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Case Studies of Traditionally Internal Policy Areas with Outward Effects: Competition, Climate Change and Health

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ENVISIONING A NEW GOVERNANCE ARCHITECTURE FOR A GLOBAL EUROPE

Executive Summary

The EU's external action comprises a host of different policies. Harnessing tools from all these areas holds great potential to help the EU effectively and sustainably meet strategic challenges and become a stronger global actor. This paper studies the layer of traditionally internal policies with external dimensions – i.e. external action 'plus'. Within this policy layer, we focus on the policies of competition, climate change and health, which were selected based on their present relevance for EU external action and their varying legal competences. For each policy area, we study the EU's legal objectives, the linkages that can be identified between the policy area and other external action policies, and the factors that facilitate or obstruct those linkages. To do so, we draw on a set of semi-structured interviews with current and former EU officials, as well as on secondary literature. We carry out our analysis using an actorness-based analytical framework developed in ENGAGE Working Paper 17, which builds on the concepts of opportunity, presence and capabilities.

We find strong differences in the extent of linkages between the three policy areas, with limited linkages in competition; widespread and longstanding ones in climate change; and rapidly growing ones in health. Competences play a role, but perhaps a slightly unexpected one: while exclusive competences might theoretically facilitate linkages in the case of competition, the non-political view of the EU's competition authorities in fact acts as an obstructing factor for linkages. In health, in contrast, where competences are in principle "weaker", Member States endowed the EU institutions with a stronger role following the COVID-19 outbreak, thereby facilitating linkages with external action. External crises were furthermore identified as a highly relevant factor overall, modifying opportunity structures and potential for linkages – not just in the health field. At the same time however, the 2022 Russian war against Ukraine may detract attention from certain policy areas, which could dampen prospects for linkages in the case of climate change and health. Furthermore, four factors were identified as potentially facilitating linkages: the EU's market size (particularly in the cases of climate change and competition policies), a plethora of coordination channels, resource scarcity in individual units, and the new Team Europe approach.

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1   Introduction

The European Union's (EU) external action comprises multiple policy layers, from the Common Foreign and Security Policy (CFSP) with its Common Security and Defence Policy (CSDP), to the established external policies of trade, development and humanitarian aid, and beyond this, to a set of traditionally internal policies with external dimensions (see Figure 1). Harnessing tools from all of these areas holds great potential to help the EU effectively and sustainably meet strategic challenges (Müller et al., 2021 (ENGAGE Working Paper 7)) and become a stronger global actor. Yet more research is needed on the linkages between external action policies and the factors that facilitate or obstruct them. Targeted studies of these connections can help uncover how the EU can design a more joined-up effective, coherent and sustainable external action (Sus et al., 2021 (ENGAGE Working Paper 3)).

Figure 1: The Layers of the EU's External Action Plus
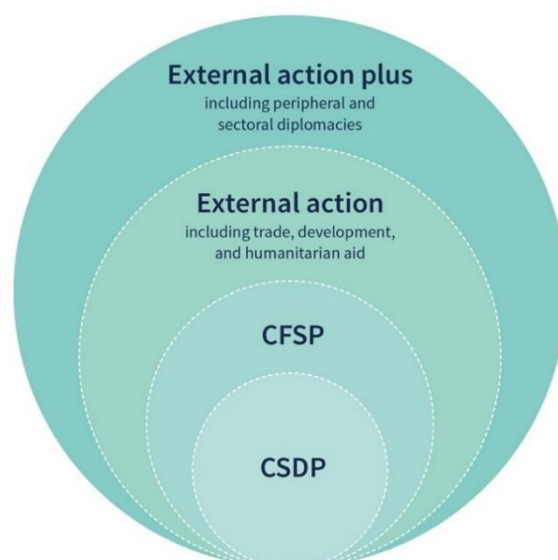
Source: own elaboration

In ENGAGE Working Paper 17, Christou et al. (2022) laid out an analytical framework to study these linkages and applied it to the policy layer encompassing trade, development and humanitarian aid (moving from the inside out, this is the third layer in Figure 1). The present working paper builds on this framework, but focuses on the outermost policy layer in Figure 1. This layer holds the diverse set of policies that were traditionally oriented internally, but have (potential or realised) external effects, i.e. external action 'plus'. In this contribution, we focus on three of these policy areas: competition, climate change and health. These policies, which are treated separately, were chosen due to their present relevance for EU external action and their varying legal competences. While competition policy is one of the EU's few areas of exclusive legal competence (and is therefore useful as a comparator), the EU has shared

competences when it comes to climate change, and supporting/shared competences[1] in health.

For each policy area, we study the EU's legal objectives in this field, the linkages that can be identified between the policy area and other external action policies and the factors that facilitate or obstruct those linkages. To do so, we employ the analytical framework established in Christou et al. (2022),[2] which draws on the work of Schunz & Damro (2020) and Damro et al. (2018). In this framework, the concept of actorness (Bretherton & Vogler, 2006, 2013; Drieskens, 2017) helps identify factors in the EU's internal and external context that can explain the process whereby external action emerges in traditionally internal policies (Schunz & Damro, 2020). Three components constitute the EU's actorness: opportunity, presence and capability (Bretherton & Vogler, 2006, 2013).

Opportunity refers to factors in the EU's external environment and hence the structural context in which it operates. This includes the international norms, beliefs and interests on a given issue, as well as specific events such as crises (Schunz et al., 2018, p. 17). Through this dimension of actorness, we can study evidence of external factors and challenges that provide "an opportunity for the EU to adopt new roles and responsibilities" (Bretherton & Vogler, 2006, p. 27; Drieskens, 2017), potentially by linking various external action plus policies.

Turning to internal factors, *presence* is defined as "what the EU is and what it stands for in a specific policy area" (Christou et al., 2022, p. 7). Presence does not necessarily stem from intentional actions by the EU, but rather its being (Bretherton & Vogler, 2006), which may encompass aspects such as historical circumstances, material resources or geographical limitations. What the EU stands for may be determined by the extent of European integration in a given policy area, as well as the perception of the EU by others, i.e. its image and reputation. As highlighted by Working Paper 17, dimensions of the EU's presence that may dictate the creation of linkages without intentional action include its single market, its model of regional integration and its status as a leading aid donor (Christou et al., 2022).

Lastly, *capability* determines the extent to which the EU can capitalise on opportunities from outside and aspects derived from its presence (Niemann & Bretherton, 2013; Damro et al., 2018). The EU's capability originates in the legal basis of its policies and its competences, as well as the strategies, procedures and instruments for external action at its disposal (Schunz & Damro, 2020). Coherence is particularly relevant for this aspect of actorness, and thus the notions of horizontal and vertical coherence[3] take a prominent role in our research.

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[1] See section 4, on health, and Szép and Wessel (2022 (ENGAGE Working Paper 5)) for a more detailed description of the EU's competences in health.

[2] See ENGAGE Working Paper 17 for a more complete explanation of this framework; a summarised version is offered in this section.

[3] See also Sus et al. (2021 (ENGAGE Working Paper 3)) for a further study of the concepts of vertical and horizontal coherence; and Christou et al. (2022 (ENGAGE Working Paper 17)) for an exploration of vertical and horizontal coherence as applied to linkages between external action policies.

In order to uncover these dimensions and the factors underlying them for our three policy areas, we relied on a combination of secondary literature and semi-structured interviews. The interviews were conducted between October 2022 and February 2023 with current and former EU officials of varying ranks and from a range of Commission services, as well as the European External Action Service (EEAS). We conducted eleven interviews in total: two for the case of competition, four for climate change, and five for health. For health in particular, semi-structured interviews were critical. Since the COVID-19 pandemic hit the EU in March 2020, this policy area and its linkages have developed with tremendous speed. Secondary literature has begun to study this evolution, but the literature is still in an initial phase. Therefore, it was necessary to gather more primary data on this policy field. Regarding the gender balance of our fieldwork samples, 45% of candidates targeted to participate in the interviews were women, but they ultimately comprised 25% of the interview sample. The response rate was significantly higher among men, with 53% of targeted male candidates accepting to take part in the interview, while only 21% of women agreed to participate.

Our study finds strong differences in the extent of linkages between the three policy areas, with limited linkages in competition policy; widespread and longstanding ones in climate policy; and rapidly growing ones in health. Competences play a role, but perhaps a slightly unexpected one: while exclusive competences might in theory facilitate linkages, instead, the non-political view of the EU's competition authorities acts as an obstructing factor for linkages. In health, in contrast, where competences are in principle 'weaker', Member States chose to give the EU a stronger role following the COVID-19 outbreak, facilitating linkages between health and external action. The extent of linkages may also be traced to mainstreaming provisions in the cases of climate change and health. Yet at the same time, it is noteworthy that linkages are at times established rhetorically before they become reality.

External crises were identified as a highly relevant factor overall, modifying opportunity structures and potential for linkages, and not just in the health field. In competition policy, for instance, the global financial crisis, COVID-19 crisis and 2022 Russian war against Ukraine exceptionally created some opportunities for linkages. At the same time however, the war may detract attention from certain policy areas, which could dampen prospects for linkages in the case of climate change and health. Furthermore, four factors were identified as potentially facilitating linkages: the EU's market size (which plays an important role in competition, as well as climate change – and potentially more so in that area in the future); a plethora of coordination channels enabling horizontal coherence; resource scarcity in individual units, which fosters cooperation between units; and the new Team Europe approach, which holds potential to facilitate both vertical and horizontal coherence.

In what follows, we examine each of the three policy areas – competition, climate change and health – in turn, using the actorness framework described above to study the extent to which these policy areas are linked, as well as the external and internal factors that obstruct or facilitate those linkages. We follow this with an analysis of the findings per policy area; and conclude with a set of cross-cutting findings. Ultimately, these findings, together with those of

ENGAGE Working Papers 6 and 17, will contribute to the policy recommendations laid out in a forthcoming working paper.

2 Competition Policy

Competition policy is a useful comparator for other policy areas that comprise the European Union's external action plus because it is characterised by exclusive legal competence, which distinguishes it from development policy, humanitarian assistance, climate and health. Thus, policy responsibility for approving large mergers and vetting state aids is concentrated in the hands of the European Commission. Distinguishing it from other areas of exclusive legal competence, including trade policy, the central role of the European Commission in competition policy has led Cini and McGowan (2009, p. 1) to claim that it 'is perhaps the most supranational of all EU policies and has become something of a flagship for the EU'. At first glance, the considerable supranationality that characterises this policy would suggest that it is fertile ground for linking to other external action plus policy areas. However, as will be discussed below, there are significant obstacles to issue linkage – associated with external and internal factors – that condition the capabilities associated with horizontal and vertical coherence.

2.1 Competition Objectives and Linkages

Competition policy has long been a necessary tool to support a well-functioning internal common market. According to the EU, this policy ensures "that competition is not distorted in the internal market by ensuring that similar rules apply to all companies operating within in it" (EUR-Lex, n.d.). As an exclusive competence (Article 3 TFEU), the wording of the 'core' legal provisions of competition policy – Art. 101 and 102 (TFEU) – "has not changed since the Treaty of Rome" (Botta, 2014, p. 76).[4] Since those early days, competition policy has served as an original and essential building block of European integration and EU identity and presence, today including merger review, abuse of dominance (anti-trust), cartels and state aids. Under the most recent Treaties, the rules on competition are governed by Articles 101 to 109 TFEU (Szép & Wessel, 2021 (ENGAGE Working Paper 5)).

Because competition policy is an area of exclusive legal competence, the European Commission has considerable authority in the internal development and implementation of the policy, which provides the EU with significant actorness and the Commission with important powers to act externally in competition policy. While the Treaty of Rome placed authority for competition policy in the newly-created European Commission, as will be discussed below, the Member States are still involved in different aspects of this policy area.

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[4] The earliest effort at converging toward a pan-European competition policy can be found in the Treaty of Paris establishing the European Coal and Steel Community (ECSC) in 1951. The provisions on competition in the 1957 Treaty of Rome reflected the earlier ECSC provisions, with relevant articles covering restrictive agreements (cartels), monopolies and public sector firms, and state aids, yet no explicit provisions on merger control.

Competition policy is notable for being applicable across all sectors in the Single European Market (SEM). For example, the European Commission highlights its role in ensuring competition in agriculture, food and fisheries; electronic communications; energy and environment; financial services; information communication technologies; media; motor vehicles; pharmaceutical and health services; postal services; professional services; sports; and transport and tourism. The policy needs to be cross-sectoral because it makes little sense for governments to pursue the four freedoms across sectors within the SEM if firms or governments are simultaneously allowed to create their own barriers to trade in that same market. In this sense, competition policy is readily linked to various other *internal* policy areas (or sectors) that reflect the four freedoms and comprise the SEM.[5] However, as will be discussed below, a notable exception to such linkages with other internal policies is the defence industry.[6]

Cini and McGowan (2009) note that EU competition policy is used to pursue the following *internal* objectives: consumer welfare; protection of the consumer; redistribution of wealth (among firms); protection of small and medium-sized enterprises; regional, social and industrial considerations; and promotion of competitiveness. A final and particularly European objective is added to this list: market integration, meaning that EU competition policy is designed to break down barriers to trade and ensure fair economic competition in the SEM.

While these objectives focus on internal priorities, they have clear *external* aspects because they may include, and may be applied to, the activity of non-EU firms operating in the SEM.[7] EU decisions on such business activity – typically including cartels, monopolies and mergers – can have important external commercial and political repercussions. Indeed, as Heimler argues, EU competition policy "also had a foreign policy dimension, a standard to be imposed on candidate countries and on the world at large" (2010, p. 83). In this sense, competition policy can have – often indirect – linkages to other external policies, in particular trade. Such indirect linkages can even be seen between state aid and trade policy.[8] However, as will be discussed below, there are also important obstacles to linking directly with other external policy areas, even trade.

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[5] According to Svetiev, "competition policy tends to be transversal, touching all economic sectors, and – as the EU Member States have found out – interacting (often unpredictably) with other policy fields and objectives" (2015, p. 194).

[6] Likewise, in state aids, Article 107 allows for a number of exemptions.

[7] The external dimension of the EU's presence – specifically regarding its applicability to non-EU firms – was expanded in 1988 when the CJEU issued its Wood Pulp decision. In this decision, 41 non-EU producers of wood pulp and their US and Finnish trade associations were accused of fixing prices for wood pulp in the SEM (Lange & Sandage, 1989). The final Wood Pulp decision confirmed the Commission's authority to apply Article 85 [81 TEU] of the Treaty of Rome to the alleged price-fixing, regardless of where the defendants were located (ibid.).

[8] EU state aid is most clearly linked to external trade policy in so far as it affects market access (Damro, 2013).

To address these external aspects, international cooperation has become an important and frequent feature of this policy area. For example, Laitenberger (2018, p. 3) noted that between 2010 and 2017 the EU cooperated with non-EU competition authorities in 65% of all cartel cases and in 54% of complex merger cases. Likewise, as noted by Szép and Wessel (2021, p. 33), the "number of cartel cases involving an external participant has increased by 450% since 1990 and mergers with external companies more than doubled between the late 1990s and 2010" (Szczepański, 2019, p. 16).

