

COHERENCE OF THE EUROPEAN UNION'S FOREIGN POLICY ACCORDING TO THE LISBON TREATY

Abstract

The foreign policy activities of the European Union have long suffered from the fact that the Member States of the Union neither spoke nor acted with one voice. The European foreign policy has been in a process of growing harmonization of its objectives, instruments, needs and policies. It has gradually developed new tools and instruments with which it could address the new challenges imposed by the global, interdependent, and complex world. The establishment of objectives, principles, and guidelines through which the foreign policy activities of the Union would be implemented was a necessity.

A fundamental principle of the EU's foreign policy, which provides an illustration of the coordinated behavior of the Member States, is the principle of coherence. This principle represents a basic precondition for the effective external representation and "speaking with one voice." In other words, in order to be an active and influential actor in global affairs, the Union must ensure coherence between the political and economic dimensions of its foreign policy.

A serious attempt to strengthen coherence in the foreign policy actions of the Union arises with the entry into force of the Lisbon Treaty, which introduces important innovations and institutional arrangements. This paper analyzes the legal impact of the Lisbon Treaty and whether it has succeeded or not in its intention to achieve greater unity in the foreign policy decision-making of the Member States.

Key words: European Union, coherence, Lisbon treaty, legal impact, foreign policy

I. Introduction

The debates on the cohesion and effectiveness of the European foreign policy have a long history. They were already present in the reports from the European summits in The Hague in 1969 and in Luxembourg in 1970 (in which greater cohesion was insisted upon, as it was recognized that an effective economic policy was not possible without at the same time having a coherent foreign and credible security policy). However, there is a difference between the way this problem is presented in the Reports and the European Treaties (in which the essential issues are omitted), and the way the problem is addressed in the Lisbon Treaty¹. Although it is often emphasized that the problem of cohesion in the European foreign policy has much more of a political than a legal character, and that the Union's success on the international stage depends far more on the political will of the Member States to deepen foreign policy relations than on the institutional structure, it was expected that, after the entry into force of the Lisbon Treaty, this problem would be overcome. It was assumed that the Treaty would enable the management of the lack of coherence through a fundamental change in the institutional

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¹ The central idea of the ongoing reform process according to the Lisbon Treaty is achieving greater coherence between the "community" and the intergovernmental elements of foreign policy. Taken from: House of Commons, Foreign Affairs Committee: Foreign Policy aspects of the Lisbon Treaty (third report), Chapter 3 of the Treaty, January 16, 2008, available at: <https://publications.parliament.uk/pa/cm200708/cmselect/cmffaff/120/12002.htm>, p. 70

framework.² The Treaty envisaged a comprehensive project for a common EU diplomatic service that would properly implement the established EU policies.³ Namely, it contains important innovations in the area of the CFSP, but at the same time their scope is limited through a series of conditions. These aspects are significant for understanding the essence of the EU's foreign policy after Lisbon.⁴

Although the European Union acquired normative power⁵, as opposed to the use of military power typical for the USA, it was necessary to overcome internal complexity and gradually carry out its mission focused on world peace, democracy, and human rights. For that reason, there was a need for the EU to transform into a coherent, consistent, and fully unifying actor that would speak with one voice.⁶

Such an ambition was an important topic in the development of the EU's international capacity, already in the Declaration on European Identity of 1974.⁷ Since then, it has been particularly important to define the context of the EU's foreign policy and its elements, above all, its objectives, principles, and guidelines.

The CFSP of the EU actually represented a mechanism for adopting common principles and guidelines regarding political and security issues, common diplomatic approaches, and the undertaking of joint actions.⁸

II. Goals and principles of the European foreign policy

Although very vague, the goals of the Union's foreign policy action were established as early as Article 11 of the Maastricht Treaty. On the one hand, the Treaty sets out the goals of the CFSP and states that the Union should develop into a cohesive force in international relations. On the other hand, there was no clear definition of the goals of the EC with regard to its external activities, although they mainly related to issues of external economic relations, development cooperation, trade agreements, and agreements with third countries and international organizations. In fact, the problem for the then European Community (EC) was linking its internal policies with its foreign policy goals.⁹ A clearer specification of the foreign policy goals was made with the European Security Strategy, which represents a fully-fledged

² Telo, M. & Ponjaert, F. (2013) *Globalisation, Europe, Multilateralism Series: EU's Foreign Policy: What kind of Power and Diplomatic Action?*, pp. 105–106

³ Cierco, T. (2013) *International Political Economy of New Regionalisms Series: European Union Neighborhood: Challenges and Opportunities*, p. 102

⁴ Bindi, F. & Angelescu, I. (2012) *The Foreign Policy of the European Union: Assessing Europe's Role in the World*, 2nd edition, p. 40

