CHAPTER 6

The problem of coherence in the EU's international relations

Carmen Gebhard

\<start feature\>

Summary

The EU is commonly referred to as one of the most institutionalised spaces in the world. It is made up of a vertically and horizontally multi-layered, and hence highly complex, system of institutional structures. This chapter deals with one of the most fervently discussed implications of this complexity: coherence, or the ambition and necessity to bring the various parts of the EU's external relations together to increase strategic convergence and ensure procedural efficiency. After a review of the historical development of the concept and the debates around it, the chapter discusses different conceptual dimensions of coherence: the vertical, horizontal, internal and external. This aims to help structuring the range of issues commonly discussed in the context of 'coherence'. The chapter identifies three different 'faces' that coherence assumes in political and academic debates: the neutral, the benign and the malign face. Based on this conceptual framework, the chapter then proceeds to outlining the current legal basis the Treaty of Lisbon, including any issues it has not yet resolved ('leftovers'), and discusses the EU's comprehensive approach to external action in crises and conflicts as one of the key political initiatives aimed at fostering the objectives laid down in primary law. . The chapter concludes with a summary and outlook.
<end-feature>

Introduction

With the global strategic environment growing ever more complex and unpredictable, and the expectations held of the EU in such areas as international conflict resolution, stabilization, and development rising continuously, managing its broad range of policy instruments in a coherent way has been a pressing challenge for some time. [1] In fact, coherence—or rather, the lack of it— is one of the most frequently bemoaned aspects in the EU's political, bureaucratic and operational performance. The concern as such, however, is not unique to the EU; any dynamic governance system is faced with the challenge of having to reconcile concurrent institutional spheres and strands of action, and manage structural complexity in view of a growing range of

functional areas. What exacerbates this challenge in the case of the EU, however, is its multilevel nature. Unlike a nation state or other organizations, the EU is made up of multiple vertical and horizontal layers of institutions and procedures, making it one of the most densely institutionalised and complex governance structures in the world. In external relations, this structure is particularly fragmented and intricate: contrary to the oft-quoted aim and ambition to 'speak with one voice', the EU has never had a built-in and purposive institutional framework that would allow for concerted external action. Not only does the EU have to bring together a number of national positions, the governance of the EU's external relations is also spread across different institutional realms. EU external relations have traditionally been divided into two different procedural channels of decision-making, financing, and implementation: a supranational one primarily governed by the European Commission that comprises external trade, development cooperation, humanitarian aid and prevention, and an intergovernmental one governed by the Council and the member states that comprises the Common Foreign and Security Policy (CFSP) and the Common Security and Defence Policy (CSDP) of the EU (see chapter 4)..

Although consecutive treaty revisions have aimed at overcoming the problems that result from this fragmentation, there is, to this day, no set hierarchy between the various instruments of EU external action. It is not clear, for example, whether the structural instruments available to the European Commission in areas such as trade and development cooperation build the point of reference for the CSDP as the operational branch of EU external action; or whether CSDP operations are supported and flanked by Commission programmes, making the Commission's sphere of action subordinate to the CFSP/CSDP and case-by-case member state preferences.

European leaders have often stressed the EU's comparative advantage as a multi-sectoral international actor that, unlike the UN or NATO, has both operational (civilian and military) and structural (political, diplomatic, and economic) instruments at its disposal. In practice, however, the functional fragmentation of the EU's institutional structures has kept it from performing unitarily on the global scene (Niemann and Bretherton 2013). This is what places concerns and considerations about coherence at the centre of any assessment of the EU's external relations. The EU's versatility and comprehensive scope distinguishes it from

other international actors but it also puts pressure on the political and administrative capacity of the organization to cope with its multifaceted structural character and institutional complexity.

Complaints about a lack of coherence in the EU's policy making and implementation often arise in fairly disparate contexts, ranging from instances of procedural disjuncture to cases where member states merely failed to agree on a common position, such as in 2003, in the context of the Iraq War, and more recently, in the face of the migrant crisis that began in 2015. Generally, the more diversified and developed the EU's institutional structures became over time, the more common it has been to ascribe all sorts of political failures to a 'lack of coherence' (Nuttall 2005). This proliferation of the issue in political and academic debates has not helped to clarify the concept. This chapter therefore seeks to elucidate the various meanings 'coherence' can take on in the EU's external relations, particularly against the background of how achieving it in various ways affects the performance of the EU as an international player.

Historical background of coherence

The Single European Act: origin of the coherence problem

Coherence has been an issue and challenge since the early days of the European integration process although it is difficult to track down the first occurrence of the term. Up to the 1970s, 'coherence' was mainly used along with the notion of 'cohesion' to refer to political solidarity and the benefits states could have if they cooperated in certain foreign policy matters.[2] Only after the creation of European Political Cooperation (EPC) in 1970the term was increasingly used in the way it is common today—and as it is addressed in this chapter: the ambition and necessity to bring together different strands of the EU's external relations, both strategically and procedurally. In 1987, the EPC was formalized in the framework of the Single European Act (SEA), which marked an intergovernmental attempt to ensure that the internal market was balanced by a foreign policy dimension. At the time, the question arose as to how this new 'political Europe' could be functionally reconciled with the then established supranational framework of the European Community, and

the European Commission as the key actor within it. The SEA introduced the so-called coherence/consistency requirement, which stipulated that the external policies of the EC and the policies agreed in the framework of the EPC ought to be in line with each other:

The external policies of the EC and the policies agreed in EPC must be consistent. The Presidency and the Commission, each within its own sphere of competence, shall have special responsibility for ensuring that such consistency is sought and maintained.

(SEA, Title III, Article 30)

The SEA, however, also drew a strict line between the two policy realms. Nuttall (2001) has a point when stating that today's continued bifurcation of the EU's external profile originated in this very context, when 'at the insistence of France, EPC and the Community were kept as far as possible in hermetically sealed compartments'. In the years to follow, the lack of consensus over further integration was compensated by mere interaction, and coherence or consistency became 'the art of managing the interface' rather than of creating systematic synergies (Nuttall 2001).