As a complement to this international cooperation, the EU also pursues the objective of convergence – i.e. efforts to extend its competition rules beyond its borders (Damro & Guay, 2016). The EU's Directorate-General Competition (DG COMP) makes very clear its intentional pursuit of cooperation and convergence: "Our *main objective* is to promote convergence of competition policy instruments and practices across jurisdictions and to facilitate cooperation with competition authorities in other jurisdictions in enforcement activities" (European Commission, 2022a, emphasis added). This drive for cooperation and convergence may be the result of the structural context in which the EU and other actors operate their respective competition policies. For example, as Svetiev argues, "[t]he common consensus appears to be that in the absence of a formal harmonisation instrument and strong institutionalisation, soft convergence and informal exchange are the only possible or even appropriate goals for transnational antitrust cooperation" (2015, p. 169).

The EU is, therefore, increasingly pursuing competition disciplines in its external relations as an important component of its foreign economic policy. The pursuit of cooperation and convergence as an external objective can be seen, for example, in the extensive web of bilateral and multilateral competition-specific and other agreements the EU has negotiated with third parties (see below).

Drawing from the work of Christou et al. (2022), the sections below investigate the EU's actorness in competition policy. In particular, the analysis focuses on the internal and external factors – following from opportunity, presence and capabilities – that facilitate and obstruct linkages with other external action plus policy areas.

2.2   External Factors

External factors – i.e. changes in the EU's external 'opportunity' – have played a significant role in the development of an external dimension for competition policy and the extent to which it can be linked to other external action plus policies. Most prominent among the external factors is the economic internationalisation that started in the late 1970s and early 1980s (Damro & Guay, 2016; Aydin & Thomas, 2012). This structural change to the global economy can be understood as an expansion of markets from the domestic level to the international level, caused by economic liberalisation, deregulation and technological development. Such changes dramatically increased rivalry among firms – both within and across national borders – which significantly changed business strategies by, for example, increasing the incentives to pursue internationally oriented or cross-border mergers.

As cross-border business activity increased in the global economy, internationally oriented mergers had to be reviewed concurrently by competition authorities in different national jurisdictions. Therefore, regardless of where a firm is headquartered, if it is active in the SEM, its business activity became subject to EU competition rules. The increase in cross-border business activity raised the undesirable prospect that competition authorities in different jurisdictions might reach different decisions on whether to approve or prohibit the same merger. One way in which to overcome such an undesirable outcome is for competition authorities to pursue various cooperative measures, which can include bilateral and multilateral agreements that can be competition-specific or linked to other policy areas. Hence, the changes to the external opportunity facing the EU helped to create an external dimension for competition policy and raised the prospect of linkages with other policy areas via international negotiations and agreements.

Similar and more recent external factors have also affected EU competition policy. For example, Meunier and Mickus (2020) argue that EU competition policy – and the relationship between the Commission and Member States – has been affected significantly by the digitisation of the global economy, geopoliticisation of competition regulation (particularly Chinese expansion and American unilateralism) and Brexit. The emergence of the COVID-19 crisis also "created space for policy entrepreneurs in EU member state governments and institutions to push for greater promotion and protection of European industry in the internal market while reinforcing supranational competition enforcement" (2020, p. 1077).

Regarding issue linkage at the multilateral level, in 1996, the EU called for an initiative on trade and competition policy at the Ministerial Conference of the World Trade Organisation (WTO) in Singapore (Bhagwati, 2004; Wigger, 2008). With support from the USA, competition policy was eventually agreed as one of the so-called 'Singapore issues' (along with investment, government procurement and trade facilitation) that were to be negotiated as a package deal (Damro, 2006). Such negotiations held the potential to create – at least in formal agreements – an initial link between competition policy and trade policy.[9]

However, by the time of the WTO Ministerial Conference in Cancun in 2003, further important changes in the external environment were reducing the EU's opportunity in this policy area. In particular, national competition laws outside the EU had proliferated dramatically, and the positions of developing and emerging economies began to change in significant ways (Aydin & Thomas, 2012). By the end of the 1990s, power was becoming more diffuse in the WTO, with developing countries establishing more assertive coalitions to actively promote their own interests and values in international trade negotiations (Drahos, 2003; Singh, 2006; Svetiev, 2015, p. 191). In addition, many developing countries did not have competition laws until the 1990s (Aydin & Thomas 2012) and lacked significant policy expertise in the technicalities of how it linked to trade policy in the WTO. As a result, they were increasingly wary of expanding

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[9] The EU proposal was rather limited, focusing on hard-core cartels and allowing for a number of exemptions (Svetiev, 2015, p. 190).

the negotiating agenda to competition policy and more determined to make sure that any possible future trade agreement resulted in clear trade benefits to them (Damro, 2012).

In short, divergences in global interest and norm arrangements reduced the opportunity available to the EU for linking trade and competition policy. Following this loss of opportunity at Cancun, the international competition agenda is no longer linked to trade policy via the WTO. Rather, as will be elaborated in the next section, states now tend to look to other multilateral fora, in particular, the International Competition Network and the Organisation for Economic Cooperation and Development. It is through these alternative fora that the EU now finds an opportunity to push for international interest and norm convergence along the lines of its own model of competition policy. While the ability to link competition policy with other areas of external action in these fora remains limited, there are incentives for the EU to share its model of competition via other means because, as Aydin (2022) argues:

> When the EU manages to export its model to third countries, EU companies operate under competition rules similar to their home systems, which give them advantages. Moreover, the Commission may find it easier to enter into cooperation with competition agencies in countries that have regimes similar to the EU's (p. 677).

The EU also pursues international cooperation and convergence of competition policy through its bilateral and inter-regional relations (Aydin, 2012), which, in some cases, create potential for linkage to other issues (i.e. when not done in 'competition-specific' agreements). Starting closest to home, during the EU's enlargement process, candidate countries are obliged to negotiate and accept 35 chapters of the *acquis*, including one on competition policy. Boheim and Friesenbichler (2016) undertake a detailed empirical analysis finding that the implementation of competition policies in Central and Eastern European countries was "fuelled by the prospect of EU membership" (p. 572).

In addition to enlargement, the EU also actively externalises competition policy to its neighbourhood (Aydin, 2012; Szép & Wessel, 2021), where – despite the absence of the prospect of membership – "neighbouring countries have adopted national competition laws which closely resemble the EU competition model" (Botta, 2014, p. 87). The mechanisms at play here include programmes of technical assistance (ibid.). The EU's engagement with potential candidate countries and the countries of the European Neighbourhood Policy also comes via Stabilisation and Association Agreements, Partnership and Cooperation Agreements and Euro-Mediterranean Agreements. While such agreements are broader than a single policy area, they contain some competition policy provisions. Similarly, the 1994 European Economic Area Agreement has several Protocols specifically on cooperation in competition policy (Damro & Ibañez, 2018).

The EU also pursues competition objectives through broader trade and cooperation agreements that reach to third states and regional organisations outside the neighbourhood (Szép & Wessel, 2021). The integration of competition objectives into these trade and cooperation agreements represents instances of issue linkage and an important tool for externalising competition policy. Botta also notes that a trade and association agreement

"usually" requires third countries to establish a national competition authority "and to introduce a competition law which includes provisions that mirror the core EU competition provisions (i.e. Art. 101 and Art. 102, TFEU)" (2014, p. 87).

Overall, these various measures have helped to ensure that "[m]ost of the developing countries in the world have adopted a competition law that includes substantive provisions which mirror Art. 101 and Art. 102, TFEU, and have established [a national competition authority] taking DG Competition as an example of administrative authority" (Botta, 2014, p. 88). Similarly, Doleys (2012) finds considerable evidence of the EU attempting and succeeding in the externalisation of competition rules, across a range of developing countries. Wide-ranging in its geographical scope, Doleys' study investigates the externalisation of EU competition rules to Central and Eastern European countries, the Mediterranean region, Brazil, Russia, India, China and the African, Caribbean and Pacific countries. A key finding from the study is that, while the EU does not always succeed in externalising, it does use market access as leverage in the pursuit of externalisation (ibid., p. 364).

The EU also pursues bilateral competition relations through formal agreements or memoranda of understanding dedicated specifically to competition policy with third countries or third country groupings (European Commission, n.d.). "Compared to candidate or EEA states, the EU's primary objective is not to expand EU competition rules but to reduce the risk of divergence or incoherence. Such dedicated agreements exist between the EU and Brazil (1999), Canada (1999), China (2004, 2012), Japan (2003), Korea (2009), the Russian Federation (2011) and the US (1991, 1995, 1998)" (Szép & Wessel, 2021, pp. 33–34). As Aydin (2012) argues, through this bilateral cooperation, "competition authorities of both sides may develop habits of cooperation and problem-solving, and thus reduce conflicts and ensure that both sides' companies are treated fairly" (p. 677).

2.3   Internal Factors

The EU has developed a considerable and advanced *acquis* related to competition policy, which helps to establish its presence in this domain. The legal authority centralised in the European Commission, particularly DG COMP, follows from the exclusive competence and – additionally when there is an active Competition Commissioner (e.g. Margrethe Vestager) – helps to reinforce its reputation and image in this policy area. Likewise, exclusive competence allows the Commission to negotiate externally and sign competition agreements (along with the Member States), which adds to its international reputation and profile as a significant actor in international competition policy. In addition to these features, the EU's presence in this policy area is significant because the size of the SEM increases incentives for non-EU firms to abide by EU competition rules in order to obtain and maintain market access.

The EU's image in competition policy may also be that it is driven by the motivation to share its competition values – which are an inherent part of its identity as an experiment in market integration – with other competition authorities. By exporting its rather advanced model and practices of competition policy through bilateral and multilateral activity, the EU may be seeking to improve the functioning of markets abroad and to ensure consumer welfare around

the world. If the EU model of competition policy is indeed seen abroad as a particularly good idea, other competition authorities may adopt it in the future.

Given the advanced nature of EU competition rules, its international reputation and image and the rather centralised legal authority to apply these rules to business activity (including that of non-EU firms) carried out in the SEM, the EU has a developed and strong presence in this policy area. The perceptions, expectations and behaviour of non-EU firms as well as governments who want access to the SEM are inevitably shaped − even without purposive action on behalf of the EU − by awareness and regular experience with EU competition rules. This awareness of the EU's presence − via its legal competence and policy *acquis* − contributes to its overall actorness in external competition relations and raises the prospect that competition policy may be usefully linked to other external action plus policies.

The EU's capability − understood as "those aspects of the EU policy process which constrain or enable external action" (Bretherton & Vogler, 2006, p. 29; see Christou et al., 2022) − are crucial for actorness in this policy area. Chief among the EU's capabilities in competition policy is the statutory authority to impose fines for anti-competitive business activity. These fines are often large enough that their threat or actual imposition cannot be ignored by foreign firms and their shareholders. Likewise, due to exclusive competence, the European Commission and its interests shape considerably the EU's capabilities and actorness in competition policy. For example, the Commission − as the promoter of the EU's general interest − has a preference to avoid divergent decisions on a competition investigation that is being investigated simultaneously by an overseas competition authority. This preference derives from the likelihood of political intervention increasing when divergent decisions are reached by different competition authorities examining the same case. Such political intervention − whether by EU Member States or overseas political authorities − increases uncertainty and threatens to introduce non-competition (that is, often, political) concerns into competition decision-making. As former Competition Commissioner Margrethe Vestager made clear,

> when it comes to the individual cases of competition enforcement, independence remains non-negotiable. There, the role of competition authorities is to enforce the law and serve the common interest. We are committed to the principles of fairness, good administration, transparency and due process. There is simply no room for political interference. Our actions have to be solely based on impartiality and rigor: On the facts, on the economics, and on the law (Vestager, 2015).

In a worst-case scenario, political interventions in competition decisions can increase external economic and political tensions to such an extent that they undermine the EU's ability to engage externally in this and other policy fields. In general, then, the Commission has a strong interest in protecting its independence in competition decisions. The best way to satisfy this preference is to pursue global convergence and cooperation in bilateral agreements and through multilateral initiatives (see above). Such external engagement allows the EU to encourage other competition authorities to develop practices similar to the EU's own. By converging practices, the EU increases the sharing of information on simultaneous cases and, therefore, reduces the likelihood of divergent decisions that would trigger political intervention.

This helps to explain the EU's external objective of cooperation and convergence. But what does it mean for issue linkage? Well, the Commission's preference to avoid politicisation in competition decisions suggests that it will have a preference to avoid issue linkage, especially if other issues/policies are seen as more susceptible to politicisation or increase the likelihood of politicising competition decisions. As a result, if other external action plus policy areas – such as trade, security and defence – are more prone to politicisation, then we should expect to see the Commission being reluctant to link competition policy to them (Damro, 2007; Szép & Wessel, 2021). This factor would then serve to obstruct linkages among competition policy and other external action plus policies.

The central role and significant authority of the European Commission in competition policy would seem to be most important for conditioning horizontal and vertical coherence. However, that is not necessarily the case because Member States are not completely absent from this policy area. The Member States do have national competition rules, the development of which has varied in accordance with their own national experiences and preferences. But over time, EU Member States "have enacted competition laws or modified existing laws in order to bring them closer to Community law" (Gerber, 1998, p. 428).

In 2004, however, the Commission introduced a modernisation package to enhance the role of Member States in EU competition policy and provide some potential for increasing intergovernmental cooperation. Among other measures, these reforms 'established the idea that member states would be primarily responsible for the application of competition law and that the Commission would only take enforcement action under limited circumstances' (Gerber, 2010, p. 190). However, while elements of these reforms can be viewed as a decentralisation of authority, the overall package was also seen as a successful effort by the Commission to reduce its workload and maintain its control over the development of competition policy (Wilks, 2005; Riley, 2003). According to Gerber, "the Commission controlled the process. It drove the proposals forward, managing the meetings and controlling the agenda, and in the end, it created a system in which it could more effectively control the development of competition law in Europe" (Gerber, 2010, p. 191). The reform package also established the European Competition Network (ECN), in which relations among Member State competition authorities would be conducted with the Commission as "the dominant voice and the control organ" (Gerber, 2010, p. 190).[10]

The internal relationship between the European Commission and Member States, which is crucial to coherence, also plays out in the EU's activities in multilateral fora. The exclusive competence and the extent of supranationalisation that has occurred in this policy area ensure that the Commission – in particular DG COMP – is very active in international venues that

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[10] The ECN is primarily designed to pool experience and identify best practices for the development and implementation of EU competition policy. While the ECN may appear to resemble a trend toward intra-EU cooperation, it is a fairly informal network that is not intergovernmental in the traditional sense. In addition, the ECN still allows for 'control' by the Commission and requires the Member States to apply EU competition law (Young & Damro, 2017).

address the development of competition policy (Aydin & Thomas, 2012). The role of exclusive competence in particular bolsters the EU's capability in external representation, hence reducing the likelihood of vertical and horizontal incoherence.

