

Coherence through Law: What difference will the Treaty of Lisbon make?

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Abstract

Despite the simplification offered by the Lisbon Treaty in establishing a single European Union with a single legal personality and a single set of principles and objectives for the EU's external action, the structural complexity inherent in the Union system will largely survive. In the process of treaty reform that started with the Laeken Declaration in December 2001 and ended with the Treaty of Lisbon, signed in October 2007, the coherence of the Union's foreign policy has been one of the recurrent themes. The Laeken Declaration already asked, "how should a more coherent common foreign policy and defence policy be developed?" and raised the issue of foreign policy coherence expressly twice, first in the context of the organisation of Union competence and its relation to that of the Member States and second in the context of institutional and decision-making efficiency. It could be argued from the analysis undertaken here that the innovations the Lisbon Treaty introduces, both structural and institutional, give prominence to rules of delimitation and to the principle of complementarity in both vertical and horizontal dimensions of coherence. Despite the prominence given to the new institutional mechanisms, it could be that the most important element of the Treaty of Lisbon from the perspective of foreign policy coherence is the clear external mandate given to the Union as a whole in both substantive and instrumental terms.