Coherence in the treaties of Maastricht, Amsterdam and Nice

The following intergovernmental conference (IGC) did not result in a solution for the EPC–Community divide. The Treaty of Maastricht reiterated the coherence/consistency requirement and assigned the joint responsibility to the Council and the Commission.[3] The treaty also reproduced the bifurcation of the SEA by creating the Common Foreign and Security Policy (CFSP) as a self-contained 'pillar' with its own procedures and administrative capacities.

Both consecutive treaty revisions, in 1997 and 2000, only provided partial solutions to the problem. The Treaty of Amsterdam brought no substantial changes to the coherence/consistency requirement,[4] and therefore, provided no lasting solution to the structural disconnect between the EC and the CFSP either. The creation of the European Security and Defence Policy (ESDP, now CSDP) and the establishment of a High Representative (HR) for the CFSP actually exacerbated the conflict between the two realms of external action. The CSDP extended the remit of the CFSP further, and the HR post was conferred on the Secretary General

of the Council, leaving the overall position of the Commission considerably weakened. The amendment that the Commission 'shall be fully associated' with the work carried out in the framework of the CFSP (Article J.17 TEU, Amsterdam), was more of a stock phrase than a substantive and enforceable guarantee.

The consistency/coherence requirement was retained in the Treaty of Nice (Article 3, TEU Nice), including that the Council and the Commission should fulfil this responsibility 'each in accordance with its respective powers' —thus at the same time indicating sources of possible *in*coherence. Coherence and improving the functional and legal relationship between the CFSP and the EC's external policies did not seem to be a priority at the time. The member states focused more on a set of 'Amsterdam leftovers' that needed to be dealt with before enlargement. The preserved dualist logic of the EU's external relations continued to pose challenges to the functioning of the newly created CSDP and the way it would relate to more established strands of external action governed by the Commission. The formalization of CSDP structures in the Treaty of Nice and its rapid development into a dynamic and expansive policy field triggered renewed turf battles and tensions between the Council and the Commission. The issue finally featured much more prominently in the 'Convention on the Future of Europe' (2001-2003), and also found its way into the constitutional process that eventually led to the Treaty of Lisbon, the legal basis of EU policy today. Before turning to a discussion of the current legal and institutional framework , the chapter looks at ways to conceptualize 'coherence' and how the nuances of the concept can help to develop a deeper understanding of the EU's external relations.

Conceptualizing coherence

'Coherence' and 'consistency'

Although 'coherence' has been a recurring issue for more than four decades, the notion has remained inherently ambiguous to this day. It regularly appears in a diverse range of contexts, usually paired with a diffuse quest for more or a general concern over a lack of it. Generally, there are two dimensions to 'coher-

ence': a *strategic* or *policy-related* dimension that refers to conflicting objectives or clashing political agendas, and a *technical* or *procedural* dimension that concerns the administrative implications of having to reconcile different channels of policy making while involving both their respective bureaucratic machineries, and therefore, potentially diverse modes of operation and institutional cultures. 'Coherence' is often used interchangeably with the term 'consistency' although their logical meaning is considerably different. This problem possibly stems from the term having been translated into other Community languages: the French *cohérence* has commonly been turned into the English 'consistency' (instead of 'coherence'), which can be seen in how much more frequent the use of 'consistency' is in English versions of the European treaties. The concept instead commonly remains *Kohärenz* in German, *coherencia* in Spanish, and *coerenza* in Italian.[5] There are conflicting views in the literature about whether the conceptual difference between 'coherence' and 'consistency' really matters or not. While some see the risk of 'linguistic pedantry' (Nuttall 2005) , others consider the distinction an analytical necessity. As this chapter aims at clarifying the concept rather than reproducing the arbitrariness with which it is commonly employed in political practice and public debate, a terminological discussion is considered useful.

Ambiguities in official translations make it very difficult to grasp the conceptual distinction that some legal theorists draw between the two terms. Even though the distinction is not normally very clear in either treaty language or political practice, and although there is no general agreement on the legally defining features of 'coherence' and 'consistency', there is a broad consensus in the academic literature that they need to be differentiated (Tietje 1997; Cremona 1999; Missiroli 2001; Bertea 2005). 'Coherence' is commonly considered superordinate to the notion of 'consistency'. It is seen as a high stage of harmonization, which presupposes a set of 'more primitive' secondary conditions or requirements such as comprehensiveness, completeness, continuity—and consistency (Bertea 2005). Along the same lines, 'consistency' is thought of as a 'minimal requirement' for coherence in that it signifies 'absence of contradictions'. 'Coherence' in turn is about synergy, and hence, more of a 'desirable plus' that involves 'positive connections' between several factors (Missiroli 2001). Gauttier (2004) suggests a similar interpretation for the specific context of EU external action, inferring that 'coherence encompasses both the absence of contradictions within the

external activity in different areas of foreign policy (consistency), and the establishment of a synergy between these aspects'. Each term thus refers to a different ontological context: while 'consistency' mainly refers to the character of an *outcome* or state, which is logically compatible with another or not, 'coherence' rather specifies the *quality* of a process in which, ideally, the single entities involved join together in a synergetic procedural whole.[6] This implies that the two notions also differ in the way they relate to time and space. One can be (in)consistent over a period of time, and as such, provide continuity (or not), but coherence remains a matter of quality of interaction between organizational entities that goes beyond the consistency of particular actions with previous ones. 'Coherence' is arguably the more accurate notion for what is being discussed in this chapter. Consistency is part of the more comprehensive challenge of coherence but as a term it falls short of capturing various political and institutional implications of the issue discussed here. The chapter now turns to an outline of different types of coherence.

