Department of Foreign Affairs), and the related, mirrored chart on the EU side. This way of situating oneself made me understand the hierarchy and the rigidity of these kinds of large administrative and political bodies, of which the Swiss and the EU administrations are examples. When introducing themselves, the interviewees would place their position and title within this hierarchy, for example the European Division inside the FDFA is the central division for the Swiss-EU relation. The head of the European Division in the FDFA is Patric Franzen and he leads the technical negotiations with the EU. He is then supplanted by the diplomatic and political level with each their level of escalation. At the diplomatic level, just one above the technical level, is Alexandre Fasel with his EU vis-à-vis Juraj Nociar, Vice President Maroš Šefčovič's chief of staff (Interview 1). Each segment has its assigned level of “escalation” and negotiations attributed (Interview 1, 2, 3, 4, 5, 8, 10, 11). This separation and delegation of tasks follows strict rules and patterns of communication, a diplomat talks to another diplomat, a technician talks to other technicians and so on. Moreover, the definition of the title “diplomat” is codified in this field, many interviewees said to consider someone as a diplomat if they have followed the set career of diplomacy within the FDFA (Interview 3, 4, 5, 8). However, the interviews showed that the practice of diplomacy also goes beyond the diplomat as defined by the department. There are also employees from the SECO, or the SEM taking part in the negotiations, bringing their own expertise (Interview 4, 5).

These accounts showed how there is a monopoly of certain tasks that can be performed by certain actors, those which are granted a certain title, but in reality there are many more participants in the negotiations than solely the diplomats with a title. An interviewee explained how the Swiss Mission to the EU in Brussels, for example, also has representatives, called "détachés" from each federal office in its wall (Interview 5). As a result, all seven (7) federal departments are represented in Brussels. So, the organisational chart is much more complex and scattered than the clear division of the FDFA chief negotiator and its subordinate. Many other non-diplomatic actors, experts and *détachés* also take part in the everyday relation, diplomatic relation, between Switzerland and the EU, which supports Vincent Pouliot's idea that diplomatic practices account for more than the sole work of the diplomats with the title (Constantinou et al., 2021: 564-67). Moreover, even though the talks between the EU and Switzerland are directed and presided by the FDFA, Cantons also have a certain say. Their representative said in its interview that they are subordinated by the FDFA "diplomatic" hierarchy, they can only speak if expressly authorized to do so, in accordance with the head of the delegation, though they are a full member of the negotiating delegation (Interview 3).

This hierarchisation shows the clear separation of power of the different delegation members and the structure in place, and the limitations constrained to lower hierarchical levels. Nevertheless, this static chart has recently been shaken internally, since the cantonal representatives had to push the official leader of the negotiations, the federal council, by relaying the cantonal ambitions to find a solution and "*push the federal policies a little*" to "*avoid being stuck in the same old debates*" (Interview 3). This shows ownership of the Swiss-EU topic by further actors, outside of the FDFA, and shows agency from those other than diplomats in practice, such as Canton representatives, and other departments' *détachés*.

Furthermore, my research shows that the internal institutional setting of the Swiss Confederation also disturbs the supposedly clear divide of agency between the technical, the diplomatic and the political, as presented above, which will be analysed at length in the last section of this chapter. Another interesting perturbator aspect is the structure of management's evolution on the Swiss side over time. As presented by different interviewees, for instance, the State Secretaries were formerly in charge of a

European department, after which came the time of the "super state secretary", then the time of the overarching state secretary (Interview 2, 12). Through time, the administrative section that looks after relations with the EU shrank. These developments attest to the changes enacted within a number of administrative offices and departments looking after EU relations, and what was called the "Integration Office" at the time diminishing in capacity. This evolution also depicts changing narratives and semantics in the administration, about how it defines the relation with the EU through the years, – from "Integration" when the objective was to integrate with the EU, to the now so-called "Division", which is one of many world regional divisions present in the FDFA. I argue that this hierarchical and administrative evolution reflects the importance and the weight the European dossier had over time in the federal administration. The time when the EU questions were treated by the Integration Office under two (2) departments, the FDFA & the FDF has resumed. The European directorate that followed was also degraded into the current European Division. An interviewee deplored these evolutions, as two (2) departments always involved gave the dossier more ownership in the government (Interview 12).

To summarize this point, the first part supported a more complex picture of only diplomats with a title practicing diplomacy, following Vincent Pouliot's theorisation of whom is taken into consideration when studying diplomatic practices (Constantinou et al., 2021). In fact, the agency of diplomatic and technical levels meets in this relation, because the agreements negotiated contain a lot of developed legislative articles and specific cases where very niche expertise is required, however the diplomat is not always the specialist, not even about the actual EU policies. On this point, an interviewee mentioned how sometimes no expertise is an advantage, as you don't have a preconceived opinion, which allows for more creativity (Interview 9). So, in the process of finding a solution, the hierarchy titles, the experience, or the expertise so strongly emphasized, is not the only important element. The practitioners primarily must find ways to unlock the points of contention. That is to say, the capacity for finding solutions in diplomatic settings does not come solely from a title, nor any specific expertise, but rather from collaboration of the practice of all actors.

On the other side of the table, the EU hierarchy has also had a lot of impact on the negotiations and the diplomatic practices of both the Swiss and the EU structures. The

European Union is a supranational organisation with different dynamics and balances between member states' power and supranational prerogatives. As explained by multiple interviewees, the EU technical issues are dealt with the multiple Directorate-General relevant (Interview 1, 2, 8, 10). They also explained how on the institutional side, it is a tandem between the Commission's Legal Service and the EEAS, the European Union's External Action Service (ibid). After that, these people report to the Directors General, who in turn report to the Commissioners and their cabinets (ibid). There are also always escalation mechanisms: first the technical work, then you climb the ladder. The issues with Switzerland have also been followed quite closely by the political levels, specifically the cabinets (Interview 2, 10), as it is a political issue for the EU and its member states such as France or Germany, which are implicated and have interests in the Swiss-EU relations.

So, all these levels of escalation, Directorates-General, Commissioners, Commissions' different Services, etc., must find their counterparts in the Swiss administration of diplomacy. Through this research I found that the Swiss side is influenced by the EU dynamics and in response assigns a counterpart for each of the different diplomatic and institutional levels of the EU, thereby mirroring the EU's structure. The more levels of escalation there are, the more complex and articulated the relations must be, therefore allowing for very thorough technical dialogues to take place. This exercise also shows how important the relation with the EU is for Switzerland, since it finds ways to mobilize so many actors on the dossier, notwithstanding the fact that I have analysed how the European dossier assignation into offices shrank over time in the Swiss administration. Furthermore, the EU's internal institutional setting, tinted by a complicated balancing of both member states and supranational governance, also comes as a challenge for the Swiss relation with the EU: "*When you look at the decision-making process in the European Union, you see that you have to find solutions that accommodate the interests of all the member states. And these member states are often extremely different*" (Interview 6). As we can see in this citation and my previous analysis, while the empirical data shows Swiss diplomats officially talk with the European Commission, there is also an important balance between the interest of the member states that must be taken into consideration.

On that matter, different actors interviewed have differing visions of whether resources should be assigned rather in the member states in the relation with the EU, or if the supranational level should be prioritized. Opposing discourse to supranationalism of the EU brought interesting nuance to structural agency in the Swiss-EU relations since the Commission must have the support of the COREPER (Committee of the Permanent Representatives of the Governments of the Member States to the European Union) for most decisions regarding negotiations. So, Switzerland needs both the member states and the Commission to strike an agreement. Furthermore, when the member states aren't particularly interested, it is not necessarily a problem. As an interview underlines, the problem arises when a member state – like, in the past, Croatia – blocks negotiations with Switzerland (Interview 6). In this case, it was only a matter of a few-months delay concerning the rights of Croatian citizens to work in Switzerland after Switzerland had limited the permits attributed to Croatian nationals, and then the matter was settled (ibid). Furthermore, the issue on this latter point is not only about the hierarchy within the EU and within the Swiss administration of diplomacy, but the overall imbalance between the worries and concerns of a single small state in the middle of Europe on one side, and the issues that the EU as a multilateral power must face on the other.

