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**Sustainable Development and EU External Action**

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# Sustainable Development and EU External Action

Sven Pauls<sup>1</sup>

## Abstract

The EU's much-discussed 2016 Global Strategy coincided with an increase in international focus on sustainable development. Hence, the questions arise: How did sustainable development as a concept and EU External Action in its policy evolve and reciprocate? Was it a process of internationalization of EU policies or Europeanization of UN policies? By analyzing strategies and legislation in EU external sustainable development policy, this study aims at an overall understanding of the shift in EU sustainable development policies from mere economic-based strategies to what seems to be a method of integrating UN targets in their entirety. It finds an increased EU influence in UN policy-drafting since Lisbon, an embedding of those results in EU policy and hence, a strong interrelation between internal and external EU policies on the field. Such interdependence contributes to the understanding and interpretation of both, future UN and EU sustainable development policies.

**Keywords:** EU External Action, Sustainable Development, Consensus on Development, European Development Fund, EU Global Strategy, SDGs.

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## **1. Introduction**

‘The people even in the poorest parts of the world expect to benefit by [the abundance of resources]. Now they hope and expect that the tremendous advance in material power of mankind will be brought to bear on their own standards of living. That demand is a natural, inescapable one. We have to satisfy it.’<sup>2</sup>

Those visionary words of Jean Monnet are today as relevant as they have been in post-war Europe. They cast light on a certain external aspect to the European project’s primarily internal vision of institution-building. Given this nexus between Europe and inter-state relations, Monnet’s words mirror an early understanding of how global poverty eradication and the prosperity of peoples beyond its borders, contribute and safeguard the European project. More aspects were yet to join this understanding to grow into the concept of sustainable development as integrate part of EU External Action.

Thus, in the light of the increasing urgency of sustainable development and the strong answer outlined in the new *EU Global Strategy*, the question arises: How did sustainable development as a concept and EU External Action in its policy evolve and reciprocate? Additionally, this evokes considering, which objectives guided the EU to use the international stage as core implementation ground for (its) sustainable development policy? Bluntly, was it a process of internationalization of EU policies or Europeanization of UN policies?

This study wants to find an overall understanding of the shift in EU sustainable development policies from mere economic-based strategies to what seems to be a method of integrating UN targets in their entirety. It analyses landmark strategies, outcome documents and cornerstone legislation in EU external sustainable development policy and tries to shed light on their interrelation with the evolving concept of sustainable development on the international stage.

Development, as shown above, was a concern on the international stage much before the emergence of sustainable development. Particularly in post-war Europe, economic reconstruction was a tool for ensuring political stability.<sup>3</sup> The first definition of sustainable development as a holistic concept was however not described until the

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<sup>2</sup> *Jean Monnet*, *The Use of Resources in Human Organisation*, Doc. No. 3328/54 e, Draft for radio talk by Jean Monnet to the broadcast over the CBS network in the Columbia University series celebrating its' Bicentennial, New York 1954, pp. 1-2.

<sup>3</sup> For a detailed history of the concept of sustainable development cf.: Lightfoot 2015, pp. 76 et seqq.

1987 *Brundtland report* issued by the World Commission on Environment and Development.<sup>4</sup> It defined sustainable development to be “development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”<sup>5</sup> These two aspects of human needs and the influence human development has on the environment providing for future generations, is both comprehensive and vague. This, as will be illustrated later, provides challenges for its implementation and led to a common specification to be environmental, social and economic sustainability.

This paper will trace the emergence of sustainable development as a concept in European External Relations and the close connection to its advent at UN level. First, it will describe European initiatives on the field in relation to the concept’s emergence within the UN from the 1950s to the turn of the millennium. Subsequently, this paper will reconstruct the EU’s and UN’s progress in the relatively short period from 2000 to 2007, which nevertheless was characterized by significant advances and interrelations in the field. Finally, it will analyze the effect the Lisbon Treaty’s external policy regime had in particular on UN sustainable development policy in recent years.

## **2. From Rome to Amsterdam - Scoping Development as a European Interest**

Integrating development policy into European primary legislation started much earlier than the increased attention to the topic throughout the past two decades might suggest. As the agreement marking the first significant step on the path towards European integration, the 1957 Treaty of Rome<sup>6</sup> included several references to the idea of fostering overseas economic development through world trade (e. g. Art. 18, 110). Albeit this only encompasses the economic aspect of modern sustainable development and not yet the environment and society, it highlights the beginning of a global aspect to the process of European integration.

### **2.1 Pre-Rio: Developing Sustainability**

In more detail, the Treaty of Rome puts emphasis on economic and social development in so-called overseas countries and territories (referred to as ACP

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<sup>4</sup> *United Nations*, *Our Common Future: Report of the World Commission on Environment and Development*, A/42/427, New York 1987; Lightfoot 2015, p. 77.

<sup>5</sup> *Our Common Future*, Chapter 2, Art. 1.

<sup>6</sup> *European Economic Community*, Treaty establishing the European Economic Community, 25.03.1957, Rome 1957.

countries)<sup>7</sup> that had colonial relations to the Community's Member States (Art. 3 lit. k, 131 et seqq.). Although based on a colonial rather than a universal understanding of development, those Articles led to the creation of the European Development Fund (hereinafter EDF). Later regulatory changes to the EDF's functioning and aim track the evolution of European legislative incorporation of sustainable development all the way to the signing of the Single European Act (SEA) in 1986.

While the 1<sup>st</sup> EDF<sup>8</sup> focused on trade and social development, the 1964 *Yaoundé I Convention* (as the 2<sup>nd</sup> EDF's legal base)<sup>9</sup> stressed the importance of bilateral cooperation and development (Preamble 3<sup>rd</sup> and 5<sup>th</sup> recital) and aimed at creating common rules and arbitration (Chapter 3, Art. 12), an objective that would later mainstream into its entire foreign policy. Nonetheless, the Convention took a majorly economic perspective.