Types of coherence

While in this chapter the focus lies on the relationship between the intergovernmental and the supranational domain of EU external action, i.e. on so-called 'horizontal coherence', the concept of coherence is commonly brought up in four specific contexts of EU external relations (see Box 5.1), where each can have either or both a *strategic/policy-related* dimension and a *technical/procedural* dimension to it:

- *Vertical coherence* is most commonly discussed for its strategic and policy-related implications. It means the concertation of member-state positions and policies with and in respect of the overall consensus or common position at the Union level. This includes general compliance with political commitments laid down in the treaties but also the technical compatibility of specific national policies with common policies. It thus concerns issues of solidarity, reconcilability of single policies, bottom-up commitment to integration, and the general readiness to and habit of complying with the *acquis* in particular issue areas. In day-to-day practice vertical coherence has fostered the regular exchange of information between seconded member state delegates, e.g. in Council working groups (see e.g. Baltag and Smith 2015). Institutional and legal measures to ensure this type of

coherence often also come in the form of top-down harmonization and regulation. The introduction of qualified majority voting (QMV) in the Council usually enhances vertical coherence in a given area but political differences can arise nevertheless, making a rapid and unified decision difficult.

Although strategic questions prevail in discussions about vertical coherence, procedural matters and issues related to e.g. the administrative capacity of a member state bureaucracy can play a role in the relationship between member states and the Union level. The treaties confer to member states a duty to comply with and respect the common objectives and strategies of the EU but this is difficult to enforce in practice.[7] Member states frequently deflect from a possible joint solution at EU level, often based on political pressures their elites are exposed to domestically.

Horizontal coherence in EU external action in turn is concerned with strategic and procedural concertation at Union level, mainly between the supranational and the intergovernmental spheres of EU external action. It is therefore also about the relationship between the main institutional entities governing each of the two spheres, meaning, the European Commission and the Council of the EU including their bureaucratic machineries.[8] Given the institutional bifurcation of EU external relations described above, 'horizontal coherence' lies at the centre of any analysis of the EU as an international actor. It is achieved when broad objectives of an action or series of actions converge and produce strategic synergy at Union level, and when there is technical and procedural (inter-institutional) coherence across all institutional channels during decision-making, planning and implementation. An area where horizontal coherence has routinely been discussed is the launch of CSDP operations. As the CSDP lies within the remit of the Council, consistency and coordination with Commission programmes in a given region is not given naturally but has to be achieved through inter-institutional coordination and communication. As mentioned in the historical section above, consecutive treaties have contained a consistency/coherence requirement but, in practice, the issue still had to be managed on a case-by-case basis. The most decisive shift yet in the development of institutional arrangements to ensure horizontal coherence has been brought

about by the establishment of the European External Action Service (EEAS), an element of the Treaty of Lisbon that will be discussed further below.

<start feature>

BOX 5.1 Types of coherence

- Vertical: between the member states and the Union level.

- Horizontal: between the supranational and the intergovernmental spheres at Union level.

- Internal/intra-institutional: within each domain of external action.

- External/interorganizational: between the EU and third actors.

<end-feature>

- *Internal/intra-institutional coherence* is concerned with the sound management within each of the spheres of EU external relations, hence with the internal functioning of the CFSP/CSDP on the one hand, and the external portfolio of the Commission's domain on the other.[9] Internal coherence mainly a matter of technical, administrative and procedural development rather than of conflicting or converging policy content and strategic objectives. The main challenge indeed lies in integrating a compound bureaucratic machinery into a specific policy- and decision-making system that effectively meets established policy objectives within each sphere. Where strategic politics can come in anyway, however, is in the way member states might try to influence internal procedural coordination in each particular domain.[10] Moreover, institutional entities within each domain, such as various Directorates General of the European Commission, might lobby and compete over the way a particular policy issue is framed (e.g. as either a development or a trade issue) to gain influence in the process and to secure funding for a particular directorate or administrative unit.

In the case of the CSDP, particularly in its early years, the challenge of internal coherence was exacerbated by the speed at which the policy field grew into an expansive institutional space with a range of operational engagements unfolding at the same time. Not only was there a need to adapt existing structures within the Council, new organizational entities such as the EU Military Staff (EUMS) also had to be created and tied into the wider procedural framework. These changes have in turn also pushed forward reforms inside the Commission, which ultimately also affected the relationship between these various players. For this reason, any analysis of horizontal coherence also has to look at the internal dynamics and coordination efforts on each side and within each sphere.

- *Inter-organizational* or *external coherence* is related to the way the EU presents itself to third parties or within a multilateral system, thus having major importance for the Union's relationship with the UN, OSCE, and NATO or with key partners such as the USA or China. External coherence is on the one hand concerned with functionality: establishing technical interoperability with other international actors is crucial for the EU's ability to act unitarily and for it to be perceived as a functional and responsive partner. This technical aspect of external coherence is most apparent, for example, in discussions about defence cooperation and the transformation of EU member states armed forces to meet contemporary operational requirements: the EU and NATO cooperate closely on developing interoperable yet distinct military capabilities, and to that end, share i.a. procurement and production standards as well as training practices with each other.

Apart from having decisive impact at the operational level, external coherence is also determined by the course of internal – vertical and horizontal – coordination processes. Any failure to coordinate positions and processes within the EU—be it among member states, within the Council or between the Council and the Commission—has significant impact on the EU's ability to perform towards other major actors, and thus, also on its credibility and reputation as an international actor. In this sense, external coherence is synonymous to the widely used stock phrase of 'speaking with one voice'; it is the one dimension of coherence that is most widely discussed in international discourse

about the EU.