⁵ Namely, the European Union does not represent either a civilian or a military power, but rather a normative power capable of establishing and shaping international standards. Its strength lies in its developed system of basic norms (Manners calls them "core norms"), which include the fundamental principles contained in the founding treaties of the European Union (freedom, human rights, democracy, and the rule of law), the Union's objectives (social progress, non-discrimination, sustainable development), as well as the Copenhagen criteria, which are a fundamental condition for integration. Taken from: Manners, I. (2000) *Normative Power Europe: A Contradiction in Terms*, COPRI Working Papers, pp. 29–33

⁶ Telo, M. & Ponjaert, F. *Globalisation, Europe, Multilateralism Series: EU's Foreign Policy: What kind of Power and Diplomatic Action?*, *ibid.*, p. 4

⁷ The Declaration states that: "Europe must unite and speak with a stronger single voice if it intends to have a relevant role on the global stage." Taken from: Tonra, B. (2009) *European Union as a Global Actor*, Social Science Research Work, p. 10

⁸ Mix, D.E. (2013) *The European Union: Foreign and Security Policy*, p. 2

⁹ Abellán, M.A.M. (2002) *The Coherence of European Foreign Policy: A Real Barrier or an Academic Term?*, Institut Universitari D'Estudis Europeus Obs, Working Paper 27, p. 2

strategic document introducing goals and strategic priorities for the EU as a global player with global responsibility.¹⁰

The clearest determination of the goals of the EU's foreign policy action comes with the Lisbon Treaty, according to which these goals are oriented towards improving democracy and the efficiency in the functioning of the Union's institutions. On the other hand, integration is seen as an open process towards creating an ever closer Union of the peoples of Europe.¹¹ In this context, the goals of the EU's CFSP include:

- the protection of the Union's common values, fundamental interests, interdependence, and integrity;
- the promotion of international cooperation;
- the preservation of peace and the strengthening of international security;
- the enhancement of the Union's security in every sense;
- the development and consolidation of democracy and the rule of law, as well as respect for human rights and fundamental freedoms.¹²

The Lisbon Treaty includes the main goal of the EU's foreign policy action – the promotion of the principles of an organized interstate political order in Europe at the global level.¹³

The Union's action on the international stage is guided by the principles that inspired its creation, development, and enlargement, and which the Union aims to promote throughout the world. These are: respect for democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, equality and solidarity, as well as respect for the principles of the Charter of the United Nations and international law. In line with this, the Union strives to develop relations and build partnerships with third countries and international or global organizations that share the aforementioned principles.¹⁴

III. Coherence as a principle of the EU's foreign policy

The European Union is often subject to criticism because its activities in the sphere of foreign policy are characterized by the absence of political cohesion. The existence of strategic and political polyphony within the Union produces direct consequences literally in all parts of the system – in its instruments, in the institutions, in the policies, and among the actors involved. Coherence is a condition for the EU to assert its identity on the international stage.¹⁵

1. Definition of coherence

Defining the principle of coherence is complex. A central conceptual problem is the distinction between the terms “coherence” and “consistency.” The distinction between them can be explained from a legal and political perspective, whereby the term “consistency”

¹⁰ The European Security Strategy, adopted in 2003, represents a framework that links the long-term priorities of Europe's promotion of regional stability and strengthens multilateral processes and organizations—particularly as a result of the renewed commitment to the fight against terrorism and other global threats.

Taken from: Telo, M. & Ponjaert, F. Globalisation, Europe, Multilateralism Series: EU's Foreign Policy: What kind of Power and Diplomatic Action?, *ibid.*, p. 182

¹¹ “The Lisbon Treaty – Consolidated Versions of the Treaty on the European Union, the Treaty on the Functioning of the European Union, the Charter of Fundamental Rights of the EU, Protocols, Declarations”, p. 20

¹² “Treaty of Lisbon, Article 2(5), available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C:2007:306:FULL>, accessed on July 26, 2025

¹³ Falkner, G. (2008) EU Policies in the Lisbon Treaty: Comparative Analysis, p. 16

¹⁴ “The Lisbon Treaty – Consolidated Versions of the Treaty on the European Union, the Treaty on the Functioning of the European Union, the Charter of Fundamental Rights of the EU, Protocols, Declarations”, *ibid.*, p. 51

¹⁵ Abellan, M.A.M. The Coherence of the European Foreign Policy: A Real Barrier or an Academic Term?, *ibid.*, p. 3

represents the absence of contradiction in relations. The term “coherence,” however, goes beyond mere compatibility, aiming to convey the idea of mutual reinforcement of policies, defined as synergy, or to establish a “positive link.”¹⁶