These imbalances at play in this power-relation of the big player versus a small stubborn country doesn't necessarily bode well for Switzerland, which must deal with this reality of being a lesser problem in the grander concerns of the EU. Moreover, this balancing between supranational and member states unveils the narrow field of manoeuvre that the Swiss negotiator has vis-à-vis the EU and its member states. On the one side, the concerns of Switzerland must be taken seriously in the EU arenas because it is the goal of the negotiator to see Swiss interests being cared for. While, on the other side, the Swiss case shouldn't become a problem for any member state, as it would otherwise result in the locking of the whole advancement of the negotiations or the acceptance of the final agreement. If only one member of the Union suddenly has an incentive in opposing the process it can stop the agreements from being adopted as a whole.

7.3 Limited Access to Institutional Decision-Making and Subsequent Importance of Informal Relation

To ensure that these razor-edged balances of interest stay in sync, I traced how the informal side of the relationship comes into play. The informal part of the relation is not something that is clearly detached from the formal diplomatic work, rather to the contrary it is constantly coming up as a support or back-up for the formal development of the institutional relation between Switzerland and the EU, and in such a way that it sometimes becomes difficult to disentangle the formal from the informal and vice versa. In this section, I explain how I found that Switzerland has consciously decided to give more importance to informal access to the EU institutions, by refusing to be part of the formal institutional decision making or shaping in the EU, accessible through membership or alternative economical membership such as the EEA.

An important aspect to this claim needs to be clarified to understand my argumentation, which is that Swiss-EU relations based on bilateral agreements are a mix of economic and political relations. The EU wanted more integration with Switzerland – especially regarding the question of institutions (e.g. acceptance of the Case Law of the European Court of Justice, dynamic takeover of EU laws) – and Switzerland wanted to benefit from a full access to the EU internal market, all while securing its sovereignty and preserving its political system, which is characterised by direct democracy and federalism. So, as an interviewee presented it, they agreed on a kind of in-between scenario: Switzerland got its own approach, the bilateral relation, a sectoral approach (Interview 3). Firstly, I will dissect this sectoral approach, to help understand the role informalities play in the current design of the relation. The Swiss Mission in Brussels and its work of influencing decision makers, penholders, from the Commission and in the DGs, to ensure the Swiss interests are preserved in new EU legislation is one instance of this resulting prominence of informal situations. Secondly, informal work also takes place in the everyday work of diplomats and experts in the neighbouring member states of Switzerland to present and convince these powerful members of the Union (Germany, France, and a bit less so Italy, and Austria) to defend or understand Swiss interests.

An interviewee explained how Switzerland resorts to informal practices since it doesn't always have access to EU bodies: "*You have plenty of examples, either to amortize costs, or even to make proposals for a very favorable situation, in all areas of cooperation and in all agreements. This is often done informally, since we don't have access to it (the decision or expert bodies) all the time*" (Interview 4). This diplomat defined how the participation can sometimes be ad hoc, with access to the Commission working group, the Council working group, or the Parliament working group. Member States are always trying to modify slightly, to calibrate the process of preparing legislation to take account of their interests. In the end the diplomat cited here explains how EU decision-making is a grand compromise, which is why it's sometimes difficult for Switzerland who isn't involved in these processes to come downstream, to modify certain things that might somehow upset the grand compromise that was already difficult to reach (ibid).

This situation is reinforced further by the fact that Swiss institutions know EU laws very often end up influencing the codification of Swiss laws (Epiney, 2009:180-4, Interview 5). Furthermore, the government of Switzerland invests large human and financial resources in the Swiss Mission to the EU in Brussels. As explained by one diplomat I interviewed, this is in order to make sure that Switzerland has some say (albeit informally) in the codification of EU laws, through influencing and presenting Swiss interests to penholders of the Commission and member states of the EU (Interview 4). Analysing this situation, brought me to the conclusion that the Swiss government is aware of this reality, and that therefore pursuing such a relation over the past 20 years is equal to accepting the mechanics of it. As a result, my research shows that the current format of the Swiss-EU relation has resulted in the prominence of the role of the informal, in Brussels, and towards the member states, in order to compensate for the lack of decision-making or shaping power institutionalised and formally recognised for Swiss actors inside the EU decision-bodies.

As seen in the literature review previously, and to give a bit of background to this claim, there was a time when Switzerland and its expertise was accepted in the EU expertise group of the Commission, but this time came to an end in 2016 when the EEAS decided on a common approach to third countries and made sure Switzerland would be no exception to this policy (Lavenex & Veu, 2023: 348-55; Veuthey, 2020: 1-3). Therefore,

Swiss experts were rejected from these committees, as the EU was expecting to agree on institutional rules with Switzerland, and thus making it possible for the inclusion of Swiss experts in these committees in the future. On the contrary, since Switzerland and the EU did not find an agreement on institutional rules, one diplomat I interviewed explained how in the latest phase of tension between Switzerland and the EU there has been even less opportunity for these kind of interactions as Swiss diplomats and experts were refused access to the Commission: "*The Directorates General never opened the door for a discussion in the last three (3) years, they had received instructions from the top, telling them to not talk to Switzerland*" (Interview 8).

The only two agreements that Switzerland has so far enforced with the EU, which give an official and institutional decision shaping power for Switzerland, are the Schengen and Dublin Treaties. In all other treaties and areas, Switzerland resorts to informal influence-making and decision shaping with the EU institutions and with the member states, when it wants to insert certain concerns of Switzerland in the codification of EU laws, especially in areas concerning the single market of the EU in which Switzerland takes part. So, informal relations are not about trying to make something happen behind the curtain, but it is just about the only way Switzerland can have a say in defending its interests in the EU arena, as it stands within the current shape of institutional relations between Switzerland and the EU.

7.4 The Role of the Swiss Mission to the EU in Brussels in Building Informal Connections

So, to make account of Swiss concerns in the current limited institutional format – often the relation develops through informality, and that is why informality and institutional relation are related, whether in the negotiations for new agreements or in the daily relation and sustaining of already-agreed-upon treaties. I will now analyse the central actor in building these networks on a daily basis, which is the Swiss Mission to the EU in Brussels, with its strategic location next to the EU institutions headquarters.

As explained earlier in this analysis chapter, in section 2 which described the FDFA hierarchy, the Swiss Mission in Brussels hosts experts, and administrative workers as well as diplomats from all the seven (7) departments of the Swiss government. So, not only is the FDFA present in Brussels, but so are all the departments that have an

interest in having a representative close to the EU decision-making. This is explained either by the technical work that requires niche experts on the spot, called *détachés*, or can signify that departments want to hear the information in a direct channel. For example, as defined by the Canton's representative I interviewed, the Cantons' expert present in the Swiss Mission in Brussels tasks is to hear of the negotiations directly from the negotiator rather than via the FDFA intermediaries (Interview 3).

Another diplomat interviewed added that there are also detached organisations that represent specific interests of Switzerland – such as *Swisscore* which connects Switzerland and the EU in research, innovation, and education – but also work closely with the Mission in Brussels (Interview 8). All these different tasks and this structure of the Mission of Switzerland to the EU shows its diverse expertise and important role as a hub for relations between Switzerland and the EU. The primary work of the Swiss Mission to the EU in Brussels is to be the first contact between the EU and Switzerland, on the field. Different diplomats interviewed defined the Mission's work as essential in explaining and preparing the ground for the negotiations (Interview 4, 5).