The EDF was undergoing significant change in its 5<sup>th</sup> and 6<sup>th</sup> incarnation through the *Lomé II*<sup>10</sup> and *Lomé III*<sup>11</sup> conventions, signed in 1980 and 1985 respectively. *Lomé II* still inherited the idea of a strong economic dimension to development calling for a "sustained growth" (Art. 23.1, 92.2 lit. b). Even though this is to be understood vice-versa in the economic meaning of the term, a slight change can be diagnosed from *Lomé II* to *Lomé III*, as latter aimed at "self-sustained development" (Art. 4).<sup>12</sup> This comprised cultural and social values, women's rights, natural resources, human dignity, education, basic needs, and food security – and thereby many objectives that would later become core targets in UN development agreements. The EDF shows that the European integration process between 1957 and the signing of the SEA in 1986 was accompanied with a rapid increase in the scope of development policy.

In its entirety, this did not translate into European primary legislation via the SEA. However, Art. 130r.3(iv) SEA outlined internal environmental action with regard to economic and social development and therefore implementing the interconnectivity of those three dimensions already a year before the *Brundtland report* was released. Also, the SEA addressed bilateral and multilateral cooperation via international organizations in the field of environmental action (Art. 130r.5). This shows a rather early groundwork for active approaches towards UN conventions taken by the

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<sup>7</sup> The by-then overseas countries and territories in 1975 formed the *African, Caribbean, and Pacific Group of States* (ACP).

<sup>8</sup> Created in accordance to Art. 131-136 Treaty of Rome, in place 1959-1964.

<sup>9</sup> *European Economic Community*, Convention d'association entre la Communauté économique européenne et les États africains et malgache associés à cette Communauté signée 20 juillet 1963, Brussels 1963.

<sup>10</sup> *European Union*, Second ACP-EEC Convention signed at Lomé on 31 October 1979, Official Journal of the European Communities, 22.12.1980, L 347/2-72, Brussels 1980.

<sup>11</sup> *European Economic Community*, Third ACP-EEC Convention signed at Lomé on 8 December 1984, Official Journal of the European Communities, 31.3.1986, L 86/3-208, Brussels 1986.

<sup>12</sup> The understanding of "self-sustained development" in *Lomé III* as not a merely economic term (contrasting "sustainable growth" in *Lomé II*) accounts primarily to the scope defined its Art. 4 and secondly to the separate mentioning of "sustainable economic growth" in Art. 147.1.

Community later on. The EDF's progress on "self-sustained development", however, did not translate into the SEA clauses on ACP countries (Art. 131 SEA).

The very beginning of the Community's promotion of sustainable development then is to be seen in the *Rhodes Council conclusions* of 1988 calling it the Community's overriding objective (Art. 1.1.11). This trend shows, that within the European Community's primary legislation, some core elements for its strategic approach on external development policy were already present. Secondary legislation such as the *Lomé III* convention, however, presented a detailed scope of issues to be addressed within development policy already ahead of the major UN conventions.

## 2.2 Post-Rio: Global Phenomenon - Local Interpretation

In the United Nations Conference on Environment and Development<sup>13</sup>, better known as the Rio Summit, European leaders gathered in Maastricht and promoted the integration project once more establishing the European Union. The 1992 Maastricht Treaty<sup>14</sup> showed some important developments concerning sustainable development in European external politics in comparison the SEA of 1986.

The Maastricht Treaty on European Union (hereinafter TEU) calls for the Community's external development cooperation to foster sustainable economic and social development, the campaign against poverty and for Human Rights and democracy (Art. 130u). Hence, EU primary legislation already in 1992 showed an increasingly detailed policy outline for external development cooperation, which must be kept in mind bearing the rapid advances on global level in the years ahead. Furthermore, the TEU emphasizes policy consistency between Member States and the Union (Art. 3.2)<sup>15</sup> and prepares for collective action by ensuring vertical coordination on international conferences and aid programs (Art. 130x.1).<sup>16</sup> Also, the TEU refers the task of external climate change action to the EU (Art. 130r.1) with a primary implementation ground set on international organizations and bilateral agreements (Art. 130r.4, 130y). Though, the TEU did not yet specify onto the identity of those international organizations, it put in place the very groundwork for carrying EU development policy into the UN. And, as a first in EU primary legislation, there are hints towards what should later become a whole field of EU development expertise:

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<sup>13</sup> 3-14 July 1992, Rio de Janeiro, Brazil.

<sup>14</sup> *European Union*, Treaty on European Union, Official Journal of the European Communities, 29.7.1992, C191/1-112, Brussels 1992.

<sup>15</sup> For a detailed approach to the concept of policy coherence within the Maastricht Treaty, see Dony 2009, p. 149.

<sup>16</sup> Major vertical coordination is usually undertaken by the Commission. With its 28 Member States and thus, 28 Commissioners, it is also an important actor in horizontal coordination. For a detailed study of the Commission's role, see Barnes 2011, pp. 44 et seqq.

policy coherence for development (PCD), in its horizontal (Art. C) and in its vertical aspect (Art. 130x.1).

Internally, however, the TEU showed a higher degree of sustainability in development, with Art. 2 TEU stating the Community's task as ensuring balanced economic development and sustainable growth respecting the environment, however yet lacking a clear outline of scope and agenda of implementation towards sustainable development.

A new era of sustainable development cooperation was heralded, when nation states signed the Rio Summit outcome document *Agenda 21*<sup>17</sup>, a non-binding, locally focused policy paper aimed at fostering global sustainable development. Although the Rio Summit in mid-June of 1992 fell into the time frame between signature and taking effect of the Maastricht Treaty, through the EEC's attendance in Rio<sup>18</sup>, a new externally active position of the Community was starting to visualize. Interestingly, Rio's idea of a human-centered sustainable development approach<sup>19</sup> had also been the EEC's focus in the 1989 7<sup>th</sup> EDF's *Lomé IV* convention<sup>20</sup>.

However, in the years following the Maastricht Treaty, no clear agenda of implementing the Rio results into external sustainable development cooperation on Community level was elaborated. This would become visible, when the *Lomé IV* convention as legal base for the 8<sup>th</sup> EDF was revised<sup>21</sup> with very few significant amendments in 1995.<sup>22</sup> It should be noted that the *Agenda 21* relied on national and local interpretation and implementation (Art. 38.38, 28.3), thus left the crafting of sustainable development policy to local authorities. This however did not yet lead to an intensification of drafting processes concerning a European sustainable development strategy.

