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Belgium's Multilateral Policymaking put to the Test of the 21st Century

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The evolving international system places significant pressure on Belgium's multilateral policymaking. This Egmont Policy Brief advocates for a revamping of the Ministry of Foreign Affairs' resources to enhance coordination, ensuring coherence in Belgium's foreign policy and preserving the country's international influence.

In the 21st century, Belgium's multilateral policymaking suffers from the risk of incoherence. Successive State reforms have complexified the domestic cohabitation between federal and federated entities, sometimes leading Belgium to abstain at the international level. And while coordination mechanisms attempt to address decentralization, they lack resources to counteract the deepening political fragmentation. As a result, the delicate equilibrium of Belgium's governance in multilateral policymaking is at risk. Revamping the coordination mission of the Ministry of Foreign Affairs is critical, to ensure the smooth harmonization of internal interests, and to prevent Belgium's international influence from being impaired—a situation the Kingdom cannot afford in today's uncertain context.

STATE REFORMS ON MULTILATERAL POLICYMAKING

Belgium's conduct of its foreign policy has always followed the constitutional evolution of the State. As Belgium transitioned from a unitary to a federal arrangement between 1970 and 1993, the successive State reforms have granted more competences to the federated entities, including the ability to represent internationally (*ius*

legationis) and sign treaties (*ius tractati*). This peculiar functioning is a result of two legal principles. On the one hand, "*in foro interno, in foro externo*": each political unit (Regions, Communities, and the Federal State) is solely responsible for conducting international relations within its own field of internal competences. On the other hand, the "*absence of a hierarchy of norms*" means that political units are quite free to carry out their policies without obligation to consult either with the federal authority or with other federated entities.

Yet, the Federal State remains the sole entity responsible for Belgium's actions at the international level. To prevent significant divergence in foreign policy between the federal and federated entities, a *modus vivendi* has been established, incorporating three key safeguards. Firstly, federated entities must inform the federal government of their intention to carry out international negotiations. Secondly, under specific noncumulative conditions,¹ the federal government has the authority to suspend treaties concluded by federated entities. Finally, the federal government sets the main orientations of Belgium's foreign policy and is responsible for the organization of consultations between all levels of power.

The new power distribution resulting from the fourth State reform (1992-1993), however, entails a clear disruption of the overall coherence of Belgian foreign policy. Therefore, coordination appears paramount. Yet, depending on the matter at hand, coordination is either mandatory or optional. For instance, in the domain of international relations, "*mixed competences*" lead to formal consultation between competent authorities. Though criticisable from a legal

perspective, this pragmatic approach offers an agreed upon playing field to the diverse political units in Belgium. *Prima facie*, such platform could bring more political efficiency. Nevertheless, the impossibility for legally non hierarchized actors to decide outside of consensus greatly hinders the added value. Some analysts even note that these meetings tend to slow down the debate.

In 2016, the Comprehensive Economic and Trade Agreement (CETA) saga demonstrated the complexity of the Belgian foreign policy decision-making process. Due to the opposition of the Socialist Party, the Walloon Parliament was unable to ratify the mixed treaty, effectively delaying the process by ten days. On a similar pattern, in 2024, Belgium remains the only member State that fails to ratify the Trade Agreement between the European Union and its member States and Colombia, Peru, and Ecuador. Provisionally applied since 2013, this agreement lately received the assent of both the Walloon Parliament (2018) and the Brussels Parliament (2023). However, the Parliament of the Federation Wallonia-Brussels is still not accounted for. This situation might even damage Belgium's international image. *"To some extent, our international colleagues compare our country's position on free-trade agreements with Hungary's posture on gender and migration"*, says a Belgian diplomat. *"Although the 2011 governmental crisis often overshadows our perception of Belgium's governance, many EU member States nowadays suffer similar challenges"*, nuances another experienced Belgian diplomat.