Another aspect of the Swiss Mission to the EU in Brussels is that of informing. A diplomat gave an example of the work the Mission did before the adoption of a 2014 popular vote in Switzerland "against mass immigration" that threatened the Swiss-EU agreement on the free movement of people, according to the EU: *"(…) to come back to the mission's work in Brussels (…) sensing that it was coming, we had explained from the outset what it meant, not against the free movement of people, but against a derailment of the control of migratory flows (…) the ability to influence means explaining upstream what this means, where it comes from, what this popular vote meant for Swiss decision-making processes*"(Interview 4). I have interpreted this work as a way to cushion the blow when Switzerland makes decisions, for example has a popular vote or accepts a legislation, that conflict with the interests and the relation with the EU or one of its member states. These are situations when the informal networking pays off and plays an important role also institutionally since, as one diplomat I interviewed explained, its goal is to prevent the EU from retaliating against Switzerland by explaining the situation to the member states, the stakeholders, and the different EU institutions upstream (Interview 5).

Reflecting on the impact that the Mission's cushioning work had at the beginning of this year, the EU got back to the negotiating table relatively quickly after the rejection of the IA by the Federal Council of Switzerland in May 2021. This underlines the success of the cushioning work built up through interpersonal relations and trust in the honesty and hard work of the Swiss side. A diplomat underlined how the Mission's diplomats and experts know who to speak to, or how to be more efficient in this background informing and cushioning work, they put a lot of effort into networking and sustaining good relationship with member states and EU institutions with their "contacts on the ground" (Interview 5). Moreover, another diplomat presented the Mission as a sort of hub or a meeting point for different diplomats from different departments to have their informal connections take place, and to organize events in Brussels for instance (Interview 8). They also underlined how these contacts happen in formal and informal contexts (ibid).

Through these situations, diplomats and experts try to take part in the decision-shaping and limit the negative effects of EU decisions on the Swiss-EU relation. Nevertheless, these diplomats can only work with the means at their disposal, as they are not formal members of the club. In this context, my research shows that you need informality to find solutions on the institutional and formal ground, also possibly to get your country's concerns on the draft of an EU directive So, as emphasised by a diplomat, this work is essentially about knowing who the "Feder-Führer" (the penholder) is (Interview 4). Examples where informal relations take place, according to diplomats interviewed, concern going for coffee or dinner, or talking face-to-face after a meeting (Interview 2, 5, 9), and combining these acts with formal points of contact, such as ambassadors' visits to the Mission (Interview 5). Another live example of the role of the Swiss Mission in informal settings is the organizing of "beers and pizzas" for Permanent Representations and member countries of the Council Commission in a very informal way (ibid). My research shows that the practice of diplomacy is comprised of a personal relationship embedded in the professional one. Many diplomats say networking and communicating with stakeholders is the sole part of their work, so it is informal work but conducted in the formal setting of their job. The connections built with the stakeholders is also part of the negotiations strategy, or part of the daily work of practice of diplomacy in this context.

Finally, the Mission also plays an important part in nurturing and influencing the other unofficial stakeholders of the European Union – the lobbies – which themselves influence the decision-making of the European Parliament and the European Commission (Moreno-Cabanillas & Castillo-Esparcia, 2023). As one diplomat interviewed presented it, the Mission influence thinktanks, lobbyists, and interests of all kinds that are represented in Brussels (Interview 4). These actors can be useful to try to bring Swiss views on something that interests Switzerland (ibid). To conclude and add nuance to my analysis, it is not the sole work of the Mission in Brussels to organise and be the place of informal relation, the Mission does also a lot of formal work and relation with all the EU institutions. Moreover, the informal relations are not the monopoly of the Swiss Mission, as a diplomat interviewed explained, explaining how the FDFA diplomats and workers in Bern also arrange meetings and attend events in the different EU Embassies in the city to influence the processes of the EU in Brussels, but from a member state's angle (Interview 10).

7.5 The Swiss Internal Institutions' Impact on Swiss-EU Diplomatic Practices

The last section of this analysis chapter presents a central aspect invoked in many instances of the interviews, which is the influence of the Swiss internal political system on the diplomatic practices of Swiss diplomats. This relation to the Swiss institutions sometimes uncovered tensions between the political and the diplomatic spheres of governance. In fact, I have understood that diplomatic practices are often dependant on political will, and Switzerland's decision to avoid a political relationship and focus on an economic relation with the EU in which diplomats negotiate agreements on economic relations with the EU, has had important consequences on the resulting performance of diplomatic practices.

Switzerland's Direct Democracy, its political system defined in the introduction of the thesis, has a role to play in the practice of Swiss diplomacy in relation with the EU. The Swiss political system requires most decisions made in relation to the EU to be accepted or tolerated by most political parties and voting citizens in Switzerland, as referendum can occur and can block Switzerland from making new agreements or integrating into certain EU institutions. One example of this is the popular vote refusing to join the EEA in 1992, leading to the end of the Swiss accession negotiations to the EU. In this section, I will present the Swiss internal political system and its

interplay with the diplomatic practice, presenting the growing task of diplomats in building the public opinion of Swiss citizens on relations with the EU, as they are the main interlocutor with the EU in these very political institutional negotiations.

In short, the diplomatic relation to the political implicates first the Swiss politicians and the major political parties in the process, the biggest Swiss political party, the UDC, is clearly Eurosceptic (Schwok, 2022: 40). Then, the local governments, the Cantons, with their opinion about the agreement, also influence the diplomatic negotiations. And finally, the public opinion about the agreement is influenced both by the political parties and the local governments of the Canton's opinions.

Convincing the Swiss people of the acceptation of EU laws and institutional integration has been ongoing quite positively in certain areas such as the Schengen-Dublin agreements. A Diplomat interviewed underlined how, out of around hundred and fifty (150) adaptations of Swiss laws to Schengen laws, only two (2) have faced a popular vote, which the population approved (Interview 4). Therefore, the internal political and institutional design of the Swiss Confederation doesn't necessarily have to be an obstacle to more EU institutional relations. Another diplomat interviewed explained that the Schengen-Dublin Treaties were controversial, Swiss citizens voted on them, but in this case, they were supported by a clear line from the Federal Council from "start to finish", the subject was regularly debated in the government's college, but there was a majority on the will to go ahead (Interview 2). As a result, the negotiations went well, and the agreements were approved by popular vote and implemented (ibid). This experience shows that a successful political support of an EU agreement needs crucial steps to take place: a clear stand from the federal council, rather positive, a debate and understanding in the population, and if approved by a popular vote the agreement is meant to be stable and more durable overtime.

One point where the diplomatic realm seems to have an important role to play in convincing the political forces of the benefit of further institutional agreement is in bringing the actors of the civil society in Switzerland into negotiations. A diplomat interviewed showed how this takes place through extending political standing boards with the industry, with the economy, with the political parties, and with the unions (Interview 4), because these actors have a wide influence on the people's opinion and

political stands. Therefore, what appears to hold significant importance is having channels of communication between the diplomatic sphere and the political, to connect the technical negotiations closer to society and its interests.

Furthermore, the diplomats have explained that to answer these concerns, they have been more transparent and more present in the Swiss media, emphasising the importance of communication between the polity and the diplomacy. Different diplomats interviewed put the accent on direct communication, as diplomat, as expert, rather than letting someone else – possibly less informed about the issues at stake – explain the situation or the result of the negotiations to the public and the press (Interview 1, 4). The strategy to have more transparent negotiations was a deliberate decision taken by the diplomats in charge of the negotiations. However, this political implication of the diplomat seems to have its limits as well: *"I also think that the negotiator's role is not a political one. And when you mix the two things (…) you're almost taking a political stance. (…) you can't forget the role of the politician in carrying the project forward. Because if you're on your own, it won't work. And it's no good the politician acting as technician either. This often happens in Switzerland too. Because they don't have the same instruments, they're not precise in the same way, and at one point or another, they say one word wrong and then get blamed for it for months (…)"* (Interview 4).