As discussed above, the EU's external opportunity to pursue competition policy via the WTO has remained limited. While the EU does engage with competition issues in the Organisation for Economic Cooperation and Development (OECD) and the United Nations Conference on Trade and Development (UNCTAD) (Svetiev, 2015; Damro & Guay, 2016), much of its multilateral focus now targets the International Competition Network (ICN). Because the ICN is 'for and by' competition authorities, its activities remain focused on competition policy. However, the ICN "was very deliberately created to be highly informal and unambitious: with minimal infrastructure and no permanent seat, with few or minimal rules of engagement that structure interactions, and disclaiming *ex ante* any object of developing an antitrust code for thew world" (Svetiev, 2015, p. 183). Unlike the WTO, OECD and UNCTAD, the ICN's narrow focus on competition policy reduces issue-linkages to other policy area objectives and decreases opportunities for mainstreaming. It also reduces the likelihood of political intervention and horse-trading negotiations (Damro & Guay, 2016), which helps to keep DG COMP at the forefront of external engagement in competition policy. While the Commission and the Member States' national competition authorities are full members of the ICN, due to exclusive competence, the Commission actively coordinates EU positions and reduces the potential for vertical incoherence. Also, because the ICN membership is comprised of competition authorities who are focused on competition issues only, the potential for horizontal incoherence is reduced in negotiations.

Another significant internal factor that conditions horizontal coherence and can obstruct issue linkage – despite exclusive competence – relates to the EU's legal and governance structure. As noted above, the cross-sectoral nature of competition policy means that it is readily linked to various other internal policy areas. Therefore, competition policy might reasonably be expected to be applied to the defence industry to ensure that Member States and firms do not create barriers to trade within the SEM (e.g. Member State funding as state aid, mergers among defence firms). Such an application would create a clear link between competition policy and the Common Security and Defence Policy. However, the European External Action Service – where such linkages could be facilitated – generally does not play a role in such industrial questions. Perhaps more importantly, "for a long time, defence and security matters, including defence markets were considered as being outside the Treaty framework and were treated as the prerogatives of the Member States" (Szép et al., 2021, p. 32 (ENGAGE Working Paper 4)). Likewise, as Randazzo argues, "[the defence industry] has been considered as being outside the scope of application of EU law… From a legal standpoint, this is mainly due to the fact that Article 346(1)(b) of the Treaty on the Functioning of the European Union (TFEU) was

read as excluding the whole defence sector from the remit of EU law (2014, p. 1).[11] More specifically, the Article reads:

> Any Member State may take such measures as it considers necessary for the protection of the essential interests of its security which are connected with the production of or trade in arms, munitions and war material; such measures shall not adversely affect the conditions of competition in the internal market regarding products which are not intended for specifically military purposes (Szép et al., 2021, p. 33).

This type of rare exemption "may create obstacles to linking with other policy areas, including CFSP/CSDP. For example, [the Article] has been used by the Member States to retain jurisdiction over mergers with a military significance… The provision is interpreted strictly, and it is for the Member State seeking to rely on it to prove that it is necessary to have recourse to it in order to protect its essential security interests" (Szép & Wessel, 2021, p. 34).[12]

As a result of these legal and governance arrangements, the politically sensitive defence industry lacks application of competition policy and, instead, is often seen as industrial policy run by the Member States (Szép et al., 2021, pp. 28–32).[13] In this context, industrial cooperation in the defence industry is more likely to be pursued through procurement legislation than competition policy.[14]

While this legal arrangement can be problematic for the internal market, it can also have indirect effects on the EU's external capabilities and those external action plus policies that

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[11] As Randazzo argues, "on the basis of established case law of the Court of Justice, however, it is now clear that this is – instead – a case-by-case derogation that is to be applied strictly in exceptional situations" (Randazzo, 2014, p. 1). For more on the relevant case law, see Trybus (2002).

[12] Interestingly, when firms with portions of their business in the defence industry decide to merge, they still require review and approval by DG COMP. For example, see the 2020 merger between Raytheon and UTC, which included remedies related to the defence industry. If such firms do have a large portion of defence industry as their business, then Member States may invoke Article 346.

[13] There are, however, emerging questions regarding the strategic orientation to gain a greater degree of EU sovereignty/autonomy in defence and how it affects the links between DG COMP and the new DG for Defence, Industry and Space (DEFIS). In the area of defence industry, DG DEFIS (with its European Defence Industrial Development Programme, see also Szép et al., 2021, p. 31) is in charge of upholding competitiveness and innovation by ensuring the evolution of an able European defence technological and industrial base. It goes in a direction that is not in line with the traditional view of competition policy (but is legally covered by TFEU Article 346). For example, with the European Defence Fund, DEFIS encourages collaborative projects that focus on the research and development of key products and technologies for security and defence. DEFIS is also launching actions to support defence SMEs to engage in cross-border partnerships. (The legal basis for the EDF is research & innovation and industrial competitiveness.)

[14] For example, see the European Commission's proposal for a regulation on the European Defence Industry Reinforcement through common Procurement Act (EDIRPA) for 2022–2024. The authors are grateful to Ester Sabatino (IRIS) for expert insights on the role of public procurement in this context.

depend upon the SEM. For example, Randazzo argues, "excluding defence from the internal market has contributed to market fragmentation, a lack of competition and a strong national preference in procurement – all of which have encouraged, in turn, inefficient spending, the unnecessary duplication of capabilities and sub-optimal levels of competitiveness for Europe's industry" (Randazzo 2014, p. 1).[15] Nevertheless, there are peculiarities that differentiate the defence industry from other sectors and help to justify the prominent role of Member States. For example, as the European Commission notes in its 2022 Communication Roadmap on Critical Technologies for Security and Defence:

> [d]emand comes almost exclusively from national governments, which also control all acquisition of defence-related products and technologies, as well as their export… The defence sector therefore does not follow the conventional rules and business models that govern more traditional markets, and has thus limited room to influence related investments and market choices (2022b, pp. 2–3).

Given these various internal factors, the Member States can (especially via Article 346), play a significant role obstructing or facilitating potential linkages between competition policy and other external action plus policies that depend upon the defence industry (e.g. CSDP, CFSP). This important role for the Member States here suggests that the potential for horizontal coherence (via issue linkage) is very much conditioned by the political dynamics of vertical coherence and the EU's legal and governance structures.

Despite significant obstacles raised by internal factors like Article 346, there is evidence that recent crises can act as external factors that create windows of opportunity through which competition policy can become linked – at least loosely – to other policy areas. For example, the Russian invasion of Ukraine prompted the European Competition Network (ECN) to consider potential links between competition policy and the security situation. In particular, the ECN adopted a statement providing guidance on the application of EU competition law in the context of this security crisis. The statement makes clear that the ECN considers the invasion an "extraordinary situation" that "may trigger the need for companies to address severe disruptions caused by the impact of the war and/or of sanctions in the Internal Market" (ECN, 2022, para. 1). In the current circumstances, such 'cooperation measures to mitigate the effect of severe disruptions would likely either not amount to a restriction of competition under Article 101 TFEU/53 EEA or generate efficiencies that would most likely outweigh any such restriction. "In any event, in the current circumstances, the ECN will not actively intervene against strictly necessary and temporary measures specifically targeted at avoiding the aforementioned severe disruptions caused by the impact of the war and/or of sanctions in the Internal Market" (Enterprise Europe Network, 2022). Similarly, the European Commission adopted a Temporary Crisis Framework for State Aids to support the economy in the context of Russia's invasion of Ukraine. While such developments address and seem to mitigate the

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[15] However, as Szép et al. point out, "the implementation of the Defence Procurement Directive has overall resulted in more transparent competition" (Szép et al., 2021, p. 31). For an assessment of the Defence Procurement Directive and recurrent use of Article 346, see EPRS (2020).

existing obstacles to horizontal coherence between competition policy and security policy, they also highlight the important role of crises as an external factor affecting issue linkage. This important role for crises can also be seen in linkages beyond security policy, such as through the European Commission's temporary state aid frameworks to address the global financial crisis (2008) and the COVID-19 crisis (2020).[16]

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[16] See European Commission (2022c).

3   Climate Change Policy

Despite its origins in the EU's internal environmental policy, climate action has become firmly rooted in the Union's external action and its identity as a global actor. Climate policy therefore falls into the category of external action 'plus': "external dimensions of various internal EU policies" that contribute to the EU's external action, alongside CFSP/CSDP, trade, development and humanitarian aid (Szép & Wessel, 2022, p. 4 (ENGAGE Working Paper 6)). Thanks in part to its ambitious climate policy framework, the EU is perceived, both by itself and by other actors, as an international climate leader (Biedenkopf & Groen, 2021; Delbeke & Vis, 2019; Oberthür & von Homeyer, 2022). In addition, given the eminently global nature of the climate change problem, the EU has complemented its comparatively advanced internal climate legislation with strong external climate action, in particular through climate diplomacy – most importantly, in the context of the UN Framework Convention for Climate Change (UNFCCC), as well as via regional and bilateral agreements (Szép & Wessel, 2022).

EU climate policies are linked to other external action policies through many channels, which are explored further below. One important and transversal channel is the guiding objective of climate mainstreaming. Just as the EU strives to include gender considerations across external action policymaking (see appendix 1 for an overview of these efforts), Article 11 of the TFEU requires integrating a climate-conscious perspective into all EU policies, with a view to promoting sustainable development. Of late, the adaptation dimension of climate mainstreaming has been expanded, in particular after the publication of the renewed EU Adaptation Strategy in 2021. The launch of the European Green Deal (EGD) in 2019 has been a further accelerant of climate policy integration, boosting and expanding substantive linkages between climate policy and other sectoral policies. In line with the objectives of the EGD, which seeks to mainstream sustainability in all EU policies alongside the principal objective of climate neutrality by 2050, climate policy integration has been expanded further in virtually all policy sectors and initiatives, including "indirectly emission-relevant sectors" such as international trade and "flanking policies" such as the EU's CFSP (Oberthür & von Homeyer, 2022, p. 14).

This section focuses on linkages between climate policy and other areas of EU external action, as well as the underpinning factors that can either facilitate or obstruct them. Global climate diplomacy, for example in the multilateral context of the UNFCCC, is perhaps the best-known external dimension of the EU's climate policy, however, it is not the main focus of this contribution, which primarily studies linkages between climate policies and *other* external action policies.

3.1   Climate Objectives and Linkages

The basis for external action on climate formally lies under Article 191(1) of the Treaty on the Functioning of the European Union (TFEU), which lays out the general objectives of the EU's environmental policy. The fourth objective of this article, which was added by the Maastricht Treaty and revised by the Lisbon Treaty (Szép & Wessel, 2022), is to promote "measures at

international level to deal with regional or worldwide environmental problems, *and in particular combating climate change*" (TFEU, art. 191(1), para. 4, emphasis added). As such, climate change is identified as "the main issue in global environment policy where the EU ought to promote international cooperation" (Szép & Wessel, 2022). The Lisbon Treaty further internationalised environmental policy through Article 3(5) of the Treaty on the European Union (TEU), which highlights sustainable development as one of the main aims of the EU's external relations (Szép & Wessel, 2022). Article 21(2) TEU, furthermore, explicitly includes two environmental and climate-related goals in the list of objectives of the EU's foreign policy: to "foster the *sustainable* economic, social and *environmental development* of developing countries" and to "[…] preserve and improve the quality of the environment and the sustainable management of global natural resources" (TEU, art. 21(2), para. d, f, emphasis added). EU competence in this field dates to the 1986 Single European Act, which conferred competences in environment and external environmental relations, although subject to unanimous decision-making in the Council. Currently, environmental policy, and therefore climate action, is a shared competence (Art 4(2) TFEU), falling under the ordinary legislative procedure, with the Council operating under qualified majority voting.

Historically, the EU sought to advance the international climate agenda by 'leading by example', which generally led to limited results, as few third countries followed suit (Schunz, 2019, 2022; Szép & Wessel, 2022). This led to a change in the EU's overall strategy, which has become more geopolitically informed and focuses on bilateral efforts with key partners in the fight against climate change alongside multilateral initiatives (Belis et al., 2018; Schunz, 2022). The shift in how the EU pursues climate action abroad has arguably increased the potential for linkages between climate and other external action policies. In the lines below, we discuss linkages between climate action and development, trade, security and wider CFSP, however, this list is not exhaustive, given the objectives of climate mainstreaming, which will also be examined in the sections below.

One of the clearest linkages detected is between climate action and development policy, which matches the sustainable development objective from Art. 3(5) and 21(2) TEU. Climate adaptation and mitigation formally became part of EU development assistance from the Juncker Commission onwards, and prior to that, "EU development policy linked aid activities in sustainable agriculture and energy to the improvement of climate resilience in non-EU countries" (Biedenkopf & Groen, 2021, p. 42). Agreements with third countries typically include climate-related provisions, usually framed as sustainable development (Szép & Wessel, 2022), but the EU has also attempted to strengthen the linkages between development policy, climate action and external action overall. One of the most recent vehicles linking climate and development policies are Just Energy Transition Partnerships (JETP). [17] These new,

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[17] Just Energy Transition Partnerships are financing cooperation systems that aim to accelerate the decarbonisation of developing/emerging economies. The first JETP to be signed was with South Africa, and it involved the USA, the UK, France, Germany and the EU. It was followed by partnerships with Indonesia and Vietnam, with the participation of the aforementioned countries as well as Canada, Japan,

standalone transactional agreements focus on incentivising climate action in third states in exchange for targeted development and financial support. Development assistance is thus employed to accelerate just green transitions in rapidly industrialising and developing countries. A main aim for the Commission is to support industrialisation while fostering the use of renewable energies and reducing greenhouse gas (GHG) emissions.

When it comes to the climate-trade linkage, this connection is sometimes employed tactically, as leverage during negotiations. One of the clearest examples is Russia becoming a signatory to the Kyoto Protocol in exchange for EU support for its WTO membership application (Szép & Wessel, 2022). On the other hand, and more structurally, the EU actively aims to include environmental or climate provisions in agreements with third countries, particularly in the areas of trade, but also development and, to a lesser extent, the EU's CFSP (Schunz, 2019). The EU, in other words, uses the structural factor of its market size to incentivise progress on climate action abroad: after the Lisbon Treaty, the EU started to include sustainability provisions in trade agreements, with specific mentions of efforts towards decarbonisation (Biedenkopf & Groen, 2021). After the Paris Agreement (PA) came into force, the EU reinforced this practice by including binding commitments to "effectively implement" the PA in free trade agreements (FTA) (Bronckers & Gruni, 2021, p. 28); however, no sanctions mechanisms were introduced to support these commitments (Biedenkopf & Groen, 2021, p. 42).

In its policy documents and official speeches, the EU often links climate change with security issues. A proliferation of official EU documents, including the 2016 Global Strategy, identify climate change as a 'threat multiplier'. The understanding of climate-related effects on security focuses mostly on the exacerbation of potential conflicts as a result of desertification and water and food scarcity, as well as pandemics and displacement (EEAS, 2016). When it comes to defence, in 2020, the European External Action Service (EEAS) published the Climate Change and Defence Roadmap, with proposals to address the links between climate change and European defence, including the CSDP (EEAS, 2020). In the Roadmap, the EEAS reiterates its understanding of climate change as a threat multiplier and recognises how CSDP missions can be affected by climate change in mission planning and decision-making, long-term foresight and deployment and implementation of the missions themselves. Likewise, the document acknowledges that the defence industry is energy-intensive and that Member States' militaries are not energy efficient. Finally, climate change is increasingly considered within the EU's wider foreign policy and its bilateral relations. The channels whereby these linkages are made, and the internal and external factors that condition them, are explored in more detail below.