With the Amsterdam Treaty of 1997 calling for a promotion of the concept of sustainable development (Art. 1.2)<sup>23</sup>, this era, which can be called the early period of the Community's external development policy, came to an end. While in the 1990s, internal sustainable development approaches found their way into EU External Action and ultimately European primary legislation, with the turn of the millennium

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<sup>17</sup> *United Nations Conference on Environment & Development*, AGENDA 21, Rio de Janeiro 1992. The other officially adopted outcome document was the Rio Declaration on Environment and Development.

<sup>18</sup> Cf. UN GA report A/CONF.151/26 (Vol. IV), p. 3.

<sup>19</sup> Rio Declaration, Principle 1.

<sup>20</sup> Cf. Art. 5.1: *European Economic Community*, Fourth ACP-EEC Convention signed at Lomé on 15 December 1989, Official Journal of the European Communities 17.8.1991, L 229/3-220, Brussels 1989; in place 1990-1995.

<sup>21</sup> *European Union*, Agreement Amending the Fourth ACP-EC Convention of Lomé signed in Mauritius on 4 November 1995, Official Journal of the European Communities, 29.5.1998, L 156/3-78, Brussels 1998.

<sup>22</sup> However, the Revision of 1995 took a rather small step towards tackling implementation with making good governance and rule of law another focus of the Agreement (cf. Art. 5.3).

<sup>23</sup> *European Union*, Treaty of Amsterdam, Amending the Treaty on European Union, the Treaties establishing the European Communities and certain related Acts, Official Journal of the European Communities, 10.11.1997, C340/1-308, Brussels 1997; Lightfoot 2015, p. 79; Dalal-Clayton 2004, p. 6.



the focus increasingly swept back into secondary legislation and detailed external policies.

### **3. From Amsterdam to Lisbon – Internationalizing EU Development Policy**

Throughout this interim period<sup>24</sup>, the EU took an increasingly active role of participation in the drafting of international sustainable development conventions. The period was marked by both, the influence of the Amsterdam Treaty's vision of an externally more active EU and the upcoming enlargement. Understanding of sustainable development changed from a mere internal policy area with external implications, to a policy area mainly defined within the external dimension and incorporated into internal policies –. Therefore, a shift in paradigms.

#### **3.1 Pre-Millennium Summit: A Shift in Paradigms**

First testimony of this shift can be seen in the advances between the 2000 *Lisbon Strategy*<sup>25</sup> and the Nice Treaty's provisions on sustainable development.

Whereas the *Lisbon Strategy* still put focus on internal sustainable development policy (Art. 5) and coherence (Art. 7)<sup>26</sup>, in light of the Kosovo War it called for sustainable and long-term solutions encompassing economic and political stability mechanisms (Art. 53 et seqq.). This shows a common phenomenon of this transition from internal to external sustainable development policy. Just as can be seen in the 9<sup>th</sup> EDF's *Cotonou Agreement*<sup>27</sup>, sustainable development in EU External Action was spearheaded by policies concerning the ACP countries and the neighborhood.

The *Cotonou Agreement* named as its central objective sustainable development encompassing all three dimensions (Art. 23, 25, 32), mainstreaming sustainable development into all aspects of development policy (Art. 32.1(a)), while referencing several UN declarations on the issue (Preamble 11<sup>th</sup> to 13<sup>th</sup> recital, Art. 49.2) – all approaches, which shortly afterwards mainstreamed into general EU External Action.

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<sup>24</sup> Due to the construction of an own external development strategy with both an increasing internationalization of European development policy and a progressively active Europe in international development politics, the following time frame can be called interim period.

<sup>25</sup> *European Council*, Presidency Conclusions, Lisbon European Council 23 And 24 March 2000, Brussels 2000.

<sup>26</sup> For a summary of the PCD challenges, the Lisbon strategy posed to sustainable development implementation, see Rodrigues 2009, p. 125.

<sup>27</sup> *European Union*, Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000, Official Journal of the European Communities, 15.12.2000, L 317/3-286, Brussels 2000.

Evidence of this mainstreaming into EU External Action is the 2001 Nice Treaty's declaration No. 9 on Art 175 TEU, whereby the EU shall play a leading role in drafting international climate and sustainable development action.

### **3.2 Post-Millennium Summit: Global Interpretation - Local Implementation**

The Nice Treaty's call for a Union taking international leadership came at a time between important events in global sustainable development politics, namely the Millennium Summit (MS) of 2000<sup>28</sup> and the Johannesburg Rio+10 World Summit on Sustainable Development (hereinafter WSSD) in 2002.<sup>29</sup>

In the eve of WSSD, in 2001 the EU complied with its commitments made a decade earlier in Rio<sup>30</sup> and drew up a "national" *Agenda 21*, as this was seen as a prerequisite of the EU's attendance at the WSSD.<sup>31</sup> This *Sustainable Development Strategy* of 2001 (SDS 2001)<sup>32</sup> mainly addressed the topic's internal sphere. However, it also opted for an external perspective - by calling for sustainable development to be addressed globally within the principles of the *Rio Declaration* (p. 2) and in cooperation with the UNEP, WTO, WB etc. (p. 9). Interestingly, the SDS 2001 already drew nexus between the EU's internal commitment on sustainable development and its external leadership on the matter (p. 5).<sup>33</sup> Two years earlier the *Lisbon Strategy* had already established general goals on sustainable development. Yet, the *Lisbon Strategy* had a very limited time frame (10 years), it lacked some of the MDGs' indicators and it did not reflect on the need to align all three dimensions of sustainable development into EU External Action.<sup>34</sup>

For further preparation of the WSSD, the SDS 2001 saw an external component to the strategy to be drawn up.<sup>35</sup> This external component to the SDS (SDS 2002)<sup>36</sup> was

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<sup>28</sup> Held in New York City from 6 September to 8 September 2000.

<sup>29</sup> Rio+10 World Summit on Sustainable Development, Johannesburg 2002.

<sup>30</sup> Cf. Art. 15 Rio Declaration.

<sup>31</sup> Dalal-Clayton 2004, pp. 6-7.

<sup>32</sup> *European Commission*, COM(2001)264 final, Communication from the Commission, A Sustainable Europe for a Better World: A European Union Strategy for Sustainable Development, Brussels 2001.