These four different dimensions of coherence in EU external action are inherently interlinked, and to some degree mutually reinforcing. *Vertical* coherence lies at the heart of CFSP in particular. It determines the ability of the EU to 'speak with one voice', most importantly when a rapid 'common' response is required to exercise *external* coherence. However, attaining it is more a political question than a matter of institutional or structural improvement. As long as member states retain their national sovereignty in some areas of EU external action, vertical coherence will remain a matter of case-by-case balancing. Many observers would therefore agree that vertical coherence is one the EU's greatest weaknesses and one that cannot be easily overcome. Horizontal coherence by contrast is very much an institutional issue—both in respect of its policy/content dimension and its procedural/administrative dimension. Internal/intra-institutional coherence is important here, too, to the extent that the degree of concertation within each of the domains has an impact on the quality of and potential for horizontal coherence. What is more, problems arising in the context of internal coherence are often voiced against the background of concerns about horizontal coherence and inter-institutional balance respectively. Finally, achieving horizontal coherence is inherently linked with the compatibility, interoperability, and credibility of the EU as a bilateral or multilateral partner, hence also with the interorganizational/external dimension of coherence. This is one of the issues that makes the enhancement of horizontal coherence such a pressing challenge: despite all the internal struggles for reform and convergence, and despite the inherent challenge of having to cope with institutional complexity, the EU is increasingly perceived as—and is expected to act like—a coordinated, if not unitary, actor.

The three faces of coherence

In official documents, coherence tends to have an iconic meaning: expressions like 'acting as a whole', 'speaking with one voice', 'consonance', 'unity', 'continuity', and 'consistency' all convey the idea of achieving a new and better quality of interaction, which can contribute to more integrated and cohesive outcomes. The notion of coherence itself conveys the general aspiration of acting with ever more unity, of becoming more cohesive, and thus of moving closer to an optimum level of integration. It is positively charged

in the sense that it directly appeals to the very core objectives of integration. The key message is that achieving coherence necessarily involves a positive effort. .

The positive expectation lying behind the quest for coherence (between the Council and the Commission, the member states and the Union, and the Union and its partners) clearly builds on the intuitive hope that more coherent internal structures would necessarily translate into more successful and more efficient external action. Most key documents (for example, High Representative and Commission 2013) argue on the hopeful assumption that enhanced coherence will result in more effective actorness, and ultimately, in a different quality of 'union'—which will effect a 'unity of action'. This assumption, however, seems 'more intuitive than well founded, given that European foreign policy has often achieved unanimity at the expense of effectiveness and that, in general, a policy can be effective without necessarily being consistent' (Missiroli 2001, 182). Practice has indeed shown that reaching coherence, e.g. in the form of a consistent common position or policy in the vertical sense, often comes at the expense of functional depth. One case in point has been the development of a strategic framework for the EU's relationship with Russia over last two decades. The resulting strategic partnership is formally a *common* policy but its substance has remained limited to date. As the lowest common denominator on which the member states were able to agree, the policy is sound and in that sense 'coherent'; its functional value, however, has been marginal, not least in view of radical changes after the Russian annexation of Crimea in 2015. Another example is the European Security Strategy (2003), which at first—and particularly against the background of the controversy over the Iraq war—seemed to be a remarkable achievement in terms of the EU's ability to speak with one voice. In substance, however, the document remained vague on a number of crucial issues, such as the identification of common interests and the way the member states were going to pursue them, and the same can be said for its follow-up versions of 2008 and 2016.

What is more, in official contexts, coherence is commonly promoted as a guiding principle that *legitimizes* EU external action; an argument that amounts to a paradox where the means justify the end. Coherence becomes an objective in its own right and is often (mis)taken as a guarantee of effective performance. In a similar vein, EU external action that strives to be coherent (as suggested in the treaties)conveys that it is driven

by a (benign) pursuit of common interests and core values. This kind of rhetoric conceals the political controversies surrounding the issue in practice (Marangoni and Raube 2014) and the various other *faces* coherence can take on because of them. What official discourse tends to smooth over is that establishing coherence often implies a necessity for coordination, particularly with respect to procedural and technical coherence between the two major realms of EU external action but also within each one of them. Pointing at an instance of *in*coherence often suggests that there is a need for some coordinating hierarchy or institutional prioritization among the actors involved (Nuttall 2000). This in turn raises the delicate question which actors *are* coordinated (passive, subordinate) and which ones indeed *do* the coordinating (active, in charge). For each issue at hand a decision needs to be made about the way it is to be framed within the scope of the treaties: is it to be seen in the framework of the Commission's remit in structural and economic matters or is it a matter that pertains to a realm of member state competence such as security and defence? This issue of framing, of determining the treaty basis of an action, is related to considerations about *finalité* and the merits of different ways of achieving common objectives. It is also linked to much more politicized issues such as inter- and intra-organizational leadership and ownership of a certain action.

Against this background, Nuttall (2001, 2005) identified three 'faces of coherence' that will be reintroduced here: *banal*, *malign*, and *benign* (see Box 5.2).

- The *banal* or neutral meaning of coherence is equivalent to the technical quest for an 'absence of contradictions', which is—in line with the above specifications—synonymous with 'consistency'. This reading of the term is devoid of normative or critical connotations; instead, coherence in this sense is determined by practical necessity and the imperative of functionality. This 'banal face' does also not capture the coordination costs and the political implications of producing or maintaining this 'absence of contradictions'.

- The *malign* take on, and the power-related subtext of, coherence relates to the internal struggles between institutions, which commonly arise whenever 'coherent' procedures are being established and respective reforms are taking place within a compound and inherently polycentric bureaucratic apparatus like the EU (Bertea 2005). The malign understanding also refers to conflicts at the strategic level of competing

policy objectives, either between the Council and the Commission or between member states and the Union. The most prevalent issue in this context is what the literature commonly refers to as 'turf battles' between rivalling institutions and their compartmentalized bureaucratic cultures. Other common notions in this context include references to perceived 'overlap' and 'duplication' between the two realms of EU external action. At the root of this particular understanding of coherence lies a pragmatic and problem-oriented approach that stresses the need for compromise, while avoiding an idealized notion of unity.

- The *benign* meaning, in contrast, takes coherence as a positive type of interaction between institutional entities bound 'to the service of a common purpose'. This notion also implies a constructive element as the continuous joint pursuance of this common purpose is expected first to generate a different, more integrative quality of interaction, and then, in the long run, to create a condition of unity and enhanced systemic integrity. This benign face of coherence resonates most prominently with the way the notion is used in many official contexts, including in the treaties.