3.2   External Factors

The external factors that might affect linkages include external crises, with the most recent example being the Russian invasion of Ukraine in 2022. All interviewees in both climate and

Italy, Denmark and Norway. Additional JETPs are being negotiated with Senegal and India, although they are at an earlier stage of negotiations at the time of writing.

health policy mentioned the war in Ukraine as a crucial aspect that affected their work to some extent. In particular, because the focus has been diverted to the war and its fallout, less time and fewer resources are available for other policy areas, which by extension can obstruct linkages as well.[18] In climate policy, the war has had a large and noticeable impact, with energy security in the shape of security of supply becoming a primordial policy objective. According to one Commission official at DG CLIMA, "the focus has been very much on energy security in relations with third countries" since the start of the war (Interview 4). The emergency mindset caused by the war and the prioritization of energy security had the potential to generate tension with climate goals. As expressed by an interviewee, "it can be complicated at times to not be completely overtaken by the energy security objectives" (Interview 4). However, the immediate energy supply concerns and the EU's climate objectives are not necessarily contradictory, and Commission services did not "lose sight of the need to work with countries on climate objectives" (Interview 4). As explained by an EEAS official, the EU considers its current energy priorities to be compatible with its climate policy, not only in the long-term goal of net-zero emissions, but also in the short and medium term (Interview 8).

Opportunity in terms of EU actorness is also affected by other, structural and (geo)political factors. When it comes to climate diplomacy, structural factors pose a challenge for the EU, given the prominence of multi-polar constellations and major polluters from the industrialised and emerging countries (Schunz, 2019). Due to the EU's own climate efforts, its share of global emissions is shrinking, which decreases the potential for effectiveness of unilateral climate action. In addition, when major powers – such as the US – modify their climate positions following domestic political changes, the EU may see its structural power and potential for leadership altered.

3.3   Internal Factors

Linkages are facilitated through horizontal coherence, which is in part achieved through coordination across Commission services. In this sense, DG CLIMA, which was created after the Treaty of Lisbon strengthened the EU's objectives regarding climate change (Rietig, 2021), plays a central role, focusing on the overall picture of the EU's efforts to tackle climate change "whereas other DGs will focus on specific aspects" (Interview 4). DG CLIMA is seen as a knowledge broker to other DGs and EU institutions. By sharing information and knowledge both internally and externally, DG CLIMA shapes the EU's capability in this field, facilitating linkages. The DG has furthermore acted as a policy entrepreneur to advance climate mainstreaming, for example by successfully advocating for a 20% climate mainstreaming proposal for the EU budget in 2013. This ultimately became a fixed part of successive budgets (Rietig, 2021), with the 2021–2017 budget including a 30% provision for climate-related spending.

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[18] When it comes to other environmental issues, however, substantive linkages could be boosted, for example related to food security and environmental issues (ETTG, 2022).

DG CLIMA's central role partly stems from an administrative reality of limited economic resources and a will to avoid duplication of efforts. Likewise, the DG works with the conscious aim of "serving rather than duplicating or creating separate dialogues" that the EEAS might already be undertaking (Interview 4), shaping CLIMA's role as a supporting, overseeing actor in the case of some policy linkages. In other words, resource scarcity, while seemingly reducing capability, tends to encourage overall coherence by ensuring that EU bodies cooperate and optimally utilise resources.

Another instance of this is the relation between DG CLIMA and INTPA. The latter holds significant financial resources, thereby ensuring coordination out of necessity (Interview 4, 6). As one official confirmed, INTPA usually holds the most funds, and is therefore one of the major stakeholders in EU external climate policy (Interview 8). DG CLIMA (and other DGs) participates in the programming exercises at INTPA, facilitating policy linkages through financial allocations. Additionally, there is a geographical logic to the work divide between INTPA and other DGs, with specific third countries that are highly relevant for their topics (for example, G20 countries) being CLIMA's focus of attention, while INTPA has relations with a wider set of countries (Interview 9). This division also dovetails with INTPA's larger financial resources and the nature of its work, i.e. development cooperation.

When direct interactions with third countries involve climate aspects, the EEAS often plays a coordinating role, channelling the efforts of various Commission DGs to their external action recipients and facilitating both horizontal and vertical coherence and therefore capability. The EEAS aims to hold a negotiating and facilitating role (Interview 8), which can take various shapes. One of the most recent examples is the JETPs, where the EEAS for example worked with DG CLIMA "on a daily basis" (Interview 4) in the negotiations with South Africa, the first JETP to have reached the implementation phase. The interviews revealed a division of labour between JETPs that is not formalised, but to a large degree determined by the country with which the EU is negotiating. Whereas the EEAS took the lead in representing the EU in the Vietnam JETP negotiations,[19] which recently reached a political agreement, DG INTPA has taken the lead in the negotiations of the Senegal JETP, along with France and Germany (Interview 8).

In terms of vertical coherence, it is important to note that certain participating Member States also join JETPs in their capacity as G7 members (i.e. France, Germany and Italy). This is specifically the case in those that launched after the first signed JETP, with South Africa (Interview 9). Having MS in the G7 allowed for alignment of priorities in the negotiations, facilitating vertical coherence. When it comes to non-G7 MS, their participation in specific JETP negotiations is guided to some extent by their pre-existing presence in the country in question. EU Delegations are aware of the MS that have specific expertise or activities on the

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[19] The negotiations on the JETP with Vietnam were led by both the EU and the UK, suggesting that despite palpable disagreements elsewhere, climate change and development-related matters could be a fruitful venue for post-Brexit cooperation.

ground in the third country and consequently look for the participation of these MS in the JETP in question (Interview 9).

Several other instances show how coordination between the EEAS and Commission DGs can facilitate linkages between climate policy and wider external action. When new EU Heads of Delegation are appointed, for example, DG CLIMA works with the EEAS to ensure the green transition, decarbonisation and other climate actions are included in their mission statements (Interview 4).

When it comes to the linkage between climate change and defence, the EEAS is working to increase climate considerations in the EU's civil and military peacekeeping missions via the appointment of climate experts to missions. However, further operationalisation of the climate-security linkage, beyond the rhetoric about the substantive link that is already present in policy documents, is signalled as still being necessary. The EEAS is playing a role in facilitating this linkage at the practical level, which may translate into a formal publication outlining steps to operationalise the climate-security-defence linkage (Interview 8).

Overarchingly, interviewees mentioned many coordination mechanisms that help to ensure horizontal coherence, and therefore also the potential for linkages. First, coordination mechanisms across DGs and other institutions come naturally, given the Commission's *modus operandi* of collegiality, where all relevant stakeholders take part in and review pertinent files, regardless of the service leading a file (Interview 6). This formal process of consultation facilitates horizontal coherence, and is further aided by informal networks and other means of socialisation that foster coordination and cooperation across units. Interviewees mentioned many fluid and frequent dialogues across DGs and with other institutions to facilitate information exchange and greater coordination for specific files. Depending on each case or policy, coordination might take place between CLIMA, INTPA, NEAR, the EEAS, or any other unit involved (Interview 6).

DG CLIMA also regularly briefs officials in political positions, including the High Representative/Vice-President (HR/VP) through the *jour fix*. In addition, the new Director-General at DG CLIMA is a former advisor for the EGD to Commission President Ursula von der Leyen, helping to ensure that communication between CLIMA and the Presidency is close and frequent (Interview 6). Broadly speaking, when the EU engages with third countries and the interaction includes climate topics, coordination takes place between INTPA, NEAR, the EEAS, and other DGs as necessary (Interview 6). The specific configuration ultimately depends on which country the EU is engaging with, as well as the topic at hand. The presence of NEAR is naturally limited to countries in the EU's neighbourhood, while the EEAS "keeps an oversight and they are always informed, because they need to know what's going on at the country level" (Interview 6). This hearkens back to the EEAS' role as coordinator, channelling the various efforts devised by Commission DGs to one specific country.

Additionally, specific DGs hold expertise in certain topics or geographies. This is, for example, the case with INTPA's information-gathering (through Delegations[20] and other channels) on the potential effects of initiatives such as the Carbon Border Adjustment Mechanism (CBAM). For this file, INTPA supplied data on the countries it works with, which are not necessarily among those exporting the highest volume of carbon-intensive goods to the EU, but which may experience detrimental effects due the implementation of CBAM. INTPA thus also creates dialogues with third country partners on these external effects of internal EU climate policies (Interview 9).

Structural organisational changes also appear to be facilitating attention to the linkages between climate policies and other external action policies. For example, the internal structure of DG CLIMA was reshuffled as recently as February 2022, and a new Directorate was created to focus on the international dimension of the EU's climate policy, with units in charge of multilateral and bilateral affairs, as well as climate finance. These new units fall under the responsibility of a single director, therefore enabling a high level of coordination. The recent reshuffling within DG CLIMA suggests that the need to strengthen the international aspect of its policies is a priority, and complements efforts led by other Commission services dealing with international climate action (such as the EEAS, DG NEAR or DG INTPA). Furthermore, DG CLIMA has seen its share of financing for international action increased, seemingly confirming this trend (Interview 4).

In addition to the coordination mechanisms and organisational changes described above, the EU has at its disposal a variety of legal provisions, mechanisms and other tools it can use to facilitate linkages. For instance, with regard to capabilities, the legal basis for climate action in the Treaties is deliberately written vaguely and its objectives are broadly defined, in order to keep the policy area "flexible enough to adapt itself quickly to needs and changes in the global environmental agenda" (Szép & Wessel, 2022, p. 39). Another facilitating factor, in this case related to presence, can be found in the EU's market size. The EU can incentivise third countries to implement stronger climate policies through regulation in its own internal market, such as the proposal to include the aviation sector in the EU Emissions Trading System in 2012, which ended up sparking regulatory discussions at the International Civil Aviation Organisation (ICAO); the CBAM today. Third countries that want to access the single market have to adapt to the more stringent EU rules, allowing the latter to influence outsiders by virtue of its existence as a large market (Schunz, 2019). As mentioned in the previous section, the EU market also works as leverage in the context of trade agreements.

Finally, a more recent facilitating factor that holds potential to improve both horizontal and vertical coherence, is the so-called 'Team Europe' approach. Interviews emphasised the relevance of this flexible format, which has been used since 2020 to align several actors in

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[20] Generally speaking, Delegations offer important on-the-ground expertise. When EU policies are cross-cutting or multifaceted, however, and therefore fall between or across multiple Delegation sections (development, political and trade), coordination issues can and do sometimes arise within Delegations (Interview 9).

common initiatives. The Team Europe Initiative for Climate Adaptation and Resilience that was announced on the occasion of the EU-African Union (AU) summit in February 2022, for example, was led and organised by DG INTPA, with contributions by DG CLIMA (Interviews 4, 9).[21] The initiative was then opened to additional funding by willing Member States and launched at COP27 in November 2022 (Interview 4). The Team Europe approach can also enable stronger action on linked policies through the specific involvement of Member States, facilitating vertical coherence. An example is the ongoing efforts to reform multilateral development banks with climate goals in mind: since the EU is not a full member of these institutions, it depends on Member States to relay what is agreed upon at the EU level. These non-traditional settings require new forms of coordination that transcend the formal resource pooling envisaged by the Team Europe approach into a more informal Team Europe 'spirit' (Interview 8).

Several factors obstructing the creation of linkages were also identified. Linkages are created to enable stronger climate action globally, because climate mainstreaming is an explicit EU objective, and because resource constraints incentivise EU bodies to cooperate internally. Yet the dispersion of responsibility for these policies may affect overall coherence and oversight. An illustrative case is climate adaptation:[22] "it is so really dispersed across the board, and it is extremely challenging to keep track of everything… if somebody asked about mainstreaming of adaptation at the international level across DGs, there are I-don't-know-how-many pages for one policy" (Interview 6). In other words, monitoring the shared implementation of climate-linked policies can become such a large task that oversight becomes challenging, which may to some extent hinder the EU's capabilities. Financial constraints can furthermore act as an obstructing factor, since they can limit the EU's potential to use financial incentives as leverage towards third parties to achieve external climate objectives (Biedenkopf & Groen, 2021).

Looking ahead, and beyond the linkages discussed above, further progress in mainstreaming climate into non-traditional climate areas such as taxation, which may be one of the avenues towards more effective climate action – e.g. through carbon border adjustment mechanisms – may depend on areas where vertical coherence becomes a more critical element (for example, because of unanimity requirements). In these cases, growing interest heterogeneity might impede further linkages (von Homeyer et al., 2021).

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[21] This points towards the aforementioned dynamic of INTPA leading the initiative as the one holding the "purse strings" (Interview 6) and CLIMA bringing the specialised knowledge to the table.
[22] DG European Civil Protection and Humanitarian Aid Operations (DG ECHO) also has a relevant role in climate adaptation, in terms of disaster risk reduction and disaster risk financing. Squaring the disaster prevention and climate agendas with the adaptation and resilience framework falls under the remit of DG INTPA, which also ensures communication between the relevant institutions.

4   Health Policy

The havoc wreaked by the rapid spread of COVID-19 across continents, starting in 2020, has shown more clearly than ever before that "health has no borders" (European Commission, 2022d, p. 1). The pandemic triggered a set of changes within the EU, leading to an unprecedented incidence of health concerns across policy areas, and particularly in external action. The EU played a leading role in the fight against COVID-19 and the dissemination of health priorities across policy fields, which was reflected in a shift from disease prevention to health promotion (Szép & Wessel, 2022), but also in the reinforcement of the external dimension of health law and its interaction with other policy fields such as security and development.

Already in the decades before the COVID-19 pandemic, health had grown in importance among EU policies. In 2010, the European Commission issued a communication on the EU Role in Global Health where it stressed the duty to "ensure that all relevant internal or external policies contribute to promoting equitable and universal coverage of quality health services" (European Commission, 2010b, p. 7). However, the systematic implementation of health concerns across policy areas did not become a true policy priority until the COVID-19 pandemic struck.

The pandemic brought about an understanding of health as an inherently global policy field, leading to major changes in the EU's health policy architecture. A set of proposals by the European Commission, gradually adopted since the second half of 2020, have created what is known as the "European Health Union" (EHU). The EHU aims to improve the EU's capacity to prevent and respond to human health hazards. Under the framework, several measures have been adopted, such as the Serious Cross-Border Threats to Health Regulation, the creation of a European Centre for Disease Prevention and Control (ECDC) and the establishment of a Health Emergency Preparedness and Response Authority (HERA), later turned into a Commission Directorate-General.

The most recent policy document under the EHU is the Global Health Strategy (GHS), which focuses specifically on the external dimensions of EU health policy. The strategy, which was drafted jointly by DG SANTE and DG INTPA and first released in November 2022, aims to update the 2010 communication on the EU Role in Global Health to adapt to rapidly changing events that create new health challenges, including COVID-19, climate change and shifts in the geopolitical environment. For the first time, the GHS refers to global health as "an essential pillar of EU external policy" (GHS, p. 1), recognising the role it plays in the geopolitical and strategic interests of the Union. The GHS will not be approved until the Council Conclusions under the Swedish Presidency are adopted in the spring of 2023. However, it is already relevant in bringing to light the role health plays in several external policy fields, including security, development, humanitarian aid and neighbourhood policy.