<sup>33</sup> This nexus is often described as *leadership by example* (e. g. Oberthür et al. 2011, p. 74). Hence, not only the increasing similarity of the EU's internal and external competences create a nexus of these policy fields, but also the expectations towards the Union's internal implementation of its objectives.

<sup>34</sup> Dalal-Clayton 2004, p. 14.

<sup>35</sup> SDS 2001, p. 9; Dalal-Clayton, p. 13.

<sup>36</sup> *European Council*, Sustainable Development Strategy, Global dimension: preparation of the World Summit on Sustainable Development, in: European Council, Barcelona European Council 15 and 16 March 2002, Conclusions of the Presidency, Bulletin, 18.03.2002, Brussels 2002, pp. 55-63: "Sustainable Development Strategy, Global dimension: preparation of the World Summit on Sustainable Development (Johannesburg, 26 August - 4 September 2002)".

introduced at the Barcelona European Council in 2002. The SDS 2002 only generally stated its commitment to the *Millennium Declaration* (SDS 2002, Art. 4) and instead outlined own focal points (Art. 7), with the main challenge being poverty eradication. It further elaborated on the links between the internal implementation of SDS 2001 and global leadership in drafting international agreements on sustainable development (Art. 2, 10), therefore strengthening the internal-external nexus and mainstream its global sustainable development targets into all areas of its policy (Art. 6, 14). Hence, the SDS 2002 gives a vivid example of a Union, half-way between merely projecting its internal sustainable development policy onto its External Action, complying with multilaterally set targets and defining those targets for future Summits itself. But how did this change from merely emphasizing a global aspect to sustainable development to a claim for leadership come about?

First, language. The concept of an idea, that makes a change, can be seen as intrinsic to sustainable development.<sup>37</sup> Therefore, language is pivotal to its entire evolution and the EU had a strong interest in how the evolving concept of sustainable development would be understood.<sup>38</sup> This also accounts to the formerly vague usage of the term. The EU however, internally, preferred policy-oriented definitions. Shaping them globally meant intervening into the term's evolution at UN level.

Secondly, the EU was called upon by various officials and NGOs to ensure progress at WSSD. This came at a time of increased pressure on the assurances made at Rio a decade early, particularly by the United States and Australia.<sup>39</sup> The EU, having already taken the role of mediator between developing and developed countries at Rio, however had an interest in a strong WSSD outcome – as a source of legitimacy and of prove, that in foreign relations it would be more than the sum of its parts.<sup>40</sup>

Third, the EU can be understood as a normative power. This implies that it will also act normatively in its External Action<sup>41</sup>, extending its principles and values onto other countries and the floor of international politics. And finally, as shown above, European primary legislation enabled and encouraged a more active commitment of the EU's organs in the drafting of international agreements. However, while drafting the EU's new role in international sustainable development relations was only a normative and strategic preparation for the WSSD, its implementation at the Summit would entail challenges.

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<sup>37</sup> Lightfoot 2015, p. 78.

<sup>38</sup> Lightfoot 2015, p. 78.

<sup>39</sup> Lightfoot 2015, p. 78.

<sup>40</sup> Lightfoot 2015, pp. 79, 88.

<sup>41</sup> Lightfoot 2015, p. 79.

Following the WSSD in 2006, the EU elaborated a substantive base of objectives to be pursued at global level and soon the SDS was reviewed (SDS 2006).<sup>42</sup> In this review, the Council points out key objectives (Art. 6), with one of four being to meet international commitments and previous sustainable development goals. Noticeably, the EU starts to shift its focus from long-term policy goals to short-term implementation. These guidelines cover all areas addressed by the MDGs, which could be understood as an increase in reference towards the commitments made at UN level. Nevertheless, the SDS 2006 shows that by then, the EU still outlined its own priorities and implementation strategy and the MDGs were mere guiding points.

The 2006 *Consensus on Development* (CoD 2006)<sup>43</sup> by Commissioner Louis Michel to design an overarching framework strategy by addressing all branches of development and non-development policy.<sup>44</sup> Though it centered its rhetoric more around achieving the MDGs (Art. 4 et seq., 8, 12) and even enumerated them (Art. 6), the CoD 2006 characterizes as a blueprint for specific EU values and interests concerning sustainable development. It defined poverty eradication as its primary goal (Art. 5, 40). Still, it called for the MDGs to be the EU's policy focus (Art. 15). This ambivalence between the EU's distinct prioritization and value setting, while simultaneously acknowledging the MDGs' quality as guiding policy objectives is characteristic to the EU's strategy between Nice and Lisbon. While general objectives and goals are already decided upon at UN level, the EU reserves its right to place emphasis and to outline and promote its own values. This, in the light of the Union's changing international role, can be understood as an internal preparation on a coherent strategy to influence future UN sustainable development goals in its own interest. Pursuing a coherent strategy on the outside thus eventually requires a clear definition of interests and values on the inside.

Also, the CoD 2006 emphasizes the importance of strengthening the EU's leadership role -now called coordination, (Art. 51) by hinting at the EU's self-conception as on why it is particularly suited as a global vanguard of sustainable development. First, its supranational character, coordination and harmonization instruments, the Commission's expertise and its internal right of initiative are deemed key beneficial features (Art. 46).<sup>45</sup> Second, the Commission's worldwide diplomatic presence with its

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<sup>42</sup> *European Council*, Note 10117/06 from the General Secretariat to the Delegations, Review of the EU Sustainable Development Strategy (EU SDS), Renewed Strategy, Brussels 2006.

<sup>43</sup> *European Commission*, The European Consensus on Development, DE 126, Brussels 2006.

<sup>44</sup> The holistic perspective taken by the CoD 2006 is exemplified with its reference of the EDF Treaties (Art. 36), the mainstreaming of topics such as Human Rights and gender equality (Art. 101) and prioritization of horizontal and geographical instruments against thematic concepts (Art. 63), such as the MDGs.

<sup>45</sup> The EU's supra-nationality, however, can be seen a disadvantage when it comes to a claim for leadership in sustainable development. Leadership requires equal ability to act onto this claim, which the EU partly does not have. For a detailed analysis, see Vogler 2011, pp. 22 et seqq.

vast network of delegations, projects and partners is seen to as a unique advantage in global sustainable development negotiations (Art. 46).