In the end, complexities brought by federalization imply a risk of abstention at the international level. If one cannot decide, one cannot take a stand. In 2015, Belgium sent six ministers at the UN Climate Change Conference (COP) in Paris. Since no prior internal agreement had been reached, Belgium could not take any official position. Abstention often means missed opportunities. They in turn lead to marginalization. Yet in fact, influence is essential to protect one's national interests in the multilateral order. And authority is precisely built on taking responsibility on the international stage.

Now, this situation obviously does not reflect the entirety of Belgium's international position in every competence. It is merely a tendency resulting from a unique State architecture. In fact, one could even make the point that Belgium's ability to rally internal consensus varies depending on the role that the country takes. Look for instance at Belgium's Presidency of the Council of the European Union in 2024. Member States and European institutions all attest to the country's success as an honest broker. This indicates that Belgium's proficiency to represent the general interest still overtakes internal turmoil. But, as a member State, domestic stalemates keep looming over the Kingdom's international position. This tendency has been going on for three decades and shows little sign of changing unless Belgium undertakes serious reforms.

BELGIUM'S INTRICATE MODEL OF GOVERNANCE IN MULTILATERAL POLICYMAKING

The evolution of the nature of foreign policy, combined with the 1993 State reform, has deeply transformed Belgium's governance. The involvement of technical ministries into foreign policymaking further adds to the complexity of the decision-making process. Together with decentralization, this increases the risk of incoherence. The consequences could be significant: the dilution of leadership and decision-making capacity at the internal level may impair Belgium's ability to formulate cohesive international positions.

Within this governance structure, particularly regarding mixed competences, the MFA continues to occupy a central position. Although the MFA had lost its traditional monopoly on foreign policy, it could still play a crucial role in the decision-making process by focusing on coordination, with the primary goal of ensuring coherence. This shift began in the late 1990s. Two key elements highlight the MFA's ambition to maintain or solidify its role as the central hub of Belgium's foreign policy governance.

First, the MFA aims at delivering exceptional expertise across all aspects of its operations to act as the transmission belt in foreign policymaking. Subnational

diplomacies initially lacked resources and means of influence. Bound by federal loyalty, the MFA quickly provided its embassy network, communication channels, and multilateral diplomatic expertise to assist Regions and Communities in their international representation. The field of European policy was instrumental in fostering collaboration at the domestic level. Through the efforts of the Permanent Representation of Belgium to the EU and the Directorate General on European Affairs, federal expertise positioned the MFA at the core of decision-making process on complex technical issues. *“Anyone who takes on this coordination immediately assumes a central role in the State system”*, as Clingendael analyst Alfred van Staden noted.²

The role of the federal diplomats may also have changed, alongside that of the MFA. Upon their return to the central administration, Belgian diplomats tend to take on the role of an internal facilitator as well. While their primary focus remains external, their skill set is increasingly utilized for internal arbitration. Furthermore, their representation function has gradually evolved as other officials speak on behalf of Belgium in international forums. Diplomats must now often work in pairs, concentrating on negotiation and the overall situation, while leaving technical expertise to agents of other ministries. Thus, *“our qualities now also include expertise in internal relations management”*, smiles a Belgian diplomat.

Second, to strengthen its leadership in coordination, the MFA aims at establishing specialized units dedicated to fostering domestic collaboration on international issues. One of these is particularly noteworthy. When the impact of globalization on multilateral policymaking became obvious, the MFA pursued the ambition to put in place a strong coordination structure on global issues to contribute to global governance. By doing so, the MFA reaffirmed its central position, and managed to avoid the question whether the coordination mission would be better served placed under the PM. In October 2003, a new consultation structure called *“Coormulti”* (or M0.1) was formally established within the newly created Directorate General for Multilateral Affairs and Globalization (DGM).