In a similar line of thought, a diplomat interviewed underlined how the political should also have clearer stands and support the diplomatic work (Interview 2). The diplomatic work is always carried out based on the mandate given by the political government, the Federal Council, which illustrates the important interplay between the political and the diplomatic. Multiple diplomats and experts I interviewed underlined the crucial role of political leadership, and the strength of their conviction about the outcome, which plays an important role (Interview 1, 2, 3, 4, 5, 9). One diplomat also mentioned a counter failed scenario from the past, in which the Federal Council itself said that the EEA Agreement was "an unworthy agreement" in his *message to the chambers* of parliament (Interview 2). According to this diplomat, such an attitude rendered the treaty doomed to failure (ibid).

In the case of the IA negotiations, the finalized agreement was never submitted to a vote in the parliament, nor to the Swiss people. The Federal Council simply consulted selected stakeholders and then took the decision to refuse to go forward with this agreed text, in 2021. In light of my previous analysis, I interpret this decision as a rather hostile response to the long bargaining work done by different diplomats over the years. Another illustration of complicated interactions between the political leadership and the diplomatic negotiating delegation is the role and outline of the mandate of negotiations which regulates this political-diplomatic interaction. According to an expert on the matter interviewed, in the IA negotiations there were concerns that the mandate might have been relatively tight, especially because the government had to find a mandate that would suit all the different governmental political forces (Interview 3), thus resulting in a mandate where the crucial aspects of negotiations were not allowed to be treated, for example as in the question of the free movement of people.

So, according to my analysis of the interviews, and in the words of two diplomats interviewed, a better setting is made of a clearer political stand combined with a mandate that leaves enough leeway for the diplomat to perform their work of bargaining and finding compromise as well as possible (Interview 8, 9). To define these clearer stands from the political leadership, I have analysed that diplomats interviewed would like to see an open political debate on what Switzerland wants from its relationship with the EU. This involves considering, on one side, the reality of the EU's demands and, on the other side, Switzerland's motivation for cooperating with the EU. Many diplomats have underlined the need for a clear political debate on the base, the roots of the Swiss motivations for cooperating with the EU, but regret that it has never taken place (Interview 1, 2, 3). Furthermore, they regretted a lack of clear political content as basis for the negotiations (ibid).

On that topic, one diplomat stated that there are different slogans or polemic in the political debate that have never been really condemned or articulated by the government because of its collegial system, which must manage the political views of different ministers coming from different parties (Interview 1). This diplomat added that there isn't a clear majority in the Federal Council on the EU questions, so the usual answer is to not have an answer, to leave things open and leave space for partisans' scandals such as the "foreign judges" discussion take place, without a proper analysis

(ibid). The mentioned issue of the “foreign judges” here refers to the reluctance of the political right-wing forces in Switzerland to accept any form of judicial review by the European Court of Justice of pieces of legislation that would be in force in Switzerland. This condemnation of “foreign judges” resurfaced during the negotiations for the IA, and also in the current package approach negotiations, because of the possibility of seeing the European Court of Justice interpret the part of the agreements signed by Switzerland and the EU, which retakes whole or parts of the *acquis communautaire,* the Union law.

My research analysis demonstrates that the relations between the political and the diplomatic are complicated, because of the lack of clear stands of the government and the stakeholders on what Switzerland wants from its relation with the EU. Furthermore, most of these issues come from the root of the Swiss approach in its relation with the EU, which prefers a technical relation based on economic, cultural, and social cooperation, but refuses to accept a political or institutional relation. As a diplomat interviewed underlined, many Federal Council's texts on European integration, "*messages to Parliament*", often say that Switzerland doesn’t have a political framework for discussion, as it doesn’t have a Swiss-EU committee at political level (Interview 4). Such discussion with third countries exists in the EEA, but also with Japan or Brazil, for instance (ibid). If the relation would be more political, the diplomatic work would be facilitated by clearer agreements from both the EU and the Swiss political leadership over the sort of relation that the two actors want to have with one another. Once this would be further developed, the diplomatic practice could focus more on technical issues of implementation on the basis of common will to negotiate, and acceptance of certain conditions from both sides for these agreements to take place. The *Common Understanding*, the result of the exploratory phase for the current package approach, also recalls the need for more political, “High-Level Dialogue”, between the two partners (European Commission & Switzerland, 2023 December 15: 3-4).

7.6 The Diplomatic Practices in the Era of the New Package Approach

The New Package Approach currently negotiated has brought forth content similar to the IA agreement in terms of the institutional questions it addresses, but with a different format and strategy for negotiations. The IA’s logic was to address all issues

at once in a big package, and each time there was a problem it would be taken out of the package, and finally what was left over was the institutional question. With the package approach, each agreement is negotiated separately in divided sectoral agreements with the opposite goal to extend the areas where the agreements can lead to and make new agreements where and if possible. In this format, the institutional questions are treated in each sectoral agreement, on a similar scheme as the bilateral agreement I and II. This approach resembles a usual Swiss compromise, where a maximum of political forces' interest meets. This model came about in the exploratory phase and was accepted by both the EU Commission and Council and the Federal Council of Switzerland. Diplomats interviewed placed importance on the exploratory process for the new package approach, which defined landing zones for subsequent negotiations to minimize the risk of failure of the negotiations this time (Interview 1, 5, 10).

The Exploratory phase of the New Package Approach took place between March 2022 and December 2023, which beginning coincided with the COVID-19 pandemic period. In this context, the topic of online diplomacy was brought up in two different ways in the interviews I conducted. One of these aspects is online diplomacy as an accelerator and facilitator of the negotiations. Another is online diplomacy described as an obstacle for the negotiations in the events following the COVID-19 pandemic in 2020. A negative account of the shift of diplomacy online during the pandemic was how it complicated the IA negotiations. One diplomat I interviewed underlined how this format was not very conductive in "extremely difficult" negotiations, with "extremely sensitive" issues (Interview 3). Whereas from the opposite perspective, other interviewees explained how, in the current package-approach negotiations, online diplomacy allows for more stakeholders to be present in the negotiations simultaneously, with less costs with regards to time and travel and therefore offers the possibility of a higher frequency of meetings (Interview 1, 8). These elements support the idea that online diplomacy can make negotiations more efficient, at least at a certain stage of the talks, like what the interviewees here referred to as the "exploratory phase" of the package approach negotiations (ibid).

While analysing the impact of online diplomacy on the institutional negotiations between Switzerland and the EU, I concluded that the post-pandemic practice of diplomacy seems to have taken a hybrid format. Much of the negotiations take place

online and this practice becomes embedded in the negotiations, but still with discussions at certain crucial moments, taking place in person in Brussels or in Bern. Furthermore, all positive account of online diplomacy in the interviews I conducted with diplomats, also specified that online diplomacy works best when people, negotiators, know each other already, or have already met in person before, especially when the issues become more political or that the negotiations become more tense (Interview 1, 8, 9). Notwithstanding that the role of diplomacy is primarily to be present in person at the embassy or the mission (ibid).

The actual negotiations that have now officially started on the 18th of March 2024 will test this new approach and we will see if the political and diplomatic work of the Swiss side will be, this time, crowned by an acceptation of the negotiated text of the agreements in the parliament and certainly in front of the Swiss people in a popular vote. There are already certain sectors where the Swiss population and the government of Switzerland, as well as the EU, are ready to cooperate as soon as possible. One instance is the ERI (Education, Research and Innovation) sector. According to my analysis, it could be a pivotal part of the negotiations, and this example also shows how an agreement is successfully diplomatically negotiated and then politically accepted by the parties and the population.