This section explores linkages between health policy and other areas of EU external policy, as well as the factors that facilitate or obstruct the possibility to establish those linkages. The section does not cover global health diplomacy or the role of the EU in exporting health norms;

instead, it delves into coordination between health and *other* policies that form part of the EU's external action.

4.1   Health Objectives and Linkages

Despite the widely acknowledged foreign policy and security threats caused by health crises, scholars hold that EU health policy remains a field with a weakly developed external dimension (Delreux & Keukeleire, 2022). EU competences in the field of health are limited, which may contribute to this finding. Importantly however, limited competences proved not to be a hindrance for the EU to take a more active role in health during the COVID-19 pandemic. As remarked by interviewees, COVID-19 showed that taking unprecedented steps in health at the EU level is possible whenever there is political will to do so (Interview 1, 7).

The EU *shares* competences with Member States on "common safety concerns in public health matters" (TFEU, art. 4(1), para. k), while it is only entitled to *support* and complement the actions of the Member States in human health protection and improvement (TFEU, art. 6(a)). Despite its limited competences, the EU has published several policy documents which serve as guidance for its actions in the field of global health (Rollet & Chang, 2013). The European Commission's Strategic Approach for 2008–2013, for example, anticipated a health mainstreaming effort by claiming that a "health-in-all-policies" approach should be implemented in "external policies including development, external relations, and trade" (European Commission, 2007, p. 6), as a result of the cross-border and cross-sectoral implications of health threats.

The entry into force of the Lisbon Treaty broadened the scope of EU action in health matters through article 168, therefore helping to establish the EU's presence in this domain.[23] Article 168 enshrines mainstreaming objectives by including a provision according to which the protection of human health shall be ensured "in all Union policies and activities" (TFEU, art. 168(1)), including those falling under the scope of external action. The Lisbon Treaty thus improved the EU's capability in this area by enabling it to engage in health-related policymaking in external action and foreign policy (Guigner, 2013). In addition, the Treaty introduced a linkage connecting health and security, which was later used as the basis to adopt the 2013 Decision on Serious Cross-Border Threats (Bengtsson & Rhinard, 2019).

The 2010 Commission communication on the EU Role in Global Health, which puts forward an explicit commitment to ensure that external policies promote "equitable and universal coverage of quality health services" (2010b, p. 7), constituted a further step to develop connections between health and external policy and identified explicit linkages with the fields

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[23] Health is thus mainstreamed in the treaties through the Treaty of Lisbon. The experience of policy mainstreaming was not new to the EU, however: gender mainstreaming, for example, had already been included in the Treaty of Amsterdam in 1997. See Appendix 1 for an overview of the experience of gender mainstreaming in external action and an assessment of its current state, including on gender mainstreaming when it comes to health policies with external effects.

of trade, migration and security. However, the 2010 framework lacked systematic implementation (Delreux & Keukeleire, 2022). Finally, in 2020, the COVID-19 pandemic acted as "a wake-up call for the EU" (ibid., p. 270), forcing the EU to prioritise health. As discussed above, this ultimately led to the publication of the Global Health Strategy in November 2022. The GHS is explicitly presented as "the external dimension of the European Health Union" (European Commission, 2022d, p. 1), and it focuses on where to expand and further develop linkages between health and other external policies. The document conceptualises cross-border health hazards as security threats and sets the goal to strengthen prevention and response, increasing the EU's capabilities in this field. In the field of development, it recognises the need to build up a framework on global health financing together with the European Investment Bank (EIB) and the European Bank for Reconstruction and Development. Regarding humanitarian aid, it aims to "reinforce the availability of health-related response capacities under the Union Civil Protection Mechanism" (ibid., p. 13). It also emphasises the importance of health prevention and promotion in the neighbourhood and aims to mobilise EU agencies to support candidate countries in aligning their health legislation with EU health law.

We now turn to linkages between health and other external action policies. A first linkage is the connection between health and security. Security concerns were already present in health policy before the COVID-19 outbreak, as evidenced by coordination organs such as the Health Security Committee, an informal advisory group formed by representatives of national health ministries and EU health agencies to coordinate national responses to cross-border threats (Dijkstra & de Ruijter, 2017). However, the link between health and security can be conceptualised in range of ways. This is evident in the concept of 'health security' itself, which is included in several EU policy documents and regulations, such as the [EU initiative for health security](#) and the so-called health security framework – yet interpretations of what the concept entails differ.

On the one hand, health security can refer to the risk of chemical and biological materials that impact human health being used as weapons. In fact, chemical, biological, radiological and nuclear (CBRN) threats were identified by HERA as one of the top three health threats to prepare for (European Commission, 2022e). The GHS also mentions CBRN threats as one of the elements to consider in building an all-hazards approach to ensure global health security (European Commission, 2022d, p. 9). According to an interviewed EU official, biosafety is one of the main concerns in health security, as there is a risk of pathogens being used in terrorist attacks or armed conflicts (Interview 5).

On the other hand, health security is also used as a much broader concept that refers to the ability to prevent and combat health threats with a view to protecting individual wellbeing and economic and political stability (Interview 7). According to this conceptualisation, health security can refer to everything related to preparedness, surveillance, risk assessment and responses to health threats (Szép & Wessel, 2022). The new Regulation on Serious Cross-Border Threats to Health, which was published in December 2022 as an update to the 2013 version of the regulation, is an example of this conceptualisation of health security. The Regulation tackles the need to strengthen health security by "broadening the legal framework

for epidemiological surveillance, monitoring, early warning of, and combatting serious cross-border threats to health" (*Regulation on Serious Cross-Border Threats to Health and Repealing Decision No 1082/2013/EU*, 2022, para. 2), thus laying down rules that go well beyond the use of health pathogens as weapons.

The COVID-19 pandemic has expanded this conception, showing that health can comprise not only a security concern, but it can also be used for foreign policy or diplomatic aims (Interview 5). Interviewees pointed to third countries making strategic bilateral vaccine donations that responded to other policy goals – including trade and military goals (Interview 5) – during the pandemic, therefore using vaccine donation as a tool of geopolitical competition. The GHS also recognises the linkage between health and the wider common foreign and security policy, by stating that it aims to include "health in political dialogues with partners to facilitate international cooperation" (p. 14). There has thus been a shift in paradigm following the COVID-19 pandemic whereby global health security is now regarded as paramount from a geopolitical standpoint (Interview 7).

Linkages between health and other external action policies already existed prior to COVID-19, however. For example, health has been long present in development law, based on the Article 208 TFEU provision on the objective of reducing and eradicating poverty. Article 208 is the basis for several EU international development agreements that support projects in the fields of public health, including communicable disease control, primary health care and the illegal trade of narcotics (de Ruijter, 2018; Szép & Wessel, 2022). Following the COVID-19 outbreak, the EU has continued to reinforce the linkage between development and health through vaccine donation using platforms such as the Gavi Vaccine Alliance, but also by supporting Member States in their bilateral donations (Interview 1).

Interviewees highlight that institutional coordination in the fields of health and development policy is well established. Given its larger amounts of funding and manpower, DG INTPA emerges as the main institutional actor providing the capacity to include health considerations in development policy (Interview 1, 2, 3). As such, while today, HERA coordinates the logistical side of vaccine donation efforts, DG INTPA is responsible for making financial contributions from the EU to the Gavi Alliance (Interview 1). Likewise, HERA intervenes in development projects through the missions deployed by the large African region team within DG INTPA (Interview 2). Regarding disease control, DG INTPA has provided funds for the ECDC to collaborate with the Africa Centre for Disease Control and Prevention (Interview 3).

The field of humanitarian aid presents a similar pattern, whereby the ECDC provides information and technical support to DG ECHO when it deploys missions in regions where there is a risk of infectious disease (Interview 3). The linkage between health and humanitarian policies may soon be strengthened further, as the GHS includes the aim of reinforcing these links. Among others, the GHS seeks to mainstream health beyond the actions of DG ECHO, by developing a disease outbreak response system applicable across all humanitarian response mechanisms, including the Union Civil Protection Mechanism and the European Humanitarian Response Capacity (European Commission, 2022d, p. 10).

Finally, health is linked to neighbourhood and enlargement policies. On the one hand, DG NEAR and specialised health agencies support candidate and potential candidate countries so they can implement the EU acquis on cross-border health threats and align their health legislation with EU standards (European Commission, 2022d). On the other hand, at a very practical level, the ECDC provides field epidemiology training in neighbouring states with the financial support of DG NEAR (Interview 3). In addition, during the COVID-19 outbreak, candidate countries and the immediate neighbourhood featured prominently among the main recipients of vaccine donations (Interview 1). Support to neighbouring regions during the pandemic also materialised in financial support packages and the provision of development funds to tackle the socio-economic consequences of the health crisis, therefore illustrating the importance granted by the EU to its neighbourhood. In fact, in the new GHS, promoting health resilience in the neighbourhood is stated as an EU priority (European Commission, 2022d, p. 18). As initiatives implemented by the EU in other regions, support granted by the EU to neighbouring countries increases the EU's presence in the field of global health (Rollet & Chang, 2013).

4.2   External Factors

It is a well-known trend that EU health policymaking traditionally sees significant advances, both at the internal and external level, as a response to public health crises. These crises change the opportunity structures and enable the creation of new health bodies or stronger mandates for already-existing specialised agencies (Brooks & Geyer, 2020). Examples include the creation of DG SANCO (later DG SANTE) following the HIV/AIDS epidemic, the development of bioterrorism legislation after 9/11, the creation of the ECDC as a result of the SARS pandemic in 2003 and the strengthening of the Health Security Committee during the Swine flu outbreak in 2009 (Bengtsson & Rhinard, 2019). The COVID-19 pandemic has been no exception. It led, for example, to the establishment of HERA as the agency that develops, produces and procures medial countermeasures, while also contributing to the coordination of vaccine sharing efforts with third countries. Given that recipients of vaccine donations mostly constitute developing and neighbouring countries, HERA assists in coordinating linkages between health, development and neighbourhood policy.

Insights provided by the interviewees furthermore point to the COVID-19 pandemic as a turning point for the health community in the EU to commit to the so-called "Team Europe approach" whereby EU, Member States and development finance institutions work together on emergency response and strengthening health systems (Interview 7). The rapid spread of COVID-19 made Member States more aware than ever that health emergencies require global coordination, which enabled the EU to take a stronger role (Interview 1). Therefore, despite the EU's limited competences in health matters, the COVID-19 pandemic allowed for the creation of a European Health Union which, according to an interviewed EU official, was a reaction to a request of the entire health community in the EU, including Member States (Interview 7), and which intends, among others, to reinforce global health security initiatives.

Health crises have thus been clear catalysts of linkages between health and external policy in the EU. However, the external environment has continued to change rapidly, and at the time of

writing, another external crisis is undermining, to some extent, the opportunity created by COVID-19 to strengthen the external dimension of health in the EU. Interviewed officials highlight the fact that consolidating the efforts made during COVID-19 is becoming more difficult since the Russian invasion of Ukraine. Higher demands for solidarity and the cost-of-living crisis caused by the Russian invasion of Ukraine are not only deflecting attention from health (Interview 3), but also reducing the available resources to continue developing health-related initiatives in other external policy fields. As an institution established in the aftermath of the COVID-19 pandemic, HERA (currently DG HERA) has been operating in "crisis" mode since its creation. As noted by an EU official, although the aim is to shift to emergency preparedness, both the Ukraine and the monkeypox crises are preventing HERA from taking a more long-term strategic approach towards strengthening the EU's capabilities to face cross-border health threats. This also limits, for example, HERA's ability to work towards deploying joint development missions along with DG INTPA (Interview 2).

Despite the difficulties caused by the Russian war against Ukraine and its fallout, more general trends in the geopolitical environment are creating windows of opportunity for global health to continue developing at the EU level. Kickbusch and Franz (2020) note that the development of the health economy and other global challenges such as climate change – also affecting health – are increasing demand for governance solutions and the provision of global public goods, therefore generating opportunities to reinforce links between health and external policy.

4.3   Internal Factors

As discussed above, the COVID-19 pandemic led to significant changes in organisational structures within the Commission, facilitating linkages between health and several fields of external action. In October 2022, for example, DG SANTE reorganised its organigramme. Most notably, the new structure includes an adviser to the Director General on the external dimension of health. Other changes made to the internal organisation of the DG aim to ensure that strategies such as the European Green Deal "populate each and every part of the structure", therefore reinforcing linkages between health and climate/environment-related goals. In 2021, the European External Action Service (EEAS) also underwent restructuring, with the inclusion of a new unit on economic issues and global health. Although EEAS officials already considered health issues before this reorganisation, the new organisational structure reinforces the importance of health's external dimension (Interview 5).

The already-mentioned HERA was also created following the COVID-19 outbreak, with a view to improving coordination before and during crises. When it came to vaccine sharing, HERA played a particularly important mediating role between the allocation wishes of Member States and the receiving needs of third partners (Interview 1), facilitating vertical coherence. Coordination was further reinforced through the creation of the Inter-Stakeholder Group, acting as a virtual vaccine-sharing taskforce formed by HERA, the EEAS and all DGs with an external dimension (Interview 1). The taskforce works on linkages between health and development by, among others, coordinating vaccine donations through the Gavi Alliance and COVAX. However,

it also plays a key role in enhancing vertical coherence by supporting Member States in their bilateral donations to avoid duplication and better respond to demand in third countries.

Besides newly created structures, existing units took up significant roles during the pandemic that facilitated linkages. Interviewees highlight the leadership role played by the Commission, and particularly its Secretariat-General, in coordinating the EU's external response to the pandemic (Interview 5, 7). Within the taskforce mentioned above, interviewees emphasise the importance of the EEAS in facilitating exchanges with other Commission services and matching supply and demand when coordinating vaccine donations by the EU (Interview 5).

In addition to the COVID-19-induced organisational changes, a significant set of coordination channels among the EEAS, the European Commission and Member States were already in place before the pandemic stuck (Van de Pas et al., 2014). At the time of writing (January 2023), interviewees emphasise that there is no need to create new coordination structures to further reinforce linkages between health and external action (Interview 7): formal and informal coordination across bodies touching on health and external action is frequent and fluid (Interview 5).

Interviewees identified specific day-to-day coordination mechanisms, mostly serving information-sharing and data-collection purposes, which help facilitate linkages and improve vertical and horizontal coherence. Several bodies within and outside the Commission engage in COVID-related reporting. HERA produces reports on the state of vaccine donation as well as the state of preparedness for health security threats (Interview 1). In parallel, the EEAS collects data on demand and supply of vaccines to help coordinate EU donation efforts. With the help of EU Delegations, the EEAS also engages in data collection regarding third country testing data, which informed decisions on travel bans during the peak of the pandemic (Interview 3). It must be noted that information-sharing on health threats was also present before COVID-19. The weekly reports and daily bulletins on communicable diseases threats produced by the ECDC are a clear example. However, as noted by interviewees, these channels were reinforced following the COVID-19 pandemic, with more and more EU agencies asking to receive these reports and turning to the ECDC for information and advice (Interview 3).