In a nutshell, Coormulti is a service designed to prepare Belgium’s position in non-EU international organizations when the topics discussed involve mixed competences. It operates under the scope of the Cooperation Agreement of June 30, 1994. Discussions within Coormulti involve a horizontal and systematic process of political consultations that precede a consensus decision. Its objectives are: (1) to agree on a joint position, (2) to identify the person who will represent Belgium, and (3) to determine the composition of the national delegation. *“Coormulti shapes the architecture of Belgium’s position. It is the oil in the engine of our country’s decision-making process”*, reflected a Belgian diplomat.

On a daily basis, M0.1 takes on several roles. First and foremost, it acts as a service provider. The initiative to launch a Coormulti belongs to any competent actor from the Belgian State. Typically, a unit within the MFA will need a consultation to develop a Belgian position on a topic on its agenda. As a service provider, M0.1 provides the necessary platform to effectively engage with all domestic stakeholders. These can be numerous, including representatives from federal cabinets and administrations, community and regional cabinets and administrations, as well as civil society organizations.

Otherwise, M0.1 acts as a facilitator. While most consultations proceed smoothly, certain topics, such as climate issues, social themes, and the trade-off between business and human rights can lead to an impasse. This often results in Belgium’s inability to fully commit to multilateral initiatives. An example of this was seen in 2024 with the global coalition on social justice formed by the International Labour Organization. The diplomatic experience of Coormulti’s president is then instrumental in reaching operational conclusions. In recent years, a clear approach has been adopted to tread lightly on delicate matters and avoid polemics. Agreeing to disagree may be an effective line, but while this helps ease internal difficulties, it also narrows the scope of operational conclusions. *“We are less and less working on the content and more and more on the form”*, observes a Belgian diplomat.



In fact, the quality of the consultations may depend on the readiness of the participants. While some cabinet members come well-prepared and speak with the endorsement of their hierarchy, others tend to engage less in the debate. At times, no representative from certain entities can attend a Coormulti meeting. This absence is often due to the heavy workload faced by administrations and cabinets. When this occurs, the entity's position may not be represented, and it falls to the president's diplomatic sensibility and experience to anticipate potential political stalemates.

Finally, M0.1 acts as a notary. Reports of the Coormulti serve as directives for diplomatic posts abroad and are binding on all participants. The quality of the report is thus crucial as it must accurately convey the essence of the debate and in particular any operational conclusions. The absence of certain representatives from a Coormulti meeting can therefore be detrimental, as they may not feel bound by the consensus. One example of such an event can be cited: the Global Compact for Migration (GCM) that led to the fall of the federal government in 2018.

The GCM is a non-binding intergovernmental agreement negotiated at the United Nations level, ratified on December 19, 2018. Three Coormulti meetings were held: the first on February 19, which proactively defined a joint position, established priorities, and set red lines. The second meeting on June 4 redefined the Belgian position to ensure consensus. Finally, on September 12, the third Coormulti meeting unanimously approved the UN compact.

However, due to political reasons, the Flemish party *Nieuw-Vlaamse Alliantie* (N-VA) opposed the ratification of the GCM after it had already been agreed upon. This sparked heated debates within the federal government, as the N-VA was part of the ruling coalition at the time. Supported by the rest of his government, Prime Minister Charles Michel requested the House of Representatives to endorse Belgium's ratification of the GCM. The motion passed, despite opposition from N-VA and the Flemish party *Vlaams Belang* (VB). In December 2018,

the PM travelled to the Marrakech Conference to ratify the Compact, "*emphasizing Belgium's commitment to its word and credibility*".³ The federal government had collapsed the day before.

The GCM crisis had one key consequence for the Coormulti mechanism, which in turn impacts the dynamics of multilateral policymaking: consultation meetings now show a higher participation rate from cabinet representatives. Moreover, Flemish participants present strictly defined positions that have been previously endorsed by their hierarchy. But while this approach has enhanced the capacity for decision-making, it has also curtailed the freedom of debate. Before the GCM crisis, reaching consensus typically required two or three meetings. Following the crisis, the number of meetings needed has been halved, but discussions now more frequently lead to significant stalemates.