Thus, the evolution of sustainable development as a concept in EU External Action from Amsterdam to Lisbon was characterized by an increased influence of international norms (namely the MDGs) into EU policy. While this process was in plane execution, it had not yet reached its zenith of ranking international norms as the EU's primary source of policy objectives. Simultaneously, throughout this interim period the EU aspired a more influential role within the UN's sustainable development agenda setting process. But after the backlash at the WSSD, for the time being the EU itself focused on framing a coherent agenda on sustainable development.

#### **4. From Lisbon to Paris – Europeanizing UN Development Policy**

Right during this evolution, the most profound revision of EU primary legislature since the Maastricht Treaty occurred. The Treaty of Lisbon<sup>46</sup> integrated sustainable development significantly deeper into EU External Action and established a foundation for implementing the EU's aspired sustainable development leadership role within the UN.

The TEU of 2007 subordinated external development policy to the European External Action Service and its High Representative and Vice-President of the Commission (Art. 18.4 TEU). It installed the principle of sustainable development in its three dimensions in EU primary legislature (Preamble 9<sup>th</sup> recital) and sets it as a guiding principle for the Union's external relations (Art. 3.5 TEU). Lisbon's focus on poverty eradication through sustainable development (Art 21.2(d) TEU and Art. 208.1 TFEU)<sup>47</sup>, though as a general objective already mentioned in the Maastricht Treaty (Art. 130u.1)<sup>48</sup>, had been a strategic focal point of EU external relations only since the SDS 2002 (Art. 7) and CoD 2006 (Art. 5, 40) strategies.

Thus, poverty eradication is an example of how the secondary legislative processes in the years ahead of Lisbon, as described above, had influence on the Lisbon TEU's content. Also, emphasis is put onto international measures through a high amount of international cooperation (Art. 21.2(d) TEU) and taking lead on developing measures in environmental protection (Art. 21.3). Thus, Lisbon's TEU adopted the idea of a

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<sup>46</sup> The Treaty reformed the current versions of the Treaty of Rome (TFEU: Consolidated Version of the Treaty on the Functioning of the European Union, Official Journal of the European Union, 26.10.2012, C 326/47-390, Brussels 2012) and the Maastricht Treaty (TEU: Consolidated Version of the Treaty on European Union, Official Journal of the European Union, 26.10.2012, C 326/13-45, Brussels 2012).

<sup>47</sup> Craig 2010, p. 391

<sup>48</sup> For a detailed comparison between the Maastricht, Nice and Lisbon Treaty's provisions on sustainable development, see Craig 2010, pp. 391 et seqq.

Union's proactive stance on sustainable development through External Action, which had already been present in earlier primary law<sup>49</sup>, but as shown was mostly developed through secondary law and now introduced as a specific objective in EU External Action.

This can also be observed with the mainstreaming of sustainable development into all fields of EU external and internal policy. Mainstreaming sustainable development as a concept was developed in secondary legislation, such as the *Cotonou Agreement* (Art. 32.1), the SDS 2002 (Art. 6, 14) and the CoD 2006 (Art. 101), and was eventually introduced into primary legislation via the Lisbon Treaty (Art. 11 TFEU). Alongside, the Lisbon Treaty again references the EDF's development policy towards the ACP countries (Art. 198 TFEU) and reiterates the importance of vertical and horizontal coordination (Art. 210.1, 212.1 TFEU), and compliance with UN goals on sustainable development (Art. 208.2 TFEU) – all of which, as shown above, were guiding principles and much-debated issues from the antecedent years. Thus, the Lisbon Treaty's regulations summarize and permute the secondary legislature's advances of the past decade into primary law.

First testimony of this newly strengthened stance on sustainable development in External Action and the changing relevance of UN legislation towards the EU's sustainable development objectives can be observed in the 10<sup>th</sup> EDF's *Revised Cotonou Agreement*<sup>50</sup>, which entered into force in 2008. Its Preamble's 10<sup>th</sup> recital names the MDGs as providing a vision for the EDF. Albeit this can be understood as a mere reference to achievements at UN level, it is both evidence of an advanced stage of internationalizing EU sustainable development legislation and of setting a new trend in EU External Action – Europeanizing global sustainable development policy.

#### **4.1 Pre-Paris**

The financial and economic crisis of the following years revealed the urgency of taking concrete steps towards a sustainable Europe. Due to the internal-external nexus described above, this entailed a revision of the EU's external stance on sustainable development. The 2009 review of the SDS (SDS 2009)<sup>51</sup> concluded that the economic crisis was prove to the importance of sustainable development as an overarching, long-term objective within the Treaties (p. 2), that the EU successfully took lead in

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<sup>49</sup> E. g. the Nice Treaty's Declaration No. 9 on Art. 175 TEC.

<sup>50</sup> *European Union*, Agreement amending the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000, Official Journal of the European Union, 1.8.2005, L 209/27-53, Brussels 2005.

<sup>51</sup> *European Commission*, COM(2009) 400 final, Communication from the Commission to the European Parliament, the Council, the European Economic And Social Committee and the Committee of the Regions, Mainstreaming sustainable development into EU policies: 2009 Review of the European Union Strategy for Sustainable Development, Brussels 2009.

international efforts and mainstreamed sustainable development into numerous of its policy areas (pp. 2 et seq.).

In this context, the *Europe 2020* strategy of 2010<sup>52</sup> summed up the EU's External Action objectives towards sustainable development and pointed out the areas of future interest. With this strategy, the Commission reinforced its aim of assuming a leadership role in shaping it and the future economic order (p. 21). Although the *Europe 2020* strategy takes a broad approach to the EU's external sustainable development policy, some new key features of its future policy can be identified. The Commission takes an increasingly aggressive and proactive vocabulary concerning its leadership role on sustainable development by aiming at expanding its global reach, deploying all External Action tools and instruments at its disposal and by adopting EU rules and standards world-wide (p. 21). The EU's increased self-confidence concerning its role in international sustainable development efforts is visualized by its self-conception of already being a global player (p. 22). Within the ten-year scope of the *Europe 2020* strategy, multiple landmark UN conventions on sustainable development would be held – Namely Rio+20 in 2012 and COP21, CMP11, the 3<sup>rd</sup> ICFFD and drafting the post-MDG and post-2015 agenda in 2015. Most EU strategies in the years ahead therefore centered on their preparation.