If we take the elements of the ERI Agreement as a model, we can underline the political opinion which is and has been for many years in favour of close relations between Switzerland and the EU on the ERA sector. This position matches also with the interest of the EU, which supports the idea of having more cooperation between Swiss and European research and innovation. Moreover, it has been used as a point of leverage from both sides to stress the necessity of finding compromises on all the other sectorial agreements (the other packages) to release this specific area from its current lethargy. As a diplomat interviewed described, the former programmes Switzerland was affiliated to, like *Horizon,* was hijacked by the other political, very difficult questions and agenda (Interview 8). Now, the Swiss strategy is to do the opposite and use ERI as a bridge to come back to the negotiation table and find common ground (ibid).

So, the areas with clear societal and political stand, as well as where the EU and Switzerland have a common interest to cooperate, are used as meeting points in the negotiations, but can also be used as pressure points. In this example, I showed how

the clear political stance plays the central role in the success of a negotiations, even though Switzerland still claims that it doesn't want a political, but rather a technical, relation with the EU. To conclude, this example shows once again how much the political and the diplomatic are in interplay and can influence the outcome of the negotiations. In this Swiss-EU context, it is important to note that more political investment has proven to produce better and long-lasting results in the past, as has been underlined in this analysis. Thus, the negotiators and political leaders might benefit from the lessons learned from these recent and past experiences in the current negotiations.

To underline the main findings of this analysis chapter, the following Discussion chapter will summarize the findings and bridge them with the theories. Finally, the Discussion will address the limitations of the thesis analysis chapter.

8 Discussion About the Findings and Relevance to Previous Research

To summarize the findings from the analysis chapter, the discussion will start by answering the research question in a straightforward manner, and then bridge these findings with the theories presented in the earlier chapter of the thesis. After that, I will also discuss the limitations of my research findings as well as the limits of the methodology of research that I applied.

8.1 Answer to the Research Question

As a reminder, the analysis chapter answered the following research question (and 4 sub questions available on the section *Research Question*):

> What institutional processes are manifested in practices of Swiss diplomats and experts, in the Swiss – EU relation?

The analysis displayed in the previous chapter allowed me to interpret the data to answer this question, as follows: The Swiss diplomats' and experts' perceptions of the institutional relation with the EU has been marked by the privileged relation Switzerland has with the EU in terms of access to its internal market, yet there are limitations regarding the future of this relation if the institutional questions are not settled with the EU.

In the institutional negotiations, the diplomat's role has been to follow a mandate, but also to propose creative solutions for areas where the EU and Switzerland do not agree. The primary idea has been to negotiate an Institutional Agreement (2014-2021), which was negotiated for years but whose final text the political leadership decided to abandon, displaying a distension between political and diplomatic expectations. Though the agreement failed to be adopted, diplomats from the EU and Switzerland built important trust-based relations. Now, the diplomatic corps, in accordance with the political, have proposed a new project for pursuing a form of institutionalisation with the EU, called the New Package Approach (2022-2024).

In the quest for a new arrangement, for the whole period (2014-2024), informal relations have taken a central role. The Swiss Mission in Brussels and diplomats and

experts within its walls, have kept their work of influencing and networking in order to determine and investigate what new project would suit the EU and its member states, as well as to sustain the relation as it is in the meantime, before a new agreement(s) would enter into force. In the current situation, characterised by the absence of formal institutional solution for the participation of Switzerland in the decision-shaping of EU laws (Mackay, Kenny & Chapell, 2010: 576), apart from the Schengen and Dublin Agreements, Switzerland had to resort to more informal ways of influencing. The informal relation has not patched up the relation between the EU and Switzerland in this period but has assured the minimum service.

Speaking about institutionalization processes, the hierarchy established by the FDFA but also imposed by the EU institutions themselves, has shown the tension between structures (the hierarchy) and agency (the ability to proceed) for various diplomats and experts active in Swiss-EU relations (Adler-Nissen, 2015: 88; Pouliot, 2016: 10). The strict division or roles and delegations' rules complicates and shows the slow nature of the process of negotiations of new agreements and their approval. Moreover, from an internal perspective, the Swiss political leadership and the polity as a whole have exhibited an unclear stance and little debate about what Switzerland really wants from its relationship with the EU, which has made it hard for the diplomatic actors to know which solutions to propose. The internal institutional setting of Switzerland, coupled with the reluctance of the Swiss political leadership to pursue a political relation with the EU has damaged the work of diplomats and experts.

Furthermore, the role of the Swiss diplomats and experts is limited by the political, since the political defines the mandate of the negotiations that the diplomats and experts must follow. However, in practice my research showed that both the political and the diplomatic influence each other. Thus, the mandate is defined by the political, based on exploratory talks and drafts made by the diplomats and experts. In this context of intricacies, the role of the diplomats and experts has been to follow and defend the interest of Switzerland, in troubled and unclear times of Swiss-EU relations. Moreover, the practice of diplomacy has been limited by uninvolved political leadership in Switzerland in certain domains, but also successful in others where the political leadership had clear stands and determination to agree on bilateral treaties

with the EU. This experience of Swiss diplomats and experts suggests that such a supportive and steady approach taken by the political leadership can increase the success of diplomatic negotiations in practice.

8.2 Theoretical Contribution of the Analysis

From a theoretical perspective, the findings of the analysis chapter brought a practical account of the privileged partnership between Switzerland and the EU, from the angle of the Swiss diplomats and experts. This focus emphasised their role in the current partnership which is characterized by long-lasting negotiations phases. This thesis's findings support the previous literature about the privileged partnership of the EU such as Lavenex & Schimmelfennig, 2009; Eckert, 2022; Gstöhl & Phinnemore, 2019, and anchors the Swiss situation in this European Union External strategy. I have showed in the analysis that Swiss diplomats' and experts' perspectives aligns with the definition of privileged partnership, by its exceptional nature (none or few other partner/third countries of the EU have access to the internal market of the EU with so few restrictions and conditions of institutional agreement). However, the results of my thesis showed that it did not mean that Switzerland has had favours from the EU, but that this situation came out of a common interest in cooperating, from both the EU and Switzerland.

Furthermore, the findings also support the literature by Veuthey, 2020, in the sense that the Swiss case is a clear instance of the shift of the EU towards a common approach in their external partnership, implemented since at least 2016. My findings showed a great example of this situation with examples of Swiss disassociation from the research programme *Horizon* after 2016, and all the way until the retaliation by the EU towards Switzerland after the Swiss government decided not to go through with the Institutional Framework Agreement in 2021. The findings showed that the EU practiced its usual approach by refusing Swiss access to any forms of contacts with the Commission or the DGs after May 2021 until the Swiss FDFA, in accordance with the Swiss Federal Council, proposed a mandate on a new approach for regulating the institutional question in late 2023.

Moreover, the previous literature on the political analysis of the rejection of the IA, by René Schwok (2022), proved to relate to my findings from the perspective of

diplomatic practice. As presented in my analysis, the diplomatic is heavily connected to the political and vice versa, therefore political parties positioning on the Swiss-EU relation have a wide impact on the way Swiss diplomacy can function, in the negotiations with the EU for further cooperation and possible institutional integration in some instances. My research contributed to the gap between the *opus operatum* and *modus operandi* (quoted in Cornut, 2018: 719), by reflecting the interplay between the political and the diplomatic in these very politicised negotiations. Through the analysis of experiences of Swiss diplomats and experts, I also brought new findings: a supportive and steady approach taken by the political leadership can increase the success of diplomatic negotiations in practice. Furthermore, I underlined the diplomats I interviewed call for a wider debate in Switzerland, in order to clarify the position of Switzerland in its relations with the EU.