<start feature>

BOX 5.2   **The three faces of coherence**

- Banal: coherence as the absence of contradictions.

- Malign: coherence as a function of internal power struggles ('turf battles').

- Benign: coherence as an effective and desirable way of interacting.

<end-feature>

Although in practice each type of coherence may take on benign, malign, and neutral aspects, there is an underlying pattern that links the two typologies. The tripartite distinction is most significant with respect to horizontal and internal coherence in the EU's foreign policy and thus more in an institutional than in a political context. On the face of it, vertical coherence as a matter of aligning member states with EU policies hardly gets to take on a malign meaning in the above sense since the distribution of power and hierarchy is clearer between member states and the Union than it is at times between institutional entities within it. This is not to say that establishing vertical coherence is essentially less controversial—quite the contrary. How-

ever, given that unanimous voting is still dominant in key areas such as in major parts of foreign and security policy, there is no *immediate* room for turf battles as we experience them between institutional actors. The 'malign' aspect of coherence hardly ever appears in official documents, particularly with respect to the vertical dimension, but it is commonly mentioned in more explicit terms in inter-institutional communication and practice where horizontal coherence is a challenge. External coherence mainly carries a banal meaning in as far as it concerns the EU's technical ability to present itself as a unitary actor and to develop a certain extent of maturity as an organization to make for a credible and reliable partner. Measures directed at tackling incoherence with external partners often adopt a clinical, 'neutral' notion of coherence in inter-institutional communications but the same issues are presented in a 'benign' context when talked about in public. How interoperability with other global actors is to be achieved, however, can be a contentious issue that triggers instances of malign (vertical, horizontal or internal) power struggles.

.

Towards enhancing coherence

All four types of coherence—vertical, horizontal, institutional, and external—have received recurrent attention in both political and academic debates, and have been referred to in the treaties in various contexts. Specific measures towards enhancing coherence have mostly concerned the institutional and technical implications of 'speaking with one voice', and were thus related to a quest for horizontal and internal coherence in particular. Vertical coherence has never ceased to be an issue of debate, and many changes in EU external governance have been intended as steps towards improving it. However, horizontal and internal coherence are particularly interesting areas of study when it comes to institutional steps of enhancing coherence because they are related to structural rather than purely political issues. This section on the current legal framework and recent political campaigns towards fostering coherence therefore mainly focuses on horizontal and internal coherence, while issues of vertical coherence are discussed only where relevant to the main theme of the chapter.

The current legal framework: Lisbon's coherence triad

Ratified in 2009, the Treaty of Lisbon provides the current legal framework for establishing and maintaining coherence across the EU's external relations portfolio and its governance. The treaty introduced a triad of institutional innovations that promise to have a lasting impact on the politics and practice of coherence: a renewed role for the High Representative (HR), an appointed President for the European Council, since Lisbon called the 'HR of the EU for Foreign Affairs and Security Policy' (HR, and the establishment of a European External Action Service (EEAS) to provide support to the HR (see also chapter 5).

In the Treaty of Lisbon, the responsibility to assist the Council and the Commission in their duty to 'ensure the consistency of the Union's external action' (Article 18, para. 4 TEU, Lisbon) was assigned to the HR. The HR, in its pre-Lisbon form firmly placed within the structures of the Council, and thus, within the intergovernmental realm of the CFSP/CSDP, is now double-hatted as Commissioner for External Relations while at the same time acting as chief of the CFSP. The post is thus located right at the fault line, in charge of 'managing the interface' (Nuttall 2001). This placed the HR at the very interface between the supranational and the intergovernmental domain of EU external action. At the time of its creation, the enhanced HR role was seen as an achievement in itself; the reality of the office, however, both under Catherine Ashton (2009-2014) and Federica Mogherini (2014-2019) showed some of the in-built limitations of the role. Given that legally the divide between the intergovernmental and the supranational domain had largely remained the same, attempts at maintaining the balance between the Commission and the Council often diverted the attention and capacity of the HR away from substantive issues and challenges. In terms of vertical coherence and the ability of the EU to speak with one voice, the creation of the post was seen to have significant potential. Indeed, the HR in its current shape represents the EU in all foreign policy issues, no matter whether competencies related to the respective issues areas eventually lie with the Commission or the Council. Experience in the past years has shown, however, that the mere existence of such a post does not ensure coherence and concerted action in all cases. The member states largely retain the right to pursue their own national foreign policies, which considerably limits the HR's capacity to generate vertical coherence, and thus, ensure external coherence, e.g. in the

migrant crisis or in the face of recent terrorist attacks in European capitals.

The creation of a permanent President of the European Council to supplant the existing rotating presidency constitutes another decisive novelty that the Treaty of Lisbon has brought about for the management of coherence and consistency. The Treaty of Lisbon formalized and acknowledged the role of the European Council as a self-contained institutional actor (Article 13.1, TEU Lisbon) after it had been playing a key role in the formulation and implementation of EU external action for multiple years. The respective legal provisions define the role of the European Council very broadly, i.e. stipulating its right to identify the strategic interests and objectives for both the CFSP and the external portfolios of the Commission. The existence of a permanent President to chair this newly reinforced body is meant to enhance continuity in the EU's external action, and at the same time to ensure greater vertical coherence among the heads of state of the EU member states. In terms of horizontal coherence, the new president is obliged to cooperate closely with the European Commission, which places them at the very interface between the pillars, albeit not to the degree the HR is exposed to inter-pillar tensions. Herman van Rompuy as the first appointed candidate in the role had a difficult term (2009-2014) (Devuyst 2012), which many observers ascribed to his inconspicuous personality and low political profile, others to the circumstance that he was a 'federalist in charge of the most intergovernmental bit of the union' (Charlemagne 2010).