Linkages and horizontal coherence are also facilitated through resource-sharing, whether when it comes to personnel (e.g. in joint missions) or financial resources. Coordination between health and external action bodies is often dependent on which institution controls the funding. As an example of the former, HERA officials have joined DG INTPA missions abroad to support programs in vaccine manufacturing and other related domains (Interview 2). Similarly, there are clear links between health and humanitarian assistance, which are facilitated when DG ECHO asks the ECDC to provide specialists on infectious diseases (Interview 3). The ECDC also receives financing from DG NEAR to provide trainings on rapid risk assessment and epidemic intelligence in European neighbourhood countries (Interview 3).

While this overview of factors facilitating linkages between health and external action is by no means exhaustive, it does show that horizontal and vertical coordination structures exist and are widely used across EU actors. According to interviewees, increasing linkages is not

dependent on putting in place new coordination structures. Instead, a critical factor to further develop linkages is political will, particularly of Member States (Interview 1, 3). A lack of vertical coherence sometimes emerged, for example, in Member States' reluctance to engage in the multilateral approach to vaccine sharing: at times, Member States prioritised bilateral donation routes in function of their historical or political ties (Interview 1). Therefore, while a trend is emerging towards a Team Europe approach to respond to global health challenges, it is still in its formation stage (Interview 7). Likewise, recommendations issued by EU health agencies on COVID-19 – such as the inefficiency of closing borders at certain points in time – were not always followed by Member States, despite the fact that these recommendations were supported by continuous data gathering and reporting efforts.

Interviewees also pointed to a set of factors that can further boost linkages between health and external policies, and the horizontal and vertical coherence that can facilitate those connections. First, regarding horizontal coherence, interviewees emphasise the need for clearer data-sharing on linked policies, especially when several actors are involved (Interview 2). This implies building new dimensions into current information-sharing systems as a response to new challenges (Interview 7), such as increased coordination with international financial bodies. Second, specific structures created following the COVID-pandemic – such as HERA – must gradually shift from an "emergency" mode to longer-term perspective where the focus is on preparing for future health crises rather than mitigating current ones.

Third, health bodies could be further integrated into external action by using the logistic networks and resources of other services working on external action, beyond concrete joint missions. The ECDC, for example, is sometimes limited in its disease prevention and control tasks because it lacks presence in third countries where outbreaks are unfolding (Interview 3). Further integrating ECDC actions into the offices of DG ECHO abroad would strengthen the EU's capabilities and impact. Likewise, there is room to increase the involvement of EU Delegations in identifying health threats and providing policy advice on the ground. In this sense, the GHS proposes to bolster EU Delegations' role and the presence of specific health-related expertise in areas of geostrategic importance (p. 14). In a broader sense, strengthening horizontal coherence requires complementing loose and informal coordination with a clear upstream idea of all ongoing external health efforts within the Commission. Therefore, while coordination structures are already in place, a more holistic approach can further facilitate the integration of the health dimension into all policy areas that might impact global health.

5   Analysis

This paper studied in depth three traditionally internal policy areas with external effects – competition, climate change and health – to understand the extent of their linkages with other external action policies and the factors that facilitate or obstruct those linkages. Below, we summarise and analyse the findings for the three policy areas separately, relating them to the analytical framework of actorness. In a subsequent concluding section, we present a set of cross-cutting findings, which reveal commonalities and differences between the policy areas studied in this paper.

Building from its early treaty origins and its exclusive competence, the EU has an advanced and strong capability in *competition* policy, understood as including merger review, abuse of dominance, cartels and state aids. Coupled with its presence and changes in the external environment (i.e. opportunity), the EU has responded and contributed to the international competition agenda through bilateral and multilateral action. While the primary objectives of EU competition policy address internal barriers to competition within the SEM, various structural changes in external opportunity (including economic liberalisation, deregulation and technological development) mean that the policy area now has clear external dimensions. Therefore, it would be plausible to assume that the considerable supranationality in this policy area would create fertile ground for linkages, as would the opportunity generated by economic internationalisation. However, there are significant obstacles to those connections.

Among external factors, the EU's competition policy and its potential for issue linkage are influenced by ongoing structural changes in the global economy as well as the geopoliticisation of competition regulation. In addition, as shown in the example of the WTO, the changing preferences of other states in international negotiations can limit the likelihood of policy linkage. Internally, the exclusive legal competence in this field may endow the EU with significant actorness; however, this also lends DG COMP and its preferences great weight. Given DG COMP's preference to avoid political interference in competition policy, the potential for linkages is reduced, especially when the areas that competition could be linked to are more prone to politicisation. That is, the Commission pursues cooperation and convergence in externalising competition rules, but in the current context, it does not often resort to linkages to achieve this goal. The EU's legal and governance structure can also act as a significant internal factor conditioning horizontal and vertical coherence. For example, while mergers among firms with defence industry business still need approval by DG COMP, Article 346 can obstruct issue linkage to other external action plus policies that depend upon the defence industry (e.g. CSDP, CFSP). The important role for the Member States here suggests that the potential for horizontal coherence (via issue linkage) is very much conditioned by the political dynamics of vertical coherence and the EU's legal and governance structures.

Nevertheless, the EU has a considerable presence (i.e. image, competition values) in international competition policy. Non-EU firms and governments experience and are aware of the EU's legal competence and policy *acquis*, including the threat of sanctions such as fines. This awareness of the EU's presence contributes to its overall actorness in external

competition relations and raises the prospect that competition policy may be usefully linked to other external action plus policies. Likewise, the EU continues to actively pursue international cooperation and convergence of competition policy in a wide range of bilateral, inter-regional and multilateral relations and agreements, which, in some cases, create potential for linkages to other external action plus policy areas, notably trade policy. Evidence also suggests that external crises – including the global financial crisis, the COVID-19 crisis and 2022 Russian invasion of Ukraine – create windows of opportunity through which competition policy can be linked to other policy areas, including security.

In short, competition policy is notable as one of the EU's few exclusive competence policy areas, which makes it a useful comparator for investigating issue linkage with other external action plus policies. While there are some areas of potential linkage, especially in response to external crises, obstacles to horizontal coherence remain embedded in the law, as well as in preferences of Member States (especially regarding defence industry and security issues) and preferences of competition authorities.

In the case of *climate change*, linkages are rife. This is in part due to factors related to presence: the EU's international reputation as a climate leader is an integral part of its identity. While the EU "only" has shared competences in the case of climate change, there are legal provisions in the treaties that facilitate linkages between this policy and other areas of external action, including the mainstreaming clause (Art. 11 TFEU) and the inclusion of two environmental goals among the stated objectives of the EU's external action (Art 21(2) TFEU). Moreover, when it comes to the EU's opportunity, it is clear the EU cannot resolve the global issue of climate change unilaterally, given its relatively small share of global emissions. The EU is thus forced to seek channels to incentivise climate action in third countries, and linkages – sometimes related to an element of the EU's presence, its market size – are one of the avenues the EU can and does use.

As for the precise linkages at play, development takes centre stage due to the inclusion of sustainable development in the EU's treaty-mandated external action objectives, as well as DG INTPA's strong budget allocation. In the coming years, several ongoing processes and strategies, such as the EGD, may contribute to an increase in the number and relevance of climate-external action linkages. Lastly, the climate-security linkage is interpreted quite differently depending on the actors employing it and the context in which it is used. At the same time, despite its prevalence in speech acts and official documents, the linkage is underdeveloped in practical terms, showing that it is arguably still more discursive and substantive than operative.

When it comes to the EU's capabilities in climate change, we generally see strong horizontal coherence, based on extensive coordination channels and dedicated organisational structures. DG CLIMA plays a central role, and its position as a knowledge broker and policy entrepreneur has facilitated the creation of linkages with other policy fields. Furthermore, resource constraints in certain Commission units incentivise collaboration among services and facilitate linkages. However, the multitude of linkages, which is related to the mainstreaming objective, can also lead to difficulties in oversight over the full field. Going

forward, the potential for linkages might see some further challenges, either because external crises divert attention from the climate space, or because future linkages might require more vertical coherence.

Finally, in *health*, the component of opportunity is central. The EU has a supporting/shared competence in health policy, yet it has repeatedly managed to build out its capabilities in response to health crises both in the past and present. In this sense, the COVID-19 pandemic represents a paradigm shift in the importance EU institutions give to health in external action. One of the most prominent changes brought about by the COVID-19 pandemic is a proliferation of organisational change in the European Commission, including the creation of HERA, the reinforcement of the ECDC's mandate and the restructuring of DG SANTE and the EEAS. Rather than efforts converging only around DG SANTE, health concerns are being addressed through an enlarged and specialised health policy architecture, which is linked with many other policy areas.

Generally speaking, when the external environment changed upon the COVID-19 outbreak, the issue of the EU's limited presence in health (due to its limited competences) proved not to be an impediment to further action. Member States allowed the EU to step forward and the Commission's capabilities increased, enabling new linkages between health and external action policies. Some of these linkages were already present long before the pandemic, such as the connection between health and development. This partly stems from the clear substantive overlap between development objectives and health concerns. Other linkages are more difficult to delineate, particularly in the case of health and security. Explanations of the concept of health security range from very specific CBRN legislation to wider prevention and risk preparedness. The linkage is thus vague, which might be intentional to allow for more flexibility in a highly sensitive policy field. Beyond security, the COVID-19 pandemic illustrated links with wider CFSP, as illustrated in the new Global Health Strategy.

Nevertheless, the process of solidifying and substantiating the developments post-COVID-19 is not yet complete, as indicated in the agenda laid out by the GHS in November 2022. Further progress requires an upstream information channel of all ongoing efforts across the Commission to better coordinate and strengthen the health agenda in external policy. This not only implies mapping current efforts but also analysing where the health agenda could be reinforced. In addition, recently created health agencies need to shift from "emergency" pandemic management to a more strategic approach to the role of the EU in health, to consolidate the developing linkages with other Commission services. However, the extent to which health will continue to permeate external policy will also depend on Member States continuing to place health concerns among their priorities. In fact, the energy and cost-of-living crises caused by the Russian invasion of Ukraine have already emerged as factors diverting attention from health concerns.

6   Conclusions

The extent of linkages differs substantially between the three studied cases. Whereas linkages with external action are limited in competition policy, they are widespread and longstanding in the case of climate change and rapidly growing in the case of health policy. Competences play a role in this equation. Although exclusive competences might in theory afford discretion that would be conducive to linkage creation, in the case of competition policy at least, the non-political view of the EU's competition authorities acts as a factor obstructing linkages. Legal provisions, in the case of defence, also impede linkages with competition policies. In contrast, the policy area with the "weakest" competences in our study was health. However, when the opportunity structure changed following the outbreak of COVID-19, Member States chose to give the EU a stronger role and strengthen its capabilities to do so. By extension, the potential for linkages between health and other external action policies was also strengthened.

Climate change and health are areas with a relatively high number of linkages. In both cases, it is an explicit treaty objective that these policies should be mainstreamed. Mainstreaming is a longstanding objective and reality for climate change, which may be related to climate change being part of the EU's identity (presence). However, our study shows that mainstreaming has continued to accelerate of late, e.g. through an increased focus on climate adaptation since 2021 and through the EGD agenda of the current Commission. Health mainstreaming, in contrast, has been much slower – but it has taken off following the COVID-19 crisis (and is now magnified in the GHS). Overall, policy actors involved in generating linkages perceive mainstreaming positively, although they signal that more and better tracking and information is needed.

It is important to note here that linkages are at times established rhetorically before they become reality, and in some cases, there is a long lag between these two moments. In climate change, for example, the 'threat multiplier' and 'climate-security nexus' rhetoric has been present for some time in official speech acts and documents. Interviewees, however, remark that this linkage is insufficiently addressed in practice and that it has not yet been fully operationalised. Similarly, in health, the 2010 European Commission Communication on the EU Role in Global Health yielded limited results, but when COVID-19 hit, true progress began to be made.

Regarding factors facilitating or obstructing linkages, we observe an important role for external crises and opportunity. A clear case is that of health, where the EU's capabilities have been boosted through crises historically, and not just in the case of the COVID-19 pandemic. In the case of competition, as well, our research shows that the global financial crisis, COVID-19 crisis and the 2022 Russian war against Ukraine created some opportunities for linkages, despite the relative obstacles to generate these connections in 'normal' circumstances. In the case of climate change and health, however, the Russian invasion of Ukraine has diverted attention from the core policies, which may have dampening effects for linkages.

Besides this, an element of the EU's presence, its market size, is a facilitating factor for linkages. In competition policy, for example, third parties must comply with EU norms in order to participate in the SEM, and convergence is sought through trade and cooperation agreements. In climate change, when leading by example did not gather enough traction to incentivise action by third parties at the UNFCCC negotiations, international climate action was pursued through different channels, some of which rely on the EU's structural weight.

Horizontal coherence also stands out as a facilitating factor, related to the EU's capabilities. In climate and health policies, the operationalisation of linkages is facilitated through a plethora of existing coordination channels, including task forces, *jour fixe*, hallway talks, personal contacts and collegiality. In both cases, interviewees signalled that if there is a lack of horizontal coherence, this is not for a shortage of existing coordination structures: rather, it is about how these structures are used. Our research also shows that horizontal coherence and linkages are facilitated by resource scarcity: when certain bodies lack personnel/financial resources to execute policies on their own, they collaborate with others through joint missions and other mechanisms.

Finally, a new capability-boosting factor stood out from our research, in the cases of climate change and health. Since the pandemic, the so-called 'Team Europe' approach[24] seems to have facilitated both vertical coherence (with particular Member States driving forward action alongside the Commission, for example) and horizontal coherence. In some cases, the Team Europe approach stretches to include non-EU bodies (e.g. EIB), which can help to deliver linked policies. The approach is still under construction and somewhat un(der)defined; however, our research points to strong potential in utilising this approach to shore up the EU's capabilities and link external action policies.

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[24] The first initiatives using the "Team Europe" approach emerged in April 2020 in the context of short-term emergency responses to the pandemic. In this case, the efforts of the EU, Member States, the EIB and the European Bank for Reconstruction and Development (EBRD) combined to deliver the finance necessary for short-term pandemic response measures. The approach was later expanded beyond financial support, to EU efforts in multilateralism and beyond. The configurations for Team Europe vary according to the objective, and they may include EU bodies, EU delegations, Member States and their embassies, the Foreign Affairs Council, or EU financing bodies (Keijzer et al., 2021).

Reference List

Allwood, G. (2014). Gender mainstreaming and EU climate change policy. In: Weiner, E. & MacRae, H. (Eds.), *The persistent invisibility of gender in EU policy*. European Integration online Papers (EIoP), Special issue 1, Vol. 18, Article 6, 1–26. http://eiop.or.at/eiop/texte/2014-006a.htm

Allwood, G. (2020). Mainstreaming Gender and Climate Change to Achieve a Just Transition to a Climate-Neutral Europe. *Journal of Common Market Studies*, 58(S1), 173–186.