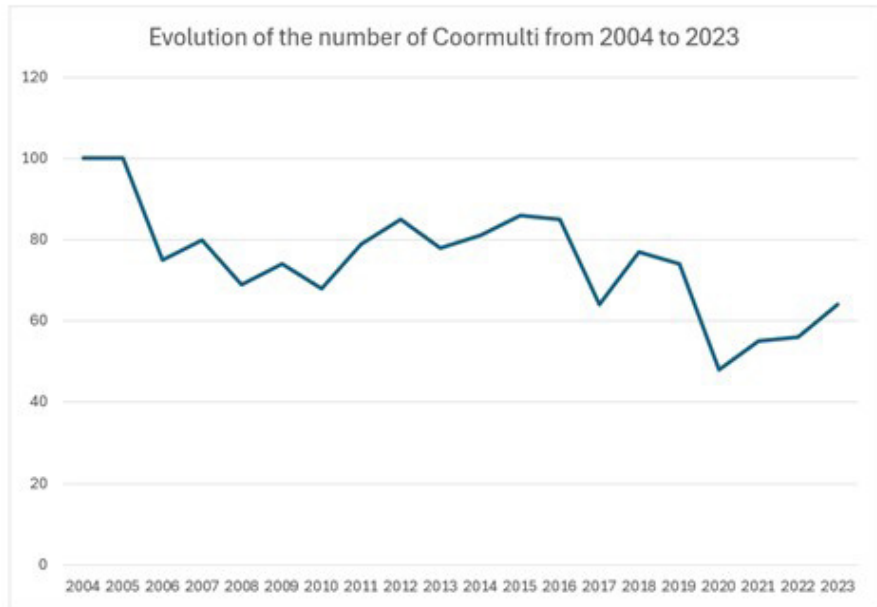
RESOURCE ALLOCATION FOR A CRITICAL MISSION

The graph on p.5 illustrates the diminishing number of meetings from 2004 to 2023.

This is not necessarily negative. It also results from an improvement of the administrative process. The COVID-19 crisis indeed introduced an element of modernization into the decision-making process. When physical meetings became impossible in 2020, the MFA developed digital alternatives. These "*Visio-Coormulti*" meetings allow representatives to save travel time, which improved the quality of the meetings due to a higher attendance rate. In parallel, the use of written remarks agreed upon through silence procedures (*ad referendum*) has been increasing. Participants typically establish general positions, priorities, and red lines during the initial meeting, and then share further details through written comments ("*e-Coormulti*").

Nevertheless, the number of Coormulti meetings partly depends on the international agenda. Periodic conferences or summits monitored by MFA units often prompt them to turn to M0.1 as a service provider for anticipatory meetings. But special consultations can be scheduled spontaneously if an unforeseen event

Year	Number of Coormulti
2004	100
2005	100
2006	75
2007	80
2008	69
2009	74
2010	68
2011	79
2012	85
2013	78
2014	81
2015	86
2016	85
2017	64
2018	77
2019	74
2020	48
2021	55
2022	56
2023	64



The data for this graph were collected during a study stay at the Belgian Ministry of Foreign Affairs in 2023-2024.

requires a Belgian position on mixed competences. Such impromptu meetings have multiplied in recent years. The crisis *continuum* (Covid-19, Kabul, Ukraine, Niger, Gaza, Lebanon) certainly weights on the agenda and on the resources.

In a federal State like Belgium, coordination is crucial. The MFA is acutely aware of this need. As highlighted in its 2021-2024 strategic plan, the MFA has specifically tasked Coormulti with ensuring the coherence of Belgium’s multilateral positions. This raises questions about the resources allocated to such a vital and politically sensitive mission. Currently, only three MFA agents are assigned to this role, including just one diplomat. While M0.1’s exemplary role does not involve generating content for its agenda items, this staffing configuration nevertheless imposes a significant workload. In the future, the quality of internal consultations could be jeopardized if the number of multilateral initiatives and the dynamics of crisis continue to grow. Simultaneously, the MFA’s central role in the governance network of foreign policy could be at risk if domestic decentralization and fragmentation were to accelerate.