Thus, the Commission's 2011 *Agenda for Change* (AfC 2011)<sup>53</sup>, presented as part of the *Europe 2020* strategy (AfC 2011, p. 3), focused on implementation aspects of the goals set out in the overarching *Consensus on Development* (pp. 4-5). But its main novelty were its centered attention topics (p. 6), which in part would later be reflected in the SDGs and thereby taking a first step in bridging the gap between its future sustainable development objectives and the MDGs' implementation (p. 12).

The AfC is also the latest of policies that define the *Development Cooperation Instrument* (DCI). As part of the EU's general budget, the DCI complements the EDF, whose scope is limited to sustainable development policy in ACP countries. Furthermore, within the DCI, an evolution from its creation in 2006 (DCI 2006)<sup>54</sup> up to the Lisbon Treaty can be observed. Its original objective was to foster sustainable political, economic, social and environmental development (Preamble 2<sup>nd</sup> recital, Art. 2.1), thus bringing another aspect to the three-dimensional model, while resting its focal point on poverty eradication (Art. 2.1) and pursuing the MDGs (Art. 2.1). In contrast, the DCI 2014

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<sup>52</sup> *European Commission*, COM(2010) 2020, Communication from the Commission, EUROPE 2020, A strategy for smart, sustainable and inclusive growth, Brussels 2010.

<sup>53</sup> *European Commission*, COM(2011) 637 final, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Increasing the impact of EU Development Policy: an Agenda for Change, Brussels 2011.

<sup>54</sup> *European Union*, Regulation (EU) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation, Official Journal of the European Union, 27.12.2006, L 378/41, Brussels 2006.

shows a shift from universality towards practicality and impact maximization in sustainable development and the EU's long-standing policy priority of poverty-eradication is outlined as the DCI's main objective (Art. 2.1(a)) with all other aspects of sustainable development facilitating and securing this objective<sup>55</sup>. Therefore, similar to the later SDGs' regulation, the DCI 2014 is evidence of a reshaping process of the EU's external development cooperation, that would later translate into its commitments at UN level.

As another external development financing instrument, the *European Neighbourhood Instrument* (ENI) covers the ENP's financial implementation. Although created simultaneously with the ENP in 2004 (see ENP 2004, p. 27), the ENI's objective and policy was outlined in 2006 (ENI 2006).<sup>56</sup> Its 2014 revision (ENI 2014)<sup>57</sup> thus may shed light onto the evolution of sustainable development within the Neighborhood Policy.

Originally, the ENI was related to sustainable development marginally, only in accordance to the WSSD outcome and alongside other political objectives and shared values (ENP 2004, p. 13). The more detailed 2006 regulation on the establishment of the ENI (ENI 2006) saw sustainable development mainly in the context of cross-border regional economic development with social and environmental aspects facilitating this objective (Preamble 15<sup>th</sup> recital). However, sustainable development in all its aspects (Art. 2.2(e)) and cross-border local initiatives on all three dimensions of sustainable development (Art. 2.2(y)) were generally listed as areas of cooperation.

The 2014 ENI revision (ENI 2014) and the 2015 ENP review (ENP 2015) show strong developments in the area. The ENI 2014 has noticeably shifted focus towards a political aspect to sustainable development and strongly aims at supporting sustainable democracy and rule of law (Art. 2.1, 2.2(a), 4.1(c), 4.2, 7.6, Annex II Art. 1, 2). Albeit marginally referring to other dimensions of sustainable development (Art. 2.2(d)), it shows the underlying aim of assuring rather stability than taking a holistic approach to sustainable development. The same, however, cannot be said about the ENP's 2015 review, which refers to the SDGs as a new framework in which even the ENP programs would act. Sustainable development thus is increasingly seen as a policy tool that does not hinder but promote lasting stability in the neighborhood.<sup>58</sup> This difference from previous neighborhood policies and instruments might be explained by the ENP's original context as a regional stability policy in light of the European

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<sup>55</sup> See Art. 2.1(b) DCI 2014: "consistently with the primary objective referred to in point (a), cooperation under this Regulation shall contribute to: (i) fostering sustainable economic, social and environmental development"

<sup>56</sup> *European Union*, Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument, 24.10.2006, L 310/1-14, Brussels 2006.

<sup>57</sup> *European Union*, Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument, Official Journal of the European Union, 15.3.2014, L 77/27-43, Brussels 2014.

<sup>58</sup> E. g. see pp. 7-9, 11-12 ENP 2015.



security strategy (e. g. cf. ENP 2004, pp. 2, 4). With the mainstreaming conducted within the EU since its original regulation in 2004 and with the integral approach of the by then recently adopted SGDs, the ENP review of 2015 eventually took a broader perspective on regional stability and development compared to its first introduction.

In the years ahead of the landmark decisions to be made in 2015, EU strategies increasingly centered around the preparation of those summits. Just like in the run-up to the WSSD and the Rio+20 summit in 2012, participation in UN pre-Summit processes and internal preparation led to progressively precise and distinct EU policy strategies. The Commission's 2013 strategy *A Decent Life for All*<sup>59</sup> represents such a policy. Core proposals include post-2015 targets with another 15-year period until 2030 that are based mainly on the MDGs' structure (p. 2), taking the idea of an SDS-like overarching sustainable development framework onto global level (pp. 2, 7 et seqq.) and finally, converge the different UN strands and working groups drafting the 2015 reforms (pp. 7, 14)<sup>60</sup>. This was in line with the EU's own approach of progressively merging the multitude of different EU strategies and mainstreaming sustainable development into other aspects of EU External Action. Finally, the 2013 strategy outlines priority elements (pp. 8 et seqq.) – many of which were soon to become core elements of the SDGs.

These policy papers from the years ahead of 2015 show an advanced stage in the process of what this Study calls internationalization of European sustainable development policy. This both was driven by and cause of a significantly stronger and determined EU engagement on international level – or the Europeanization of UN sustainable development policy.

#### 4.2 EU and the Paris Summit

The EU's strategy of converging the different post-2015 policy strands, namely the MDG revision and post-2015 agenda drafting, was successful when in advance of the UN Sustainable Development Summit and the Paris Summit, the processes were united into a single working group. Also, the Paris Summit would both be 23<sup>rd</sup> Conference of the Parties to the UNFCCC (COP23) and 11<sup>th</sup> Meeting of the Parties to the Kyoto Protocol (CMP11).