The term “coherence” means “coordinated behaviour based on the agreement between the Union and the Member States, whereby compatible methods are used in order to achieve the common goal within a non-contradictory foreign policy.”¹⁷ The principle of coherence implies that the EU’s international strategy must be comprehensive and unite all EU institutions behind an identical set of goals. This depends on defining a common approach among the Member States and overcoming differences on substantive issues. Another aspect of coherence should be the representation of the EU before the UN and other international organizations. As for the principle of consistency, the EU’s foreign policy must be consistent with its fundamental values. The promotion of democracy, peace, and sustainable development, regulated through fair and efficient institutions, are fundamental components of its “soft power.”¹⁸

2. Historical approach to the concept of coherence

For the first time, the word “cohesion” was mentioned at the Summit of Heads of State and Government in Paris in 1974, in the Communiqué – which actually represents an official document concerning the forms of political cooperation. At the Summit, it was concluded that it is “essential to ensure progress in coherence in the activities of the Community and in the work of political cooperation.”¹⁹

The Single European Act actually imposed for the first time the obligation of coherence in the conduct of all policies and in the functioning of the EU in general, whereby the preamble of the SEA states: “aware of the responsibility it bears, it is Europe’s duty to speak with one voice and to act in accordance with the principles of consistency and solidarity, in order to protect more effectively its common interests and independence.”²⁰ Every reform of the treaties after the SEA was intended to improve the insufficient standards of procedural coherence and consistency within the EU’s foreign policy.

In the preamble of the Maastricht Treaty, consistency and the need for political unity are also addressed.²¹ The Maastricht Treaty advocated greater coherence by linking foreign policy with security policy, primarily through the Western European Union.²² Article J.1 of this Treaty contained the obligation for the Member States to support the Union’s foreign and security policies actively and unreservedly, in the spirit of loyalty and mutual solidarity. The Amsterdam Treaty contained provisions according to which the Council and the Commission would ensure the implementation of all the Union’s foreign policies, taking into account the requirements for coherence. The analysis of the Maastricht and Amsterdam Treaties led to the

¹⁶ Portela C & Raube K. (2008) “(In)coherence in EU Foreign Policy and its Causes”, Hamburg Review of Social Science, Special Issue on Coherence in EU Foreign Policy, Volume 3, Issue 1, available at: [\(PDF\) Six Authors in Search of a Notion:\(In\) coherence in EU Foreign Policy and its Causes](#), p.3

¹⁷ Abellan, M.A.M. The Coherence of the European Foreign Policy: A Real Barrier or an Academic Term?, *ibid.*, p. 5

¹⁸ Vasconcelos, A. (2010) “A Strategy for EU Foreign Policy”, Report No. 7, pp. 3–4

¹⁹ *Ibid.*, p. 5

²⁰ Nuttal S. (2001) Consistency and CFSP: a categorization and its consequences, European Foreign Policy Unit Working Papers, LSE, London, p. 1, available at: <https://www.lse.ac.uk/international-relations/assets/documents/efpu/publications/EFPUworkingpaper2001-3.pdf>

²¹ The Treaty of Maastricht, available at: www.eurotreaties.com/maastrichteu.pdf, accessed on 21 July, 2025

²² Western European Union was established on March 17, 1948 with the Treaty of Brussels, available at: https://www.cvce.eu/en/obj/the_brussels_treaty_17_march_1948-en-3467de5e-9802-4b65-8076-778bc7d164d3.html, accessed on July 21, 2025

conclusion that the provisions regarding coherence are very difficult to apply, and differences still exist between the competences of the first and the second pillar.²³

3. Typologization of coherence

There have been several attempts to classify and explain the concept of coherence. According to Nuttal, coherence can be divided into three categories:

1. “Horizontal” coherence – coherence between different EU policies;
2. “Institutional” coherence – coherence between two different bureaucratic apparatuses (the intergovernmental one and that of the Community);
3. “Vertical” coherence – two-way coherence between the EU and the national policies of the Member States.

In the treaties of that time, emphasis was placed on the so-called “horizontal” coherence. Thus, according to Article 3 of the Maastricht Treaty and in the consolidated version of the same from Nice, the Union “shall, in particular, ensure consistency in its external activities as a whole, in the context of its external relations, security, economic and development policies.”

However, the sectors it covered were not complete, and another problem was the absence of an adequate mechanism to monitor coherence. As for “institutional” coherence, it was easier to manage before the introduction of reforms with the Maastricht and Amsterdam Treaties. The Maastricht Treaty set a precedent by allowing the existence of flexible arrangements in certain areas, which could be used to strengthen coherence. Namely, the Treaty introduced a new category called “enhanced cooperation”²⁴, which could also be applied in the area of foreign policy. Five years later, the Amsterdam Treaty additionally enabled other forms of flexible cooperation through the so-called enabling clauses, which essentially represent a model of integration allowing the Member States to establish closer cooperation. The Nice Treaty, through the mechanism of enhanced cooperation within the CFSP, enabled the preservation of the Union’s values and interests by strengthening its identity as a coherent force on the international stage.²⁵ “Vertical” coherence, which had received the least attention, was reflected in Article 11(2) of the Nice Treaty, according to which “the Member States are obliged to refrain from any action that is contrary to the interests of the Union.” This also posed a challenge for the Member States regarding their willingness to subordinate their own national interests to the common interest of the Union. The complexity of the coherence problem in reality led to a shared failure to distinguish between the different types of coherence, which in turn affected the nature of foreign policy and the quality of the EU as an international actor.²⁶ Although the Treaties did not resolve the central problem of coherence, they nevertheless, in some way, strengthened the CFSP mechanisms. However, there remained a need for further clarification of some of the open issues.