The Treaty of Lisbon created the EEAS to support the HR (Article 27.3, TEU Lisbon) in their extended role and assist them in fulfilling both their external/representational duties and various internal functions. Given its truly inter-institutional nature, the establishment of this joint diplomatic service for the EU has been among the most significant innovations in European integration history; at a level of interaction that has not so far been the focus of most top-down measures aimed at enhancing coherence: the bureaucratic level of day-to-day administrative operations. Up to this point, many legal and institutional reforms had been concerned with the highest levels of interaction, while the appended bureaucratic communities—the Council and adjoining working groups and support structures on the one side, and the Commission structure on the other—have remained largely compartmentalized and detached from each other. The EEAS was welcomed by many as a decisive step towards 'unity of action' in external relations, an institutional framework that

would hold unprecedented potential to break up established fault lines between the pillars and thereby revolutionise EU external action 'from below'.

Setting up the EEAS, however, came with substantive 'transaction costs' and led to considerable tensions along old dividing lines (Spence 2012): which bureaucratic model would be adopted and which administrative culture (Commission or Council) would dominate the outcome? Officials from the Council and the Commission as well as seconded staff from a range of different bureaucratic backgrounds had to be brought together to form a hybrid organization with a moving and growing mandate. The Treaty of Lisbon had not devised a specific structure or composition for the Service, meaning that once again, the inter-institutional management of coherence was left to practice, including the establishment of specific conditions for staffing and human resources, training, procedures, inter-institutional communication, division of labour and content management. Perhaps not surprisingly, in the first few years, this managerial, logistical but also very political exercise absorbed much of the time and capacity of both HR Catherine Ashton and the EEAS itself although pressing foreign policy issues had to be dealt with, e.g. Haiti, the Western Balkans and the Middle East.

This initial period brought substantive changes to both the Council and the Commission structures: security and defence related units that had formally been adjoined to the General Secretariat of the Council were moved to the EEAS (both physically and organizationally), such as the EUMS, the Crisis Management and Planning Directorate (CMPD) and the Civilian Planning and Conduct Capability (CPCC). Within the institutional triangle, the Commission was seen to be losing ground as core areas of external action would be moved from the DGs to the new structures and merged into an integrated bureaucratic community. In the mid-term, however, it so emerged that, after all, institutional path dependencies determine which administration takes the lead on a given subject matter. The services of Commission Directorate Generals still hold vast technical expertise and therefore retain de facto power to influence the course of certain policies, particularly at the proposal and planning stage. As a result, what would have been potential 'inter-pillar' (i.e. between spheres) turf battles in the past, now tend to be differences that are mitigated and overcome early in the policy planning process, preventing clashes in competencies at the implementation stage as well as the advancement of inconsistent approaches to a problem or a particular region (Spence 2012).

Lisbon leftovers and post-hoc reform initiatives

Although the Treaty of Lisbon thus resolved some of the fundamental institutional limitations it is also worthwhile at this point to highlight changes the Treaty did *not* bring to EU external action: the ambition to 'depillarize' or defragment the legal basis of EU external action had to be abandoned right after the failure of the Constitutional Treaty in 2004. The institutional bifurcation – the split into the intergovernmental aspects of external action (largely, the CFSP) and the supranational competences of the Union in external action – was retained despite 'coherence' having been the lead theme in the drafting process (which is what some have called the 'Paradox of Lisbon', Schout and Wolff, 2012). Provisions on EU external action continue to be found in two separate Treaties: those governing the 'Community' elements of EU external action are in the Treaty on the Functioning of the European Union (TFEU), (the amended former 'Treaty establishing the European Community', TEC) whereas those governing the intergovernmental CFSP and CSDP continue to be part of the amended TEU, providing separate procedures for each.

Since the SEA, all EU treaties including the Treaty of Lisbon have contained a consistency/coherence requirement (see historical background above) but the way this requirement has been framed always meant that it was legally binding without being enforceable. Coherence has therefore been – and still is – more of a normative objective and strategic principle; a set course of action for particular cases of incoherence has never been provided and does not exist to this day. The Treaty of Lisbon (Art 21.3, TEU) conferred to the HR the duty of assisting the Council and the Commission in their responsibility to ensure coherence but it did not provide a specific legal procedure they could follow to restore or even enforce coherence in a given matter.

Given that the legal foundation of EU external action remains vague that way, political rhetoric surrounding coherence and political campaigns promoting it remain a crucial part of the process. One of the key political initiatives driven by various policy leaders in Brussels and the European capitals in recent years has been the so-called 'Comprehensive Approach' to conflict management. The political discourse about comprehensive action in the EU's approach to conflicts and crises had started after the creation of the CFSP in the Treaty of

Maastricht (see Gebhard 2011). It has since, over the past two decades, seen a number of revivals, and has equally many times been declared unsuccessful (for an overview of the development, see Gebhard and Norheim-Martinsen 2011). That said, when the HR and the Commission issued the joint communication, 'The EU's comprehensive approach to external conflict and crises' (High Representative and Commission 2013), and the Council adopted a related action plan in 2015 (High Representative 2015), the concept had already been successfully applied as an organizing principle for EU action in many cases, such as, in the Horn of Africa, the Sahel and the Great Lakes (see Gebhard 2013; Zwolski 2012). The formalization followed years of inter-institutional practice at 'managing the interface' – a success story that is symptomatic of the nature and functioning of EU external relations (Gebhard and Norheim-Martinsen 2011): in the absence of solid and binding legal arrangements synergies are left to develop through practice and day-to-day interaction, producing a 'culture of coordination', which over time, all institutional actors incorporate in their own *modus operandi* (Drent 2011). While their mode of interacting on a case-by-case basis has been far from achieving the normative ideal of coherence, through a process of incremental learning and pragmatic adaptation, they more or less exhausted the possibilities provided for by the legal framework.

Conclusions and outlook

Member states have decided to manage the EU's external relations in a way that does not naturally produce synergies between them and the EU level (vertical), between the various institutions at EU level (horizontal), within various strands of EU external action (internal) and between the EU and other actors (external). Ensuring coherence across all these dimensions of external action is therefore both necessary and desirable, and it is certainly an issue that is central to the study of EU external action. Despite its frequent use in the literature and in political debate, the notion is among the most frequently misinterpreted and misused concepts in EU foreign policy. Coherence is neither a specific solution to any political, strategic, or technical problem of coordination nor a universal remedy for complex governance systems.