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<sup>59</sup> *European Commission*, COM(2013) 92 final, Communication from the Commission to the European Parliament, the Council, the European Economic And Social Committee and the Committee of the Regions, *A Decent Life for All: Ending poverty and giving the world a sustainable future*, Brussels 2013, pp. 14-21.

<sup>60</sup> Namely, the MDG revision process due in 2015 and the drafting of a post-2015 sustainable development agenda that was decided on at the Rio+20 Summit in 2012. Also, see already: *Ten years after Rio 2001*, p. 12; Gregersen et al. 2016, p. 4.

In the same year, several sustainable development milestone decisions at UN level were achieved.<sup>61</sup> In advance and throughout the Summits of 2015, the EU used its informal pool of negotiators and EU and Member States' expertise in order to commit to its aim of leadership and coordination within the negotiations.<sup>62</sup> Due to the EU's intervention and aim towards unifying the different outcomes, both the *Agenda 2030* and the Paris Summit outcome document use similar language.<sup>63</sup> However, the Summits had deviating priorities and within the EU different DGs were responsible for their preparation.<sup>64</sup> Thus, a high level of coordination in advance and at the Summits was necessary. But despite the internal vertical and horizontal coordination challenges the EU was facing, the Paris Summit is seen to have been essentially coordinated and intensively guided by the EU and its Member States.<sup>65</sup>

### **4.3 Post-Paris**

As the EU Council concluded, EU policy and strategies on sustainable development would need to be adapted in the light of the *Agenda 2030*.<sup>66</sup> Most notably, the *EU Global Strategy* (EU GS 2016)<sup>67</sup> was introduced – a cross-cutting external policy outline guiding the EU's international efforts in the years to come. Aim of this strategy is to make the Union and its Member States act jointly and have the EU play a major role in international affairs (EU GS 2016, p. 3). It does use a very strong and confident rhetoric, with the EU emphasizing that it knows its values pointing out peace, prosperity, democracy and a rules-based global order as its goals (pp. 3 et seq., 13).

This can be seen as a cumulation of the past year's development – The shift described above, from an economic perspective to a holistic sustainable development perspective, to a rules-based, democracy-supportive approach in its external policy as laid out in the EU GS 2016. Also, the EU's advanced claim for leadership is not restricted to sustainable development (cf. p. 40). It aims at shaping the future global order and its rules and reforming the UN (pp. 15, 17, 39). Detailed policy targets are not specified. Instead, the EU GS 2016 refers to the SDGs as guidance for a post-*Cotonou* partnership and commits to implementing the *Agenda 2030* (p. 40).

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<sup>61</sup> First, the International Conference on Financing for Development (ICFFD) passed the Addis Ababa Action Agenda (AAAA). In fall of the same year, the UN Sustainable Development Summit passed the Agenda 2030 including the SDGs and, finally, the UN Climate Change Conference (Paris Summit) decided ambitious goals on cutting greenhouse gas emissions. Although having different priorities, all three Summit outcomes are interrelated, with the Agenda 2030 and its SDGs being the guiding framework for all other strategies.

<sup>62</sup> Gregersen et al. 2016, p. 6.

<sup>63</sup> Gregersen et al. 2016, p. 6.

<sup>64</sup> The interrelation is visualized by DG DEVCO attending the Paris Summit, while DG CLIMA did not attend the Agenda 2030's drafting (Gregersen et al. 2016, p. 6).

<sup>65</sup> Gregersen et al. 2016, p. 7; Gavvas et al. 2016, p. 2.

<sup>66</sup> Gregersen et al. 2016, p. 7.

<sup>67</sup> *European Commission, Shared Vision, Common Action: A Stronger Europe, A Global Strategy for the European Union's Foreign And Security Policy, Brussels 2016.*

However, regarding to the content, the EU GS 2016 addressed very similar issues as the SDGs.<sup>68</sup> These strong synergies between the SDGs and the EU GS 2016 are seen as a unique opportunity to ensure horizontal coherence within the various fields of EU external policy – Namely trade, development, humanitarian aid and climate action<sup>69</sup>, which could not be reached by individual strategies such as the CoD.<sup>70</sup> Additionally, it fits into the growing internal-external nexus within the EU, since the SDGs apply globally and to both spheres.<sup>71</sup>

The EU's external approach towards sustainable development turned even more visible with the Commission's *European Action for Sustainability* (AfS 2016)<sup>72</sup>, which deliberately states, that regarding content the EU had already pursued the SDGs long before their adaption at UN level (p.4). Effectively, the Council's 2014 *Strategic Agenda* covered ten objectives, of which the majority is represented by the SDGs (p. 7). Thus, the EU is fully aware of those synergies. In fact, this might be its long-term strategy.

The Summits of 2015, hence, did not only demonstrate the EU's success as a global leader on sustainable development for the time being. They also showed yet another shift. The EU's increased global influence ultimately led to such assimilation between its own set of goals and interests and those described in UN outcome documents, that the EU went from actively drafting and pursuing its own strategies to referencing the UN results. Main reasons for this shift include the EU's conviction outlined above, that sustainable development is to be addressed in a multilateral framework while framing the EU as a global actor itself, and diminishing policy incoherence and overlapping strategies by focusing on implementation efforts.<sup>73</sup> Eventually, both the internationalization of EU policy and the Europeanization of UN policy account to two factors – Because the EU can and because the EU should.

First, as described above, the EU's distinct composition as a supranational, normative entity with a vast pool of development and governance experts and large resources enables it to enact a coordination and leadership position at the UN. Second, in a globalized world and with global issues at hand, using this influence at UN level demonstrates a unique opportunity for the EU to pursue its interests and proliferate its values through sustainable development. Finally, these trends are strongly incorporated into the newest EU external sustainable development strategies: Namely,

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<sup>68</sup> Gregersen et al. 2016, p. 9.

<sup>69</sup> Gregersen et al. 2016, p. 9; Gavvas et al. 2016, p. 1; also cf. AfS 2016, p. 3.

<sup>70</sup> Gregersen et al. 2016, p. 9; Gavvas et al. 2016, p. 2.