From a Practice Theory of Diplomacy perspective (Pouliot, Adler-Nissen, Adler, Constantinou, Kuus), my research also brought up a qualitative enquiry into the study of the relationship between Switzerland and the EU. I focused on the individuals and social professional groups that govern this political, economic, cultural, social, and diplomatic relation (Constantinou et al., 2021: 568), which had not been done in diplomatic studies of this duo before. Through applying and practicing this theory, I uncovered the interplay between personal relations and formal and professional relations, as well as analysed the role of the Swiss Mission in Brussels' informal connection-building importance in the limited decision-shaping power of Switzerland in the EU legislative process.

In terms of theoretical developments, my thesis also offered further reinforcement of the theorization of new institutionalism (March & Olsen in 1984; Mackay, Kenny & Chapell in 2010). I analysed the possibility of trying to patch up a relation that is not formalized using informal practices. Through this research I found out that many connections, illustrated in the role of the Mission in Brussels, but also in the FDFA workers' connections with EU member states representations in Bern, use informal relations to build trust and prepare key people's positioning in the negotiations with Switzerland. However, this situation did not patch up the relation per se, as Switzerland did not have all the benefit of formal access to EU institutions, thanks to only informal practices of diplomacy. Furthermore, my findings support the theory of

new institutionalism, by showing how formal institutionalisation and informal institutionalisation interplay in diplomatic practices of Switzerland with the EU. Also, the analysis on the internal institutions of Switzerland supports the literature arguing that conductive instances of flourishing of informal practices happens when actors are pursuing goals which are unlikely to be accepted by the public (Mackay, Kenny & Chapell, 2010: 576). The Swiss political debate being unclear about what it wants from its relations with the EU and the Europhobic approach of the largest political party, the UDC, thus pushes for the development of informal practices. In this thesis, the importance of informal relations was analysed in relation to the work of the Mission of Switzerland to the EU in Brussels, and the FDFA work with the EU member states' representations in Bern.

8.3 Limitations of the Analysis

Now that I have presented my research findings, and showed how they contribute to the theories I used in my research theoretical framework, I will talk about the limitations of my findings. What my research did not do, and the limitations of the thesis research in the analysis of the interview data to answer the research questions.

From a theoretical limitation point of view, my interpretive findings are limited by a representational bias. In fact, the social action that characterises the behaviour of the diplomats and experts I interviewed are not necessarily preceded by a premeditated plan. Therefore, their actions can be motivated by a goal, without them consciously knowing that it is the case (Pouliot, 2008: 262). Therefore, my findings are instances, manifestations, of behaviour that can support previous theoretical points made in other research and theorization, but they may not form or build a theory of their own. I rather define my findings as interpretive and as a specific case of diplomatic practices, in this specific context of diplomatic relations between Switzerland and the EU, based on qualitative data gathered through semi-directed interviews from December 2023 to March 2024. Furthermore, the inductive nature of the practice theory of diplomacy that I followed in my analysis, does not aim to impose theory on my findings, but rather the practices emerged from the data and were then compared with the theories that I selected for the study of this specific case.

The interpretative nature of this qualitative research is not concerned with uncovering "all the truth" from the interview data, but rather with analysing and trying to understand the constructions in the data (Berthet et al., 2023:112-113). I looked mostly at the dominant accounts from the interviewees, but also tried to emphasize marginal discourses, for instance by presenting individual accounts of diplomats and attempting to analyse them in comparison with other accounts (ibid:113). Moreover, using the interview data as sole source of the analysis poses some problems, especially in terms of accuracy of the data, regarding the fact that it should consider risks of participant's memory distortions, in retelling events, and also the tendency to over- or under-represent the role of an individual interviewee in their account (ibid: 133). I made the decision to limit my study to the interview data, since the process of managing and analysing twelve (12) interviews took a lot of time, and being alone in the research process I could not provide further cross-analysis for the sake of the thesis. However, comparing the interview data I gathered with official documents, or accessing undisclosed documents, such as guidelines from diplomats' training, or other document from within the FDFA could enrich this study greatly. Regarding my data analysis process, and more specifically my way of coding the data, I could have explored more innovative ways of coding, discovering the possibilities the AI-generated coding could offer, for example. As this series of coding on *Atlas.fi* for scientific research, was my first-ever attempt, I also recognise the limitation of my practice of qualitative research using this software.

To conclude, this thesis focuses in parts on the role of informal practice of diplomacy. This research could have been further enriched through studying other places where this diplomatic work takes place, such as sauna diplomacy, lunch diplomacy, coffee diplomacy, or golf diplomacy – all kinds of diplomatic practices that stay invisible from the setting of diplomacy in a windowless room (Constantinou et al., 2021:569). In that aspect, finding the methods which allow for the study of these practices and places remains a challenge for a Master's student, but could be explored in further research.

9 Conclusions

I started this research by presenting the background of Swiss-EU relations, more specifically by emphasising developments in the timeframe between 2014-2024. Previous research on External EU Governance and Privileged Partnerships nourished my interest in conducting this research on non-EU member Switzerland, a state that nonetheless retains a close relationship with its big neighbour, the European Union. Driven by a desire to understand the role of diplomacy in this relationship, I read about the ways to uncover institutional work undertaken by diplomats. This is when I found out about New Institutionalism and its interesting focus on interplay of formal and informal work. To enquire into this formal and informal diplomatic work in the Swiss-EU relations, I was inspired by Diplomatic Practice Theory and the research of diplomats' social interactions and how they shape in practice the more static theories of international relations, of external governance for example.

Following the precepts of Diplomatic Practice Theory coupled with my interest in qualitative interviewing, I proceeded to interview 12 diplomats and experts, mostly from the Swiss Federal Department of Foreign Affairs (FDFA) but also including a representative of the Swiss Cantons and one EU diplomat. Using the methodological systematic textual analysis of Qualitative Content Analysis (QCA), I interpreted a set of extensive interview data from the diplomats and experts interviewed which led me to four (4) main findings that answer my research question on the institutional processes manifested in practices of Swiss diplomats and experts in Swiss–EU relations.

These four (4) main findings are, firstly, that diplomats and experts perceive Swiss-EU relations as privileged, not in terms of preferential treatment but regarding common and mutual interests. Secondly, diplomats are limited in their agency, possibility in order to act within the rigid structures in place in diplomatic relations. Thirdly, because of this rigidity and the limited formal access that Switzerland has in EU decision-making, as a non-member it pushes for the flourishing of informal diplomatic practices. The core argument of my research is that this phenomenon and practice is well known to Swiss political leadership, yet it does not consider judicious to integrate itself further into the EU formal institutions. A prominent actor in these informal and formal interplay is the Swiss Mission to the EU in Brussels, which works in large parts

informally. Finally, my research showed that the Swiss political system and its internal institutions form a political block opposing the advancement of diplomatic work and negotiations on formal institutional agreements with the EU. The diplomats and experts interviewed in this thesis underlined the lack of clear political stance in Switzerland about its relations with the EU. In this context they defined two issues, which are firstly the absence of political debate on this topic, and secondly the inconsistency of the political leadership, the Federal Council, on EU related questions.

In terms of possible further research on this topic, this thesis research led me to identify several possibilities for future prospects. The processes of omissions (gender equality, sensitive topic) from the interview transcripts discussed in the thesis showed that these topics require much more attention in further research. There are great possibilities to study structural discrimination in diplomatic practices in general, and in the practice of diplomacy in the Swiss Federal Department of Foreign Affairs. Moreover, one could explore more ways to study diplomatic practices, for example through field notes or attending certain negotiations proceedings, and also other places where it takes place outside of the "office" setting of negotiations, by exploring the aforementioned settings: sauna diplomacy, lunch diplomacy, coffee diplomacy, or golf diplomacy, for instance.

Furthermore, it will be interesting to compare the results of this thesis, which was produced during the early stages of the New Package Approach negotiations, with further research done at later moments in the negotiations, to assess *whether, if*, and *how* the processes of institutionalization have evolved and impacted Swiss diplomats and their practice through the years. At this point it is hard to say when these processes will bloom into an agreement. Time will tell when Switzerland and the EU will agree on such integration, which might occur within the next months or in many more years.