What is more, despite its significance, *in*coherence is not the sole or even the most frequent source of failure

in EU external action. In political practice, the greatest divide at times runs between member states as they retain their sovereignty and independence in key areas of external action. Nevertheless, the institutional bifurcation that was built into the treaty framework and reproduced in consecutive reforms has certainly had a negative impact on the overall capacity of the EU to perform efficiently, and thus, on its reputation and credibility as an international actor.

As this chapter is being finalised, political divisions between member states are still as much a political reality as the structural fragmentation inherent to the EU bureaucracy. Recent legal reforms have brought major changes to all parts of EU external governance; reforms and institutional innovations such as the EEAS have triggered transformation processes that will bring incremental yet incomplete improvements to the various strands of external action. Under any foreseeable circumstances, however, coherence of any type (horizontal, vertical, internal, external) —*stricto sensu*— will remain an unattainable state. No matter how evolved inter-institutional cooperation mechanisms have become on a day-to-day basis, the EU's structural character is conditioned by path dependencies that will continue to determine the way the EU operates. Moreover, there will always be factors that the legal and institutional framework cannot control (international context, member state positions and actors' interests and preferences). Relationships between actors and between various policy strands of EU external relations are subject to constant fluctuations. These are not least due to developments within member states, which can even include – as seen in the case of the UK – their potential departure from the European integration project altogether.

The Treaty of Lisbon has not brought the supranational revolution that some might have hoped for, and the political atmosphere in Europe in the face of the migrant crisis and a new wave of right-wing populism does not point to any major shifts into that direction. Informal modes of interaction—be they closer to mere day-to day functioning or to a 'culture of coordination' proper—will continue having to compensate for structural deficiencies and procedural obstacles. If anything, the EU external action community has repeatedly shown its ability to deliver operational solutions *despite* suboptimal institutional and political circumstances. The academic literature will be sure to comment on various degrees of 'success' and the predictable instances of 'coordination failure', and endeavour to reconceptualise coherence as the circumstances it seeks to capture remain in constant flux.

Notes

1   While differing in some ways from his argument, this chapter has greatly benefited from that written for the first edition of this book by Simon Nuttall (2005), and draws on some of his ideas.

2   As will be explained later in the chapter, this sort of coherence has been defined in the literature as 'vertical', i.e. as coherence between the national level of the member states and the Union/Community level. At the time, English texts mainly referred to 'consistency', while equivalents of the term 'coherence' prevailed in other languages.

3   'The Union shall in particular ensure the consistency of its external activities as a whole in the context of its external relations, security, economic and development policies. The Council and the Commission shall be responsible for ensuring such consistency. They shall ensure the implementation of these policies, each in accordance with its respective powers.' Article C, TEU Maastricht.

4   The Treaty of Amsterdam merely added the requirement that the Council and the Commission should also 'cooperate to this end' (Article 3, TEU Amsterdam) but did not strengthen the provision as such. .

5   What complicates the matter even further is that the English term 'consistency' has been translated into the Dutch, Swedish, and Danish equivalents of 'continuity'.

6   Missiroli (2001) additionally emphasizes the difference between the two terms, stating 'it is quite conceivable that something is *more or less* coherent, while something cannot be *more or less* consistent—it is or it is not' (original emphases).

7   In the treaties, this reading of coherence as a 'vertical' issue is most prominently expressed in Article 24(3), TEU Lisbon (former Art. 11(2), TEU Nice): 'The Member States shall support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity and shall comply with the Union's action in this area. The Member States shall work together to enhance and develop their mutual political solidarity. They shall refrain from any action, which is

contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations.'

8   The typology presented here differs from those that distinguish between 'horizontal coherence' as referring to the cohesiveness or compatibility of various EU policies (even between purely Community-led policies), and 'institutional coherence' as denoting the procedural aspects of the former in the context of both spheres (Missiroli 2001; Nuttall 2001, 2005; Vanhoonacker and Pomorska 2016). It is argued here that such a classification only confuses the picture. Coherence across various policy strands within e.g. the *supranational* realm is certainly crucial to the overall quality of the EU's external performance. However, lumping it together with the analytically distinct horizontal dimension is not conducive to any deeper understanding of the underlying issues. Thus, in the classification adopted in this chapter, coordination within the Commission's domain (and within, e.g. the CSDP) is termed 'internal coherence'.

9   Nuttall (2005) identifies matters of coherence within the Commission's realm (e.g. between agriculture and development) also as 'horizontal', which is logically correct but potentially misleading since it the issues are practically very distinct from inter-institutional tensions between the Council and the Commission.

<end-feature>

<start feature>

FURTHER READING

Nuttall (2000) offers an excellent historical introduction to the problem of coherence and the way it has evolved over time. Gauttier (2004), Hoffmeister (2008), Bertea (2005) and Den Hertog and Stroβ (2013) provide a legal perspective. Schroeder (2011) presents an institutional analysis of EU external relations governance. Neuhold and Vanhoonacker (2015) bring together a collection of case studies that focus on inter-

institutional coordination and coherence. Koenig (2016) offers a detailed empirical study on horizontal coherence in crisis management.

Bertea, S. (2005), 'Looking for Coherence Within the European Community', *European Law Journal*, 11(2), 154–72.

Den Hertog, L. and S. Stroβ (2013) 'Coherence in EU External Relations: Concepts and Legal Rooting of an Ambiguous Term', *European Foreign Affairs Review*, 18(3), 373-388.

Gauttier, P. (2004), 'Horizontal Coherence and the External Competences of the European Union', *European Law Journal*, 10(1), 23-41.

Hoffmeister, F. (2008), 'Inter-Pillar Coherence in the European Union's Civilian Crisis Management' in Blockmans, S. (ed.) *The European Union and Crisis Management. Policy and Legal Aspects*, 157–180 (The Hague: T.M.C. Asser Institute).