<sup>71</sup> Gavvas et al. 2016, p. 2; also cf. AfS 2016, pp. 3, 12.

<sup>72</sup> *European Commission*, COM(2016) 739 final, Communication from the Commission to the European Parliament, the Council, the European Economic And Social Committee and the Committee of the Regions, Next steps for a sustainable European future, European action for sustainability, Strasbourg 2016.

<sup>73</sup> Gavvas et al. 2016, p. 2.

the *New European Consensus on Development* (CoD 2017)<sup>74</sup>, the Commission's 2050 long-term strategy (*A Clean Planet for All* 2018)<sup>75</sup> and its *2030 Reflection Paper* (*Towards a Sustainable Europe* 2019)<sup>76</sup>, which all put the *Agenda 2030*, the *Addis Ababa Action Agenda* (AAAA), and *Paris Agreement* implementation at their center.<sup>77</sup> In addition, they openly state the SDGs' consistency with EU values and principles<sup>78</sup> and reflect the advanced focus on vertical and horizontal policy coherence within EU External Action.<sup>79</sup>

## 5. Conclusion

Sustainable development in EU External Action was closely accompanied and influenced both by European integration and particularly by the Commission's external policy. Starting with the Treaty of Rome, particularly the development agreements with ACP countries were identified as the vanguard of sustainable development in EU External Action. Furthermore, it should be noted that the ENI 2014 and ENP 2015 have increasingly addressed the political aspect of sustainable development as a form of fourth dimension. This might be a future focal point. However, the ENP had evolved in the light of the *EU Security Strategy* – Hence, within the ENP stability is the priority, sustainable development the tool. In geographically distant regions and at global level, this might be vice versa.

From early on, the EU developed the conviction of sustainable development to be addressed at global level. In this first phase, at UN level, merely the definition of sustainable development was formed and accepted by the EU. Definition of goals and policy strategies were remaining at EU and national level. Under the influence of significant steps towards European integration, this was followed by the aim of using the EU's unique composition on the global stage in order to foster UN outcomes that would coincide with the EU's own social and economic values and interests. With an increasing complexity of UN sustainable development policy and with growing EU influence on the UN decision-making process, the EU started to adapt the UN goals and objectives as its own guidelines. This went along with, and in its implementation

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<sup>74</sup> *European Union*, The New European Consensus On Development, 'Our World, Our Dignity, Our Future', Official Journal of the European Union, 30.6.2017, C 2010/1-24, Brussels 2017.

<sup>75</sup> *European Commission*, COM(2018) 773 final, A Clean Planet for All, A European strategic long-term vision for a prosperous, modern, competitive and climate neutral economy, Brussels 2018.

<sup>76</sup> *European Commission*, COM(2019)22, Reflection Paper, Towards A Sustainable Europe By 2030, Brussels 2019.

<sup>77</sup> Cf.: Art. 2, 4, 7-9 CoD 2017; *Towards a Sustainable Europe* 2019, pp. 4, 31, 54; *A Clean Planet for All*, p. 21.

<sup>78</sup> Cf. Art. 2, 14-16 CoD 2017.

<sup>79</sup> Cf. Art. 73, 108 CoD 2017.

was followed by, the need of even stronger EU influence onto UN sustainable development policy – in order to assure results that fit the EU GS 2016.<sup>80</sup>

Yet, why did the EU choose to shift from its focus on internal sustainable development towards leading a global sustainable development process? Besides the strategic reasons described in this paper, the core of this choice is to be found in the Union's roots as an economic community itself, fostering primarily wealth and stability. From the Commission's perspective<sup>81</sup>, internal prosperity and external development are closely linked. For the EU, international sustainable development efforts are a long-term strategy for securing internal prosperity – and providing external leadership. The EU's objective of satisfying the global need for a sustainable development, therefore is symptom of its core interests and consequence of its roots. In the words of Jean Monnet: "We have to satisfy it. The societies that succeed are and will be, those that can satisfy it."<sup>82</sup>

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<sup>80</sup> See fig. 2.

<sup>81</sup> Cf. European Action for Sustainability 2016, p. 12

<sup>82</sup> *Jean Monnet*, *The Use of Resources in Human Organisation*, Doc, No. 3328/54 e, Draft for radio talk by J. Monnet to the broadcast over the CBS network in the Columbia University series celebrating its' Bicentennial, New York 1954, pp. 1-2.

<b>Sustainable Development in EU External Action</b>			
<b>Period</b>	<b>Early period</b>	<b>Interim period</b>	<b>Proactive period</b>
<b>UN</b>	Rio Summit/ Agenda 21 (1992)	Millennium Summit/ MDGs (2000) WSSD/Johannesburg Declaration (2002)	3rd ICFFD/Addis Ababa Action Agenda (2015) Agenda 2030/SDGs (2015) Paris Summit/COP23/ CMP11 (2015)
<b>EU Treaties</b>	Treaty of Rome (1957) Single European Act (1986) Treaty of Maastricht (1992) Treaty of Amsterdam (1997)	Treaty of Nice (2001) Treaty of Lisbon (2007)	
<b>EU Strategies</b>		Lisbon Strategy (2000) Ten years after Rio (2001) Sustainable Development Strategy (2001) Sustainable Development Strategy (2002) Renewed Sustainable Development Strategy (2006) Consensus on Development (2006) Agenda for Change (2011) Review of Sustainable Development Strategy (2009) Europe 2020 (2010)	A decent life for all (2013) Strategic Agenda in Times of Change (2014) EU Global Strategy (2016) European action for sustainability (2016) New Consensus on Development (2017) A Clean Planet for All (2018) Towards a Sustainable Europe by 2030 (2019)
<b>EU Tools</b>	1st to 8th EDF (Yaoundé and Lomé Conventions: 1959- 2000)	European Neighbour- hood Instrument (2004) 9th to 10th EDF (Cotonou Agreement: 2000-2013) Development Cooperation Instrument (2006)	Development Cooperation Instrument (2014) European External Investment Plan (2016) European Fund for Sustainable Dev. (2017) 11th EDF (Revised Cotonou Agreement: 2014-2020)

**Table 1.** Sustainable Development in EU External Action.  
**Source:** Elaborated by the author.

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