Almqvist, J. (2021). *Rekindling the Agenda on Women, Peace and Security: can the EU lead by example?* Real Instituto Elcano. https://www.realinstitutoelcano.org/en/analyses/rekindling-the-agenda-on-women-peace-and-security-can-the-eu-lead-by-example/

Aydin, U. (2012). Promoting competition: European Union and the global competition order. *Journal of European Integration*, 34(6), 663–681.

Aydin, U. & Thomas, K. P. (2012). The Challenges and Trajectories of EU Competition Policy in the Twenty-first Century. *Journal of European Integration*, 34(6), 531–547.

Barbé, E., & Badell, D. (2022). Chasing gender equality norms: the robustness of sexual and reproductive health and rights. *International Relations,* 00(0), 1–24.

Bahri, A. (2020). Women at the Frontline of COVID-19: Can Gender Mainstreaming in Free Trade Agreements Help? *Journal of International Economic Law*, 23(3), 563–582.

Belis, D., Schunz, S., Wang, T., & Jayaram, D. (2018). Climate diplomacy and the rise of "multiple bilateralism" between China, India and the EU. *Law Review*, *12*(2), 85–97.

Bengtsson, L., & Rhinard, M. (2019). Securitisation across borders: the case of 'health security' cooperation in the European Union. *West European Politics*, *42*(2), 346–368.

Biedenkopf, K. & Groen, L. (2021). External EU environmental policy. In Jordan, A. & Gravey, V. (Eds.), *Environmental Policy in the EU* (pp. 33–50). Routledge.

Bhagwati, J. (2004). *In Defense of Globalization*, Oxford: Oxford University Press.

Boheim, M. H. & Friesenbichler, K. S. (2016). Exporting the competition policy regime of the European Union: success or failure? Empirical evidence for acceding countries, *Journal of Common Market Studies*, 54(3), 569–582.

Botta, M. (2014). Competition policy: The EU and global networks. In Falkner, G, & Müller, P. (Eds.), *EU Policies in a Global Perspective: Shaping or Raking International Regimes?* (pp. 76–92). Routledge.

Bretherton, C. & Vogler, J. (2006). *The European Union as a Global Actor*. Routledge.

Bretherton, C., & Vogler, J. (2013). A global actor past its peak? *International Relations*, 27(3), 375–390.

Bronckers, M., & Gruni, G. (2021). Retooling the sustainability standards in EU free trade agreements. *Journal of International Economic Law*, *24*(1), 25–51.

Brooks, E., & Geyer, R. (2020). The development of EU health policy and the Covid-19 pandemic: trends and implications. *Journal of European Integration*, 42(8), 1057–1076.

Chappell, L., & Guerrina, R. (2020). Understanding the gender regime in the European External Action Service. *Cooperation and conflict*, 55(2), 261–280.

Christou, A., Damro, C., Gubalova, V., Muftuler-Bac, M., Mugurtay, N. & Rybnikárová, L. (2022). *Case Studies of Trade, Development and Humanitarian Action*. ENGAGE EU Horizon 2020 project. https://www.engage-eu.eu/publications/case-studies-of-trade-development-and-humanitarian-action

Cini, M. & McGowan, L. (2009). *Competition Policy in the European Union*. (2nd edition). Palgrave Macmillan.

Consolidated Version of the Treaty on European Union and the Treaty on the Functioning of the European Union, 26 October 2012, 2012/C 326/01.

Council of the European Union. (2004). Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation). *Official Journal* L 24, 29 January, 1–22. https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32004R0139

Council of the European Union. (2008). *The European Consensus on Humanitarian Aid*. Joint Statement by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the European Commission. Official Journal of the European Union, 2008/C 25/01.

Council of the European Union. (2018). *Women, Peace and Security – Council conclusions (10 December 2018)*. 15086/18. https://www.consilium.europa.eu/media/37412/st15086-en18.pdf

Council of the European Union. (2019). *EU Action Plan on Women, Peace and Security (WPS) 2019–2024*. 11031/19. EEAS(2019)747. https://data.consilium.europa.eu/doc/document/ST-11031-2019-INIT/en/pdf

Damro, C. (2006). The New Trade Politics and EU Competition Policy: Shopping for Convergence and Cooperation. *Journal of European Public Policy,* 13(6), 867–886.

Damro, C. (2007). EU Delegation and Agency in International Trade Negotiations: A Cautionary Comparison. *Journal of Common Market Studies,* 45(4), 881–901.

Damro, C. (2012). Destructive issue linkages: the failure of multilateral trade-competition negotiations. *Antitrust Bulletin,* 57(3), 563–589.

Damro, C. (2013). EU state aid policy and the politics of external trade relations. *Journal of Industry, Competition and Trade,* 13(1), 159–170.

Damro, C. (2021). The European Union as Market Power Europe. In Gstohl, S. & Schunz, S. (Eds.), *The External Action of the European Union: Concepts, Approaches and Theory* (pp. 46–60). Macmillan International, Red Globe Press.

Damro, C. & Guay, T. (2016). *European Competition Policy and Globalization*, Basingstoke, Palgrave Macmillan.

Damro, C., Gstöhl, S., & Schunz, S. (Eds.). (2018). *The European Union's Evolving External Engagement: Towards New Sectoral Diplomacies?* Routledge.

Damro, C. & Ibáñez, E. (2018). EU External Engagement in Areas with Longstanding Internal Policies: Single Market, Competition Policy and Environmental Policy. In Damro, C. Gstöhl, S. & Schunz, S. (Eds.), *The European Union's Evolving External Engagement*, (pp. 37–65). Routledge.

David, M., & Guerrina, R. (2013). Gender and European external relations: Dominant discourses and unintended consequences of gender mainstreaming. *Women's Studies International Forum*, 39(July), 53–62.

de Ruijter, A. (2018). EU external health security policy and law. In Blockmans, S. & Koutrakos, P. (Eds.), *Research Handbook on the EU's Common Foreign and Security Policy* (1st ed., pp. 374–392). Edward Elgar Publishing.

Delbeke, J., & Vis, P. (2019). *Towards a Climate-Neutral Europe*. Routledge.

Delreux, T., & Keukeleire, S. (2022). *The foreign policy of the European Union* (3rd ed.). Bloomsbury Publishing.

Devuyst, Y. (2000). Transatlantic cooperation relations. In Pollack, M.A. & Shaffer, G. C. (Eds.), *Transatlantic Governance in the Global Economy*, (pp. 127–152). Rowman and Littlefield.

Dijkstra, H., & de Ruijter, A. (2017). The health-security nexus and the European Union: Toward a research agenda. *European Journal of Risk Regulation*, 8(4), 613–625.

Doleys, T. J. (2012). Promoting competition policy abroad: European Union efforts in the developing world. *The Antitrust Bulletin,* 57(2), 337–366.

Drahos, P. (2003). When the Weak Bargain with the Strong: Negotiations in the World Trade Organization. *International Negotiation* 8, 79–109.

Drieskens, E. (2017). Golden or gilded jubilee? A research agenda for actorness. *Journal of European Public Policy*, 24(10), 1534–1546.

Enterprise Europe Network. (2022). *The EU and the Enterprise Europe Network support to Ukraine*. https://een.ec.europa.eu/eu-and-enterprise-europe-network-support-ukraine

EUR-Lex. (n.d.). *Summaries of EU legislation: Competition*. https://eur-lex.europa.eu/content/summaries/summary-08-expanded-content.html

European Commission. (2007). *White Paper. Together for Health: A Strategic Approach for the EU 2008-2013*. COM (2007) 630 final. https://ec.europa.eu/health/ph_overview/Documents/strategy_wp_en.pdf

European Commission. (2010a). *EU Plan of Action on Gender Equality and Women's Empowerment in Development 2010 – 2015*. SEC(2010) 265 final. http://aei.pitt.edu/37929/1/SEC_(2010)_265.pdf

European Commission. (2010b). *The EU Role in Global Health*. COM(2010) 128 final. https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0128:FIN:EN:PDF

European Commission. (2015). *Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016–2020.* SWD(2015) 182 final. https://international-partnerships.ec.europa.eu/system/files/2019-09/staff-working-document-gender-2016-2020-20150922_en.pdf

European Commission. (2020a). *A Union of Equality: Gender Equality Strategy 2020–2025*. COM(2020) 152 final. https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0152&from=EN

European Commission. (2020b). *EU Gender Action Plan (GAP) III – An ambitious agenda for gender equality and women's empowerment in EU external action*. JOIN(2020) 17 final. https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020JC0017&from=EN

European Commission. (2022a). *Competition policy: facing the challenges of globalization*. https://competition-policy.ec.europa.eu/international_en

European Commission. (2022b*). Roadmap on Critical Technologies for Security and Defence*. COM (2022) 61 final. https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52022DC0061&from=ES

European Commission. (2022c). *State aid: Commission adopts Temporary Crisis Framework to support the economy in context of Russia's invasion of Ukraine*. https://ec.europa.eu/commission/presscorner/detail/en/statement_22_1949

European Commission. (2022d). *EU Global Health Strategy*. In COM (2022) 675 final. https://ec.europa.eu/commission/presscorner/detail/en/ip_22_7153

European Commission. (2022e, July 12). *Health Union: HERA delivers list of top-3 health threats to prepare against*. Https://Ec.Europa.Eu/Commission/Presscorner/Detail/En/IP_22_4474.

European Commission. (n.d.). *Bilateral relations on competition issues*. https://competition-policy.ec.europa.eu/international/bilateral-relations_en

European Competition Network (ECN). (2022). *Antitrust: Joint statement by the European Competition Network (ECN) on the application of competition law in the context of the war in Ukraine*. [Press release]. https://competition-policy.ec.europa.eu/system/files/2022-03/202203_joint-statement_ecn_ukraine-war.pdf

European External Action Service. (2016). *Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union's Foreign and Security Policy*. https://www.eeas.europa.eu/sites/default/files/eugs_review_web_0.pdf

European External Action Service. (2020). *Climate change and defence roadmap* (EEAS(2020)1251). https://data.consilium.europa.eu/doc/document/ST-12741-2020-INIT/en/pdf

European Union External Action Service. (2022). *Report on the Follow-up Baseline Study on Integrating Human Rights and Gender Equality into the European Union's Common Security and Defence Policy*. EEAS(2022) 405. 9198/22. https://data.consilium.europa.eu/doc/document/ST-9198-2022-INIT/en/pdf

European Parliament & Council of the European Union. (2022). *Regulation on serious cross-border threats to health and repealing Decision No 1082/2013/EU*. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020PC0727

European Parliamentary Research Service (EPRS). (2020). *EU Defence Package: Defence Procurement and Intra-Community Transfers Directives: European Implementation Assessment*. https://www.iris-france.org/wp-content/uploads/2020/10/EPRS_STU2020654171_EN.pdf.

European Think Tank Group (ETTG). (2022). *The European Green Deal and the war in Ukraine: Addressing crises in the short and long term*. https://ettg.eu/wp-content/uploads/2022/07/The-European-Green-Deal-and-the-war-in-Ukraine.pdf

García, M. (2021). Trade policy. In Abels, G., Krizsan, A., MacRae, H., & van der Vleuten, A. (Eds.), *The Routledge Handbook of Gender and EU Politics* (pp. 278–289). Routledge.

Gerber, D. (1998). *Law and Competition in Twentieh Century Europe: Protecting Prometheus*, Oxford University Press.

Gerber, D. J. (2010). *Global Competition: Law, Markets and Globalization*. Oxford University Press.

Geyer, R., & Lightfoot, S. (2010). The strengths and limits of new forms of EU governance: The cases of mainstreaming and impact assessment in EU public health and sustainable development policy. *European Integration*, 32(4), 339–356.

Guerrina, R. (2020). From Amsterdam to Lisbon and beyond: reflections on twenty years of gender mainstreaming in the EU. In Vanhercke, B., Ghailani, D., Spasova, S. & Pochet, P. (Eds.), *Social policy in the European Union 1999-2019: the long and winding road*, (pp. 125–142). ETUI.

Guerrina, R., Chappell, L., & Wright, K. A. (2018). Transforming CSDP? Feminist triangles and gender regimes. *Journal of common market studies*, 56(5), 1036–1052.

Guigner, S. (2013). The EU as a global health actor: Myth or reality? In Greer, S. & Kurzer, P. (Eds.), *European Union Public Health Policy* (pp. 97–109). Routledge.

Heimler, A. (2010). Competition Policy as a Tool of EU Foreign Policy: Multilateralism, Bilateralism and Soft Convergence. In Bind, F. (Ed.), *The Foreign Policy of the European Union: Assessing Europe's Role in the World,* (pp. 82–98). The Brookings Institution.

Keijzer, N., Burni, A., Erforth, B., Friesen, I. (2021). *The rise of Team Europe approach in EU development cooperation: Assessing a moving target* (Discussion Paper 22). German Institute of Development and Sustainability. https://doi.org/10.23661/dp22.2021

Keukeleire, S., & Delreux, T. (2022). *The foreign policy of the European Union*. Bloomsbury Publishing.

Kickbusch, I., & Franz, C. (2020). *Towards a synergistic global health strategy in the EU* (Working Paper No. 19). The Graduate Institute of International and Development Studies, Global Health Centre.

Kleimann, D. (2023) *Climate versus trade? Reconciling international subsidy rules with industrial decarbonisation*. Policy Contribution 03/2023, Bruegel. https://www.bruegel.org/policy-brief/climate-versus-trade-reconciling-international-subsidy-rules-industrial

Lange, D. & Sandage, J. B. (1989). The *Wood Pulp* Decision and its Implications for the Scope of EC Competition Law. *Common Market Law Review,* 26(2), 137–165.

Laitenberger, J. (2018). *Developments in EU competition control in the global and digital age*. Fordham Antitrust Law and Policy Conference, New York, 6 September, http://ec.europa.eu/competition/speeches/text/sp2018_12_en.pdf (accessed June 2019).

Meunier, S. & Mickus, J. (2020). Sizing up the competition: explaining reform of European Union competition policy in the Covid-19 era. *Journal of European Integration*, 42(8), 1077–1094.

Monteiro, J.A. (2018). *Gender-related provisions in regional trade arrangements* (Staff Working Paper ERSD-2018-15). World Trade Organization. https://www.wto.org/english/res_e/reser_e/ersd201815_e.pdf

Müller, G., Wouters, J., De Man, P., Gubalova, V., Ojanen, H., Raube, K., Rybnikarova, L., Tziarras, Z., Väisänen, A & Zaborowski, M. (2022). *Closing or Widening the Gap? The Foreign Policy of EU Member States*. ENGAGE EU Horizon 2020 project. https://www.engage-eu.eu/publications/closing-or-widening-the-gap-the-foreign-policy-of-eu-member-states

Niemann, A., & Bretherton, C. (2013). EU external policy at the crossroads: The challenge of actorness and effectiveness. *International relations*, 27(3), 261–275.

Oberthür, S., & von Homeyer, I. (2022). From emissions trading to the European Green Deal: the evolution of the climate policy mix and climate policy integration in the EU. *Journal of European Public Policy*, 1–24.