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This work is the fruit of my individual work, but individuals don't do anything on their own, so thank you to all who supported me in the process of writing this thesis!

Research Interviews

Interview 1, 30.12.2023, Diplomat from the FDFA

Interview 2, 30.01.2024, Former Diplomat FDFA

Interview 3, 25.01.2024, Representative of the Swiss Cantons

Interview 4, 22.01.2024, Diplomat from the FDFA

Interview 5, 02.02.2024, Diplomat from the FDFA

Interview 6, 05.02.2024, Former Diplomat FDFA

Interview 7, 28.02.2024, Diplomat from the EU (EEAS)

Interview 8, 07.03.2024, Diplomat from Switzerland

Interview 9, 07.03.2024, Diplomat from the FDFA

Interview 10, 12.03.2024, Diplomat from the FDFA

Interview 11, 12.03.2024, Diplomat from the FDFA

Interview 12, 13.03.2024, Diplomat from the FDFA

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Figure 1 References

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Appendices

Appendix 1 Interview Guide

Before the interview

- Re-read some articles about the Swiss-EU relations.
- Find info about the diplomat's activities on the federal department of foreign affairs/EU website.
- If the interviewee asks for the questions in advance, I would try to agree to give them the main topics that I would cover but not show the entire interview guide in advance because of being scared to scare them away with all my interview questions (even though they are more of a guide to help me have possibilities for question, but all questions might not be asked).

Starting the interview

- Thank the person for providing me with the opportunity to interview them;
- Explain the goal of the interview;
    - Goal (as to be explained to informant): My goal in this interview is twofold: to gain insight in (1) the way you oversee the diplomatic relations between EU and Switzerland. (2) I conduct these interviews to collect data for my Master's thesis;
- Ask permission to use audio recorder (explain that the complete record of the interview will be used for my research) and mention that whenever they feel like they don't want something recorded, they can turn it off;
- Ask if the informant wants to remain anonymous and explain how anonymity cannot be granted in an open-ended questions interview. Talk about the possibility of being recognizable because of the exceptional task this person is running (the recording will be deleted after transcribing it using pseudonyms instead of names, safeguarding some secrecy). Ask if he/she has any questions regarding the research goal.

Questionnaire

Ending the interview

- Thank the informant again for his/her cooperation;

- Ask if it’s ok to email/call if more questions arise after the interview;
- Write down location, date & time, setting, informant background info and impression of how the interview went asap afterwards in a separate document that is only to be used for individual interviews;
- Write down more around notes that might have been made afterwards;
- Transcribe the interview;
- Send the transcript to the interviewee for correction/addition. No response after a week: mail/call.

Appendix 2 Interview Questions

This is the interview questions of one of the interviews.

General working environment

What is your job title and what is the content of your function?

What does a typical week look like for you?

How many people work at the FDFA?

Of these employees, how many work in the Swiss-EU relations section?

Swiss - EU relations

- Could you describe your role in building bridges between Switzerland and the EU?

  Ask for reasons why (only) these are provided.
- Would you say that Switzerland has privileged relations with the EU?
- How would you describe your proactiveness toward promoting Swiss interests in EU arenas?

  Ask for concrete example(s)

  E.g.: agreements negotiations, networking and partner search, conflict handling and support of business and government delegations…
- What are your biggest influences on the activities we've just discussed?
  - How do you influence Swiss-EU negotiations the most effectively?
  - Could you give examples of successful/ less successful such processes?
  - How does the Swiss FDFA influence the way you perform the activities we've just discussed?
- Who is your main interlocutor from the EU in the Swiss-EU relations?
  - How (well) did you get to know him/her?

Institutionalization

- Do you think the elements developed before are representing a form of institutionalization of the relation between Switzerland and the EU?

  Ask for examples of institutionalization processes at play.
- Do you feel some form of pressure coming from the EU for further institutionalization of the relation?

If yes, what kind of pressure and for what form of institutionalization?

- Does this push (for further institutionalization) come from the Swiss side too?

Cause of failure of the IA (Institutional Agreement)

- Would you say that the negotiations for the Institutional Agreement have failed?
  (if, yes/no: ask for reasons?)
  Ask for specific elements that made the negotiations come to an end.
- What were the elements missing for acceptance of the agreement?
- What diplomatic elements were missing?
- What diplomats from the Swiss part could have done differently?
- Or what strategies are put in place today to avoid a similar scenario from repeating?
  Ask more about the current negotiations.
    - What is the atmosphere in the relation nowadays?
    - Do you feel less hostility?

Diplomats' Role

- How important do you think diplomats are in the negotiations processes between Switzerland and the EU?
- What/How can a diplomat improve/ease the negotiations processes?
  Ask for strategies and examples.
- What is the nature of your contacts with other diplomats and diplomats from the EU side?
    - How often do you meet?
    - Do you meet also outside the negotiating rounds?
      If yes, how many times/ in what context?
- Do you think that you built some form of relationship with the diplomats from the EU?
- What kind of relations do you maintain with other negotiators from the EU?
    - Can this help you/ease the process of the negotiations?

    - How important is it to know who you're negotiating with (their background, ideology, etc)?
      Why?
- Is there any events organized by Switzerland (MFA or other department) to familiarise yourself with other EU diplomats?
- Do you happen to meet other EU diplomats in informal events?
  Events organized at the EU institutions in Brussels?
  Other kind of places where you encounter EU diplomats in charge of the negotiations with Switzerland? OR other diplomats that influence the process of the negotiations?

Conclusion

- **Is there anything else you would like to mention?**
- **Is there anything you have developed before that you would like to elaborate further on?**

Appendix 3 Template E-mail Recruitment Interviewees

Dear X,

I am writing you today to enquire your willingness to participate in a **Research Interview** that I am conducting in the context of my Masters' thesis.

Your work as YY, would bring great insight into the practice of diplomacy ….(tailor it to each interviewee) and resonates with the **topic of my research**, which enquires**: The diplomatic relations between Switzerland and the European Union, focusing especially on the institutionalization processes and the role of diplomats in the current setting of the relation.**

This research is endorsed by the Professor Johanna Kantola who supervises this thesis (see her endorsement letter attached).

The interview would take about an hour and would ideally be done in person during the months of January and February 2024. During this period, I will fully accommodate to your schedule and the interviews could also subsequently happen online if needed.

Moreover, this research is based on voluntary participation, you have the right to discontinue your participation at any point and have the right to withdraw your consent at any point. Personal data will be processed carefully, according to processes described more closely in the data privacy notice (attached).

Thank you for your time and looking forward to hearing your answer.

Best regards.

Gaëtan Gamba
MSocSc, University of Helsinki

Appendix 4 Data Privacy Notice

DATA PROTECTION NOTICE FOR SCIENTIFIC RESEARCH
General Data Protection Regulation of the EU
Articles 12–14
Date: 12.12.2023

Information on the processing of personal data in the research project entitled: The Case of Switzerland in the EU's Privileged Partnerships: Institutionalization and the role of formal and informal diplomatic practices.

The research project entitled *The Case of Switzerland in the EU's Privileged Partnerships: Institutionalization and the role of formal and informal diplomatic practices* involves processing of personal data. The purpose of this data protection notice is to provide information on the personal data to be processed, from where they are obtained and how they are used. Detailed information on the rights of data subjects will be provided at the end of this notice.

Your participation in the research project and provision of personal data are voluntary. If you do not wish to participate in the project or you wish to withdraw from it, you can do so without negative consequences.