Koenig, N. (2016), *EU Security Policy and Crisis Management: A Quest for Coherence* (Abingdon: Routledge).

Neuhold, C. and S. Vanhoonacker (2015) (eds), 'Dynamics of institutional cooperation in the European Union: Dimensions and effects', Special issue: *European Integration online Papers* (EIoP), 19(1).

Nuttall, S. (2000), *European Foreign Policy* (Oxford: Oxford University Press).

Schroeder, U.C. (2011), *The Organization of European Security Governance: Internal and External Security in Transition* (Abingdon: Routledge).

<end-feature>

<start feature>

WEB LINKS

The most useful online sources for the issue of coherence are:

- the website of the European Foreign Policy Unit at the London School of Economics and Political

Science:

(**http://www2.lse.ac.uk/internationalRelations/centresandunits/EFPU/EFPUhome.aspx/**);

- the website of ISIS Europe (**http://www.isis-europe.org/**);

- and for up-to-date practical information, the website of the European External Action Service (**http://eeas.europa.eu/index_en.htm**).

\<end-feature\>

References

Baltag, D. and M. Smith (2015) 'EU and member state diplomacies in Moldova and Ukraine: Examining EU diplomatic performance post-Lisbon', *European Integration online Papers (EIoP)*, 19(1), 1-25.

Bertea, S. (2005), 'Looking for Coherence within the European Community', *European Law Journal* 11(2), 154-72.

Carbone, M. (2013) (ed.) *Policy Coherence and EU Development Policy* (Abingdon: Routledge)

Charlemagne (2010), 'Euro-federalists who place their faith in national governments', The Economist 13 March 2010. Available at http://www.economist.com/blogs/charlemagne/2010/03/herman_van_rompuy_pragmatist [Last accessed: 25 June 2016]

Cremona, M. (1999) 'External Relations and External Competence: The Emergence of an Integrated Policy' in P. Craig, and G. De Burca (eds) *The Evolution of EU Law* (Oxford: Oxford University Press).

Devuyst, Y. (2012), 'The European Council and the CFSP after the Lisbon Treaty', *European Foreign Affairs Review,* 17(3), 327-349.

Dijkstra, H. (2009), 'Commission Versus Council Secretariat: An Analysis of Bureaucratic Rivalry in European Foreign Policy', *European Foreign Affairs Review*, 14(3), 431-450.

Drent, M. (2011), 'The EU's Comprehensive Approach to Security: A Culture of Co-ordination?', *Studia Diplomatica* LXIV(2), 3-18.

Eeckhout, P. (2011) *EU External Relations Law* (Oxford University Press: Oxford, 2011).

Gauttier, P. (2004), 'Horizontal Coherence and the External Competences of the European Union', *European Law Journal* 10(1), 23-41.

Gebhard, C. (2011) 'Coherence', in C. Hill and M. Smith (eds) International Relations and the European Union (Oxford: Oxford University Press), 101-127.

Gebhard, C. (2013) (ed.), 'A European Approach to Comprehensive Security?', Special Issue: *European Foreign Affairs Review*, 18(4)

Gebhard, C. and P. Norheim-Martinsen (2011), 'Making Sense of EU Comprehensive Security Towards Conceptual and Analytical Clarity', *European Security*, 20(2), 221-241.

High Representative of the EU for Foreign Affairs and Security Policy (2015) Taking forward the EU's Comprehensive Approach to external conflict and crises Action Plan 2015. SWD(2015) 85 final.

High Representative and Commission (2013) Joint Communication to the Council and the European Parliament on 'The EU's comprehensive approach to external conflict and crises'. JOIN(2013) 30 final.

Hoffmeister, F. (2008) 'Inter-Pillar Coherence in the European Union's Civilian Crisis Management' in S. Blockmans, (ed.) *The European Union and Crisis Management. Policy and Legal Aspects*. The Hague: T.M.C. Asser Institute.

Marangoni, A. and Raube, K. (2014), 'Virtue or vice? The coherence of the EU's external policies', *Journal of European Integration*, 36(5), 473-489.

Missiroli, A. (2001), 'European Security Policy: The Challenge of Coherence', *European Foreign Affairs Review* 6, 177-96.

Missiroli, A. (2003), *Euros for ESDP. Financing EU Operations*. EUISS Occasional Papers No. 45. Paris: European Union Institute for Security Studies.

Niemann, A. and C. Bretheron (2013), 'EU external policy at the crossroads: The challenge of actorness and effectiveness', *International Relations*, 27(3), 261-275.

Nuttall, S. (2000), *European Foreign Policy* (Oxford: Oxford University Press).

Nuttall, S. (2001), 'Consistency and the CFSP: A Categorization and Its Consequences'. *EFPU Working Paper 2001/3*. London: London School of Economics and Political Science.

Nuttall, S. (2005), 'Coherence and Consistency' in C. Hill and M. Smith (eds) *International Relations and the European Union* (Oxford: Oxford University Press).

Schout, A. and S. Wolff (2012), 'The 'Paradox of Lisbon': Supranationalism-Intergovernmentalism as an Administrative Concept', in F. Laursen (ed.) *The EU's Lisbon Treaty: Institutional Choices and Implementation* (Farnham: Ashgate), 21-39.

Spence, D. (2012), 'The early days of the European External Action Service: A practitioner's view', *The Hague Journal of Diplomacy,* 7(1), 115-134.

Tietje, C. (1997), 'The Concept of Coherence in the Treaty on European Union and the CFSP', *European Foreign Affairs Review* 1997(2), 211-33.

Vanhoonacker, S. and K. Pomorska (2016) 'EU Diplomacy Post-Lisbon: The Legacy of the Ashton Era', in M. Smith, S. Keukeleire and S. Vanhoonacker (eds) *The Diplomatic System of the European Union. Evolution, change and challenges* (London: Routledge), 49-63.

Zwolski, K. (2012), 'The EU as an international security actor after Lisbon: Finally a green light for a holistic approac