FOSTERING INTERNAL COMPROMISE DESPITE FRAGMENTATION

In Belgium’s multilateral policymaking, compromise is increasingly difficult to achieve. *“Today, it is not only about conciliating the Regions and Communities with the Federal government. The axes of division are fundamentally much more political, and if they give the appearance of a ‘federal versus federated’ dynamic it is because the political majorities are not at all the same”,* relates a Belgian diplomat.

Consequently, extra care is taken at the administrative level to protect Belgium’s international image, especially when the country is under scrutiny. For instance, during the Presidency of the Council of the European Union in 2024, the MFA focused on building consensus rather than getting caught up in every draft and comment. *“Coormulti’s role during this Presidency is to fix clear priorities and instructions, not to quibble over every detail and remark. Our job is to prevent any misstep that might badly reflect on Belgium and complicate the work of our colleagues”,* explained another Belgian diplomat.



Political fragmentation also impacts the assent procedure on mixed treaties, as evidenced by cases such as CETA and the Free Trade Agreement between the EU and the Andean countries. Until the 1993 reform of the State, only commercial treaties and treaties *likely to burden the State or bind Belgians individually* had to be presented before Parliament. Thirty years later, depending on their competences, seven Parliaments may potentially need to give assent to mixed treaties.

The fourth State reform has equipped Belgium with a tool aimed at addressing the incoherence caused by prolonged assent procedures: the *“mixed treaties working group”*. However, internal fragmentation has quickly led to complex power dynamics complicating its utilization. Given the group’s primary mission to identify the competences involved in a treaty and designate the authority competent to sign it on Belgium’s behalf, the stakes are particularly high for treaties where exclusive competence requires only the House of Representatives’ assent for ratification. This adds to the uncertainty in the ratification process. In 2023, this scenario unfolded with two treaties: the Agreement on the Conservation of Small Cetaceans of the Baltic, Northeast Atlantic, Irish and North Seas (ASCOBANS), and the Agreement on Marine Biodiversity of Areas beyond National Jurisdiction (BBNJ).

To add a layer of complexity, permanent consultation structures like Coormulti are frequently bypassed in favour of *ad hoc* meetings at the political level. Direct and agile contact between cabinet members is sensible in a fragmented State. However, parallel negotiations in these *Interkabinetten Werkgroepen* (IKWs) sometimes overlook the technical expertise of the administration. IKWs often serve as the initial forum for debates, leading many negotiations to initially fail within this framework. Conversely, their strength lies in the solidity of the compromises achieved: once agreed upon in IKWs, they are generally accepted without further questioning in government meetings and are almost automatically approved during the Council of Ministers. IKWs are often perceived as *black boxes* by the administration. While they can expedite negotiations at a higher level, they also

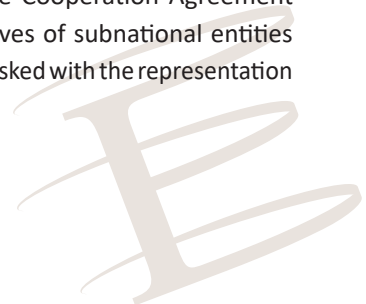
sometimes create frustration among agents who may suddenly feel sidelined from the case.

Ultimately, the dominance of politics in foreign policy matters is evident. In fact, the evolution of the Belgian State may have durably transformed the internal equilibrium in foreign policymaking, especially over the past decade. Initially designed to foster consensus, consultation structures like Coormulti are now witnessing subnational entities striving to assert their influence on the federal decision-making process by turning it into a co-decision mechanism.