Data Controller

Gaëtan Gamba (gaetan.gamba@helsinki.fi)
&
University of Helsinki
Address: PO Box (Fabianinkatu 33), 00014 University of Helsinki, Finland

Contact person and principal investigator

Contact person in matters concerning the research project:
Name: Gaëtan Gamba
Email: gaetan.gamba@helsinki.fi

Principal investigator: Gaëtan Gamba

Contact details of the data protection officer

You can contact the University of Helsinki data protection officer via email at tietosuoja@helsinki.fi.

Description of the research project and the purpose of processing personal data

The research project in question is a qualitative interview research, enquiring the role of diplomats in the Swiss-EU relations, in the absence of a renewed formal institutional framework that governs the relations between the two parties.
This research is conducted by Gaëtan Gamba, for his master's thesis in the Master Program in European and Nordic Studies, at the University of Helsinki.

Personal data is processed as part of a master's thesis at the University of Helsinki. The researcher is responsible for the practical management of the data, such as the minimization of the data to be processed, the accuracy and the determination of storage periods and the use of appropriate systems/applications. The risks related to the treatment are assessed in cooperation with the supervisor. The University guides and supports the processing of personal data from planning to the publication of the final work and provides the necessary infrastructure and tools to carry out the research.

Personal data included in the research data

All the responses from the interviews are to be considered personal data.
The name and contact information of the interviewee will be collected for keeping contact.
The profession as well as details about the work and relation to other workers will be analysed for the research purposes.
The interviewee might be recognisable by the general public, for example, "anonymous" responses may still be personal data if the identity of the respondent can be deduced from the responses. Pseudonymised data are also personal data.
We will send the transcriptions of interviews to the participants for verification and avoiding misinterpretation before starting the analysis of the data.

Under the General Data Protection Regulation (GDPR), personal data do not only mean names, personal identity codes, contact details and other direct identifiers, but also indirectly

identifiable data (such as data that can be made identifiable by combining them with data available elsewhere).

Further information on personal data and identification can be found on the website of the Finnish Social Science Data Archive: https://www.fsd.tuni.fi/aineistonhallinta/en/anonymisation-and-identifiers.html.]

Sources of personal data

Data will be obtained from the interviews.

Sensitive personal data

No special categories of personal data (i.e., sensitive data), as defined in Article 9 of the GDPR, will be processed in this research.

Lawful basis for processing personal data

Personal data are processed on the following basis (Article 6(1) of the GDPR):

☒ Task carried out in the public interest:
☒ Scientific or historical research purposes or statistical purposes
☐ Archiving of research material and cultural heritage material
☐ Consent by the research subject
☐ Compliance with a legal obligation to which the controller is subject
☐ Legitimate interests pursued by the controller or by a third party
Specify the legitimate interest:

If the processing of personal data is based on the research subject's consent, he or she can withdraw that consent at any time. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

Recipients of data

The data will only be used by me as a researcher.

Transfer of data to countries outside the European Economic Area

I won't transfer the data to anyone.
Furthermore, the data will not be transferred to countries outside the European Economic Area, they are processed only within the EEA.

Automated decision-making

The research project involves no automated decision-making that has a significant effect on data subjects.

Protection of personal data

Personal data included in the research dataset will be processed and kept protected so that only those who need the data can access them.

The data processed in data systems will be protected using the following:
☒ Username and password
☐ Registration/log of use
☐ Access control
☐ Encryption
☐ Two-factor identification
☐ Other, please specify:

Physical material (e.g., data in paper form or other tangible form) will be protected using the following: will be stored in a locked cupboard.

Processing direct identifiers:
☐ The controller collects the personal data without direct identifiers.
☐ Direct identifiers will be removed during the analysis stage and kept separate from the analysed research data.
☒ The data will be analysed using direct identifiers, because based on consent with the participants, their name or pseudonym will be kept with the data. This help to understand the position of each participant in the field of diplomacy. Furthermore, the analysis of the data is related to the job title and identity ("anonymised" or pseudonymised) of the participant.

Duration of the processing of personal data in this research project:

The data will be stored for the research purposes of the thesis until 2026.

Processing of personal data when the research project ends

☐ The research data will be deleted

☐ The research data will be kept for the purposes of validating or replicating the results of this research project:
☐ without identifiers ☐ identifiers included

☒ The research data will be kept for later, compatible scientific research in accordance with the requirements of the GDPR:
☐ without identifiers ☒ identifiers included

The storage of the research data is based on Article 5(1)(b) and (e) of the GDPR.
Data subjects will receive a new data protection notice on the new use of the research data, unless the controller can no longer identify the subjects from the data.

In addition, the data subjects will not be informed of the new research if delivering this information to them is impossible or involves a disproportionate effort or renders impossible or seriously impairs the achievement of the research objectives (Article 14(5)(b) of the GDPR).

Where and for how long will the data be stored: until 2029 (5 years), in data systems secured with username and password.

Rights of data subjects and derogations from those rights
The contact person in matters related to research subjects' rights is the contact person stated in section 1 of this notice.

Rights of data subjects

Under the General Data Protection Regulation, data subjects have the following rights:

Right of access to their own data
Right to rectification of their data

Right to the erasure of their data and to be forgotten
Right to the restriction of processing of their data
Right to data portability from one controller to another
Right to object to the processing of their data
Right not to be subject to automated decision-making

However, data subjects cannot exercise all their rights in all circumstances. The circumstances are affected by, for example, the legal basis for processing personal data.

Further information on the rights of data subjects in various circumstances can be found on the website of the Data Protection Ombudsman: https://tietosuoja.fi/en/what-rights-do-data-subjects-have-in-different-situations.

Derogations from rights

The General Data Protection Regulation and the Finnish Data Protection Act enable derogations from certain rights of data subjects if personal data are processed for the purposes of scientific research and the rights are likely to render impossible or seriously impair the achievement of the research purposes.

The need for derogations from the rights of data subjects will always be assessed on a case-by-case basis.

Right to appeal

If you consider that the processing of your personal data has been carried out in breach of data protection laws, you have the right to appeal to the Office of the Data Protection Ombudsman.

Contact details:

Office of the Data Protection Ombudsman
Street address: Ratapihantie 9, 6th floor, 00520 Helsinki
Postal address: PO Box 800, 00521 Helsinki
Phone (switchboard): 029 56 66700
Fax: 029 56 66735
Email: tietosuoja(at)om.fi

Appendix 5 Letter of Endorsement

Reflections and classes on Qualitative research interviews by Reetta Mietola, Anna Suni (Qualitative Methods in Practice), but also Michael Egerer and Paula Jääskeläinen (Qualitative Interviewing in Social Sciences), drew my attention to the possibility of using an endorsement letter to convince participants to take part in my qualitative interviews, especially knowing that the interviewees in question are experts or elite persona which can be hard to reach and convince to offer some of their time for research purposes. The Endorsement Letter was signed by Professor Johanna Kantola, supervisor of this thesis. This mode of proceeding happened to be successful, because out of around 20 request, 12 interviews were organised and conducted for the empirical research of this thesis. Here is a copy of the endorsement letter:

To whom it may concern.

Letter of Endorsement

Helsinki, 5th of December 2023

Subject: Endorsement of the research conducted by Gaëtan Gamba for his master thesis.

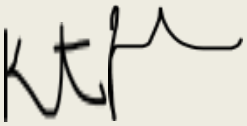
I am writing this letter to extend my support and endorsement to Gaëtan Gamba's re- search interviews, as a principal investigator.

Gaëtan Gamba is currently pursuing the European and Nordic Studies Master Program at the University of Helsinki and adheres to all the guidelines set out in the university's regulations and professional standards.

As his supervisor, I endorse his research project without any reservations. If you have any questions, please contact me at the contact details below.

Sincerely,

Johanna Kantola Professor Centre for European Studies johanna.kantola@helsinki.fi



Valtiotieteellinen tiedekunta, PL 54 (Unioninkatu 37), 00014 Helsingin yliopisto
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