Plan International. (2021, February 8). A seat left empty – to achieve a gender equal world, it needs to be filled. https://plan-international.org/eu/news/2021/02/08/principal-advisor-on-gender/

Pollack, M. A., & Hafner-Burton, E. (2000). Mainstreaming gender in the European Union. *Journal of European public policy*, 7(3), 432–456.

Randazzo, V. (2014). Article 346 and the qualified application of EU law to *defence. European Union Institute of Security Studies*, Brief Issue 22 (July). https://www.iss.europa.eu/sites/default/files/EUISSFiles/Brief_22_Article_346.pdf.

Rietig, K. (2021). Accelerating low carbon transitions via budgetary processes? EU climate governance in times of crisis. *Journal of European Public Policy*, *28*(7), 1018–1037.

Riley, A. (2003). EC antitrust modernisation: The Commission does very nicely – Thank you! – Part 1: regulation and the notification burden. *European Competition Law Review* 24(11), 604–615.

Rollet, V., & Chang, P. (2013). Is the European Union a global health actor? An analysis of its capacities, involvement and challenges. *European Foreign Affairs Review*, 18(3), 309–328.

Sabatino, E., Mesarovich, A., Väisänen, A., Schintzler, G. & Santopinto, F. (2023). Case Studies of the EU's CSDP Activity. ENGAGE Working Paper 19. ENGAGE EU Horizon 2020 project.

Schunz, S. (2019). The European Union's environmental foreign policy: from planning to a strategy? *International Politics*, 56(3), 339–358.

Schunz, S. (2022). The 'European Green Deal' – a paradigm shift? Transformations in the European Union's sustainability meta-discourse. *Political Research Exchange*, *4*(1).

Schunz, S., & Damro, C. (2020). Expanding actorness to explain EU external engagement in originally internal policy areas. *Journal of European Public Policy*, 27(1), 122–140.

Singh, J. P. (2006). The Evolution of National Interests: New Issues and North-South Negotiations during the Uruguay Round. In Odell, J. (Ed.), *Negotiating Trade. Developing Countries in the WTO and* NAFTA, (pp. 41–84). Cambridge University Press.

Sus, M., Vandendriessche, M., Saz-Carranza, A., Gruni, G. & de Esperanza, C. (2021). *Towards Effective, Coherent and Sustainable EU External Action: Laying the Ground for the ENGAGE White Paper*. ENGAGE EU Horizon 2020 project. https://www.engage-eu.eu/publications/towards-effective-coherent-and-sustainable-eu-external-action

Svetiev, Y. (2015). Scaling experimentalism: from convergence to informed divergence in transnational competition policy. In Zeitlin, J. (Ed.), *Extending Experimentalist Governance? The European and Transnational Regulation* (pp. 169–196). Oxford University Press.

Szczepański, M. (2019). *EU competition policy: Key to a fair single market*. European Parliamentary Research Service. https://www.europarl.europa.eu/RegData/etudes/IDAN/2019/642209/EPRS_IDA(2019)642209_EN.pdf.

Szép, V. & Wessel, R. A. (2021). *Mapping the Current Legal Basis and Governance Structures of the EU's CFSP*. ENGAGE EU Horizon 2020 project. https://www.engage-eu.eu/publications/mapping-the-current-legal-basis-and-governance-structures-of-the-eus-cfsp.

Szép, V., Wessel, R. A., Satatino, E., Gebhard, C. & Simon, E. (2021). *The Current Legal Basis and Governance Structures of the EU's Defence Activities*. ENGAGE EU Horizon 2020 project. https://www.engage-eu.eu/publications/the-current-legal-basis-and-governance-structures-of-the-eus-defence-activities.

Szép, V., & Wessel, R. A. (2022). *The current legal basis and governance structures of the EU's external action*. ENGAGE EU Horizon 2020 project. https://www.engage-eu.eu/publications/the-current-legal-basis-and-governance-structures-of-the-eus-external-action

Trybus, M. (2002). The EC Treaty as an Instrument of European Defence Integration: Judicial Scrutiny of Defence and Security Exceptions. *Common Market Law Review*, 39, 1347–1372.

van de Pas, R., Battams, S., & van Schaik, L. (2014). The EU as a global health actor: policy coherence, health diplomacy and WHO reform. *European Foreign Affairs Review*, 19(4), 539–561.

Vestager, M. (2015, July 20). My competition philosophy. *POLITICO*. https://www.politico.eu/article/competition-philosophy-vestager-commission-amazon/

von Homeyer, I., Oberthür, S., & Jordan, A. J. (2021). EU climate and energy governance in times of crisis: towards a new agenda. *Journal of European Public Policy*, 28(7), 959–979.

Wigger, A. (2008). The external dimension of EU competition policy: exporting Europe's core business? In Orbie, J. (Ed.), *Europe's global role: external policies of the European Union* (pp. 181–201). Ashgate.

Wilks, S. (2005). Agency Escape: Decentralization or Dominance of the European Commission in the Modernization of Competition Policy? *Governance* 18(3), 431–52.

Wright, K. A., & Guerrina, R. (2020). Imagining the European Union: Gender and digital diplomacy in European external relations*. Political studies review*, 18(3), 393–409.

Young, A. & Damro, C. (2017). National aims and adaptation: lessons from the market. In Hadfield, A., Manners, I. & Whitman, R. (Eds.), *Policies of EU Member States: Continuity and Europeanisation* (pp. 232–246). Routledge.

Appendix 1: Gender Mainstreaming in the EU's External Action

The origins of gender equality policies in the EU can be traced to the foundational Treaty of Rome, wherein Article 119 established equal pay for equal work among women and men (Guerrina, 2018). The inclusion of this right, however, followed a conception of gender equality from a labour policy standpoint; market rationalities and fears in France over possible social dumping were chief reasons for the creation of this provision. Gender equality as a principle was established not as a goal in itself: it was tied to economic growth and the functioning of the common market (Guerrina, 2018).

Gender mainstreaming (GM) was adopted at the United Nations following the 1995 Beijing World Conference on Women as a strategy to integrate gender perspectives in each step of the policymaking process, with a view to promoting equality between men and women. The GM agenda was also rapidly given impetus in the EU, boosted by the 1995–1999 Santer Commission and the recent Nordic enlargement (Pollack & Hafner-Burton, 2000; Guerrina, 2018). As such, the 1997 Treaty of Amsterdam formally included a gender mainstreaming principle, which was intended to spark the inclusion of a gender dimension in all policy areas (David & Guerrina, 2013). The 2007 Treaty of Lisbon further emphasises the principles of non-discrimination and gender equality by including them among the EU's core aims (arts. 2–3, TFEU). By granting the Charter of Fundamental Rights of the EU the same legal status as the founding Treaties, the Treaty of Lisbon further reinforces "equality between men and women" as a fundamental right binding on EU institutions and Member States (art. 6.1. TEU).

In light of the above-mentioned legislation establishing obligations to mainstream gender across all policies, gender-sensitive policymaking should be found across all layers of the EU's external action. However, as noted by Kirby (2020), the EU has applied gender sensitivity selectively in external action. One key site where the EU has engaged with gender in external policymaking is through the so-called Women, Peace and Security (WPS) agenda (Wright & Guerrina, 2020). This agenda, which was initially formalised through UN Security Council Resolution 1325 and follow-up resolutions, acknowledges the need to promote women's participation in peacebuilding efforts and address conflict-related sexual violence to achieve sustainable peace and security. Because of its focus on conflict prevention and peacebuilding, the WPS agenda is restricted in its scope and therefore does not ensure GM in every sphere of external action. However, the 2018 Council conclusions on WPS highlight the EU's intent to give the WPS agenda "effect in *all* external action" (Council of the EU, 2018, p. 3 emphasis added), therefore implementing it beyond peacebuilding and peace-making to wider external action. Consequently, the question arises as to what extent gender mainstreaming and the WPS agenda are implemented in the four layers of external action identified by the ENGAGE project (see Figure 1, p. 6).

The implementation of gender mainstreaming in external action is under the ultimate responsibility of the EEAS. Actions taken to ensure WPS implementation include the creation

of an EEAS-chaired Informal Task Force on UNSCR 1325 in 2009, the creation of an EEAS Principal Advisor on Gender and UNSCR 1325 in 2015 and the issuing of a 2018 Strategic Approach to Women, Peace and Security and its corresponding action plan. Likewise, GM is stated as an objective in several security-related policy strategies, most notably in the 2016 EU Global Strategy, where the commitment to "systematically mainstream human rights and gender issues across policy sectors and institutions" (EEAS, 2016, p. 51) is made. The Commission has furthermore adopted three Gender Action Plans (GAPs) where it has gradually introduced gender equality and women's empowerment in different fields of external action, from development (GAP I – 2010-2015), to "external relations" (GAP II 2016-2020) and finally, to "external action" (GAP III 2021-2025).

As a result of these documents, the EU holds an obligation to integrate gender equality considerations in CDSP operations (EEAS, 2022), for example by including a gender advisor, providing gender training for mission employees and periodically reporting on the implementation of gender mainstreaming. Despite this, scholars point to CSDP and CFSP as fields that remain largely blind to gender analysis (Guerrina et al., 2018). These statements may point to the fact that despite these rhetorical commitments, the actual operationalisation of gender mainstreaming varies considerably across missions, and women remain highly underrepresented in them (Sabatino et al., 2023). In addition, gender concerns are mostly framed under humanitarian and human rights conceptions, indicating that they are not a key norm in the EU's external relations (Chappell & Guerrina, 2020). The intertwining of the human rights and gender agendas is illustrated by the fact that gender advisors in CSDP missions usually hold a "double-hatted" position of both gender and human rights advisors, making them interchangeable and deprioritising the gender component (Sabatino et al., 2023; Chappell & Guerrina, 2020).

GM has, to different extents, also permeated the third layer of external action in our project's conceptualisation, namely trade, development and humanitarian aid policies. Even before the WPS agenda was formalised, gender mainstreaming had begun making inroads into external action through development policy, starting when sexual and reproductive rights considerations were included in the 1997 Council regulations on aid for developing countries (Barbé & Badell, 2022). The implementation of the WPS agenda in external action has taken gender considerations further to the humanitarian aid field. In the European Consensus on Humanitarian Aid, for instance, the EU highlights the importance of "integrating gender considerations" into humanitarian policymaking (Council of the EU, 2008, para. 23), which mostly occurs when introducing policies on sexual and gender-based violence in the context of emergencies (Council of the EU, 2018)[25].

Trade policy is another area where gender mainstreaming has, to an extent, made inroads. Gender equality is slowly becoming a common consideration in free trade agreements (FTAs), with countries such as Canada championing the inclusion of gender-related provisions in its

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[25] This is illustrated, amongst others, by DG ECHO's involvement as an active partner of the Call to Action on protection from gender-based violence in emergencies (Council of the EU, 2018).

trade agreements (Monteiro, 2018; Bahri, 2020). The EU has contributed to this trend, with both the European Parliament and the Commission committing to address trade-related gender considerations in future agreements (European Commission, 2020a). For instance, the EU-Central America Association Agreement contains provisions to address violence against women and improve women's maternal and sexual and reproductive health (Bahri, 2020). However, the extent to which implementation efforts reflect the spirit of gender mainstreaming remains to be seen, particularly when considering that the focus is mostly on women as economic actors instead of aiming for a truly transcendent gender agenda (García, 2021).

The outer layer of EU external action refers to traditionally internal policies that have external effects – this is the policy layer analysed in this Working Paper. The intersection between gender and climate lies in the economic and societal inequalities that lead to disproportionate effects of climate change on women. If climate policy ignores the gendered effects of climate change, it will lose the 'just' component of the green transition, as it risks exacerbating and perpetuating gender inequalities, and not fully capitalising on women's potential to be impactful agents in climate action, especially climate adaptation (Allwood, 2020). However, when connecting climate change with external action, experts warn that framing climate change as a technical problem with foreign policy implications can obstruct links to a "people-centred approach" that could empower "gender-sensitive responses" to the issue (Allwood, 2014, p. 9).

The gendered impacts of health policy, in turn, are mostly considered in health-related areas within humanitarian and development policy. GAP III focuses on the "humanitarian-development-peace triple nexus" (European Commission, 2020b, p. 5), and as such, considers gendered health concerns that are relevant to the fields of development and humanitarian aid. The plan specifically recognises the unequal havoc wreaked by the COVID-19 pandemic on gender-based violence and the burden of unpaid care work, as well as the need to ensure access to sexual and reproductive information and universal health coverage, giving particular attention to women and girls with disabilities. The recently adopted Global Health Strategy takes a similar approach, by linking health to gender when referring to reproductive health rights and gender-based violence (European Commission, 2022d). In other words, the strategy does not explicitly broaden the scope of the gender-health nexus to other areas of external action. In sum, while the gendered impacts of climate and health policy are recognised, more research is warranted on gender mainstreaming in the areas of climate and health *as external action*.

Overall, the limited mainstreaming of gender beyond limited areas of EU external action can be traced to several factors. As the main instrument through which gender is being mainstreamed in EU external action, the WPS agenda has enabled the consideration of gender dimensions in CFSP and CSDP. However, given the framing of WPS agenda as linked to human rights, its importance in foreign and security policy has to some extent remained diluted. Likewise, the extent to which the EU is acting as a norm exporter in gender equality is called into question. While some authors highlight the role of the EU as a normative leader "seeking to upload gender values into multilateral institutions" in the human rights area (Barbé & Badell,

2022 p. 6), others claim that the EU is not a normative gender power given the inability of the EEAS to embed gender in its core values (Guerrina & Wright, 2016).

Experts on gender in EU external action signal that the attention given to gender mainstreaming in external action by the EEAS varies. Under former HR/VP Mogherini, for example, the first-ever EU-EEAS Principal Advisor on Gender was appointed, a position held by Mara Marinaki, who was considered by civil society actors to have shown strong leadership and paved the way to advance gender equality in EU external action (Plan International, 2021). This position was later replaced by a Principal Advisor on Gender and Diversity under HR/VP Borrell, which experts argue has diluted the gender focus of the portfolio. More broadly speaking, analysts also point to an underrepresentation of women in higher-ranking positions at the EEAS (Chappel & Guerrina, 2020; Almqvist, 2021).

Additionally, a holistic implementation of GM can be hindered by the multiplicity of actors engaged in external action policymaking (Geyer & Lightfoot, 2010). CSDP and CFSP work under an intergovernmental approach in which Member States play a paramount role. Given that certain aspects of gender mainstreaming – such as sexual and reproductive health rights – constitute schisms among members, an all-encompassing mainstreaming of gender proves challenging.

It is relevant for this working paper to note that climate and health mainstreaming throughout all of the EU's policy to some extent follow the experience of GM. As such, valuable lessons can be drawn from the pitfalls and the setbacks in the development of GM in the EU's external action and its policies more generally; however, more dedicated, in-depth research would be needed to ascertain which GM experiences can be applied to climate and health mainstreaming objectives. While the cross-cutting nature of gender can be transferred to both areas at hand, the fact that climate enjoys more political attention across the board might invalidate extrapolations from the gender experience. On the whole, while both climate and health policies can have clear gendered effects, there seems to be a lack of both research and holistic EU action focusing on GM in these components of EU external action.

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