Admittedly, the absence of a hierarchy of norms provides an even playing field for all domestic political entities in the domain of mixed competences. Nonetheless, it remains the federal government’s prerogative to set the main orientations of Belgium’s foreign policy, at least to maintain overall coherence. While internal consultations were once a collaborative process, it must now be acknowledged that their nature inherently involves political decision-making at every level. Subnational entities often seek to tie consensus to formal agreement within their political sphere. This approach may clarify red lines and priorities, but it also complicates compromises that are based on multiple interests.

Since 2009, the Cooperation Agreements of 1994 are in the line of sight of reform efforts. Indeed, the functioning relations between federal and subnational entities designed in the late 20th century does not adequately represent today’s institutional reality. For this purpose, an *ad hoc* group was formed within an *Interministerial Foreign Policy Conference* (CIPE). Its work has not yet been completed. In 2016, first conclusions were brought to the *Concertation Committee* which gave an unfavourable opinion. The discussions being highly political, further efforts for reform were slow. In March 2023 however, the CIPE decided to create three new *ad hoc* working groups to resolve flaws in the initial conclusions.

The first group oversees the Cooperation Agreement concerning the representatives of subnational entities abroad. The second group is tasked with the representation



to the international organizations pursuing activities involving mixed competences. The third group works on the modalities of Belgium's representation in the Council of the European Union. In October 2023, the CIPE decided to pursue the work in the framework of an intergovernmental political working group. The 2024 new legislature will show whether the country can capitalise on these efforts or whether fragmentation will overshadow five more years of Belgian foreign and multilateral policymaking.

CONCLUSION

Federalization, decentralization, and fragmentation each pose a distinct risk to the coherence of Belgium's foreign policy. They complicate its formulation, disrupt its consultation mechanisms, and diminish the scope for compromises. Among other effects, this incoherence tends to lead Belgium to abstain on the international stage. Yet, having the ability to concretely exert influence and gain authority is crucial in the contemporary global system. Indeed, without influence, Belgium risks the marginalization of its national interests.

This Egmont Policy Brief has shown the central role of the MFA within the governance of multilateral policymaking. This centrality results from both the Ministry's desire to maintain its domestic position, and the necessity to coordinate the different levels of government and technical administrations. MFA agents, both from the external and internal careers, work daily to ensure the smooth running of a decentralized and fragmented multilateral policymaking. While this *modus vivendi* seems to function broadly, what would happen if the processes of federalization, decentralization, and fragmentation were to accelerate as contemporary events might suggest? Coordination is of critical importance, but

we must now acknowledge a shift in balance. Subnational entities are indeed striving to assert their influence on the federal decision-making process by turning it into a co-decision mechanism. This raises many questions about the sustainability of the current model.

Admittedly, the Belgian model for foreign policymaking, built on political realities, has endured for thirty years. And it is only when internal disagreements arise that the intricate nature of the system becomes evident. Yet, in the face of global uncertainty and the ongoing redefinition of our international order, the quest for coherence must be elevated as a primary concern among the numerous complex issues confronting us. In the absence of in-depth reforms, revamping the MFA's resources appears necessary to safeguard both the Kingdom's external action and its internal stability.

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Endnotes

- 1 (1) The contracting party of the proposed treaty is a State that Belgium has not recognized. (2) Belgium does not maintain diplomatic relations with the contracting party. (3) The relations Belgium has with this contracting party are broken, suspended, or severely compromised. (4) The proposed treaty is contrary to Belgium's international or supranational obligations.
- 2 VAN STADEN, A., « Controverse bij een jubileum », *Internationale Spectator*, 1998, vol. 52, pp. 121-122 cited in COOLSAET, R., « Nederlandse en Belgische diplomatie in een Spiegel. Ministeries van Buitenlandse Zaken als permanente draaischijf », *Internationale Spectator*, 2003, p. 461.
- 3 MICHEL, Ch., Press Conference at the Lambermont, Brussels, December 8, 2018.





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