²³ Abellan, M.A.M. The Coherence of the European Foreign Policy: A Real Barrier or an Academic Term?, *ibid.*, p. 8

²⁴ The Treaty of Maastricht, *ibid.*, Article 20, available at: www.eurotreaties.com/maastrichtfinalact.pdf, accessed on July 21, 2025

²⁵ Abellan, M.A.M. The Coherence of the European Foreign Policy: A Real Barrier or an Academic Term?, *ibid.*, p. 9

²⁶ *Ibid.*, pp.4-10

IV. The legal impact of the Lisbon Treaty: challenge and/or remedy for the (in)coherence in foreign policy

The provisions of the Lisbon Treaty, after its entry into force, were expected to contribute to the Member States making a strong effort towards ensuring coherence and consistency in the formulation and implementation of the European foreign policy. This also required consensus among European actors, a combination of strong mutual coordination, and flexibility.

Coordination and unity of objectives at the highest level between the President of the European Council, the President of the European Commission, and the High Representative are decisive for formulating and delivering a single EU message regarding key political issues. Likewise, cooperation at all levels between the European External Action Service and the relevant services of the EC is essential for formulating a strategic approach to political areas such as: the neighborhood policy, enlargement, trade, development, energy security, and justice and home affairs. Conversely, flexibility is essential for the Union's ability to take advantage of the strengths and capacities of the Member States in creating various initiatives, especially in the EU's relations with its global partners. Coherence and flexibility are possible if the Member States agree not only on a common strategy regarding foreign and security policy but also if the possibility is ensured for their national policies to be in line with the Union's positions, including in international bodies where they are represented. This represents the main test for multidimensional or broad coherence.²⁷

With the entry into force of the Lisbon Treaty, an improvement in coherence was expected in the short term, with this improvement to be achieved by the European External Action Service, the Member States, and the European Commission. In the long term, however, the coherence of the European foreign policy required strong leadership, a simplified voting procedure, and stable representation in the United Nations Security Council.²⁸

By granting the EU legal personality, the combination of Article 1, according to which "the EU shall replace and succeed the EC," and Article 47, according to which "the EU shall assume all the rights and obligations of the EC, including the succession to all previous international agreements together with the already existing rights of the EU," removed legal uncertainty and strengthened the EU's capacity to enhance its own status in external forums.²⁹

The Treaty created an opportunity to improve the existing arrangements in external representation. It clarified and upgraded certain important aspects of vertical and horizontal coherence without, however, managing to overcome some inconsistencies in the complex system. According to Article 21(3), "The Union shall ensure consistency between the different areas of its external action and between these and its other policies." The Council and the Commission, according to the Treaty, ensure coherence and cooperate for that purpose, assisted by the High Representative of the Union for Foreign Affairs and Security Policy, who is responsible for horizontal coherence.³⁰ As for vertical coherence, Article 24(3) stipulates that "The Member States shall support the Union's foreign and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity and in compliance 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 Union's interests

²⁷ Vasconcelos, A. A Strategy for EU Foreign Policy, Report No. 7, p.15

²⁸ *Ibid.*, p. 21

²⁹ Telo, M. & Ponjaert, F. Globalisation, Europe, Multilateralism Series: EU's Foreign Policy: What kind of Power and Diplomatic Action?, *ibid.*, p. 110

³⁰ "The Lisbon Treaty – Consolidated Versions of the Treaty on the European Union, the Treaty on the Functioning of the European Union, the Charter of Fundamental Rights of the EU, Protocols, Declarations", *ibid.*, p. 48

or likely to impair its effectiveness as a cohesive force in international relations.” The High Representative of the Union is also responsible for ensuring compliance with the principle of vertical coherence.

In Articles 3–6, an attempt is made to define as broadly and clearly as possible the competences of the EU. A distinction is made between the competences exclusive to the Union, the competences shared with the Member States, the coordinating tasks of the Union, and the support measures for the Member States.³¹ As for matters of general interest in the field of the common foreign and security policy, Article 32 provides that the Member States shall consult one another within the European Council and the Council, in order to determine a common approach before undertaking any action on the international stage or before committing to any obligation that might affect the interests of the Union.³²

In an attempt to increase the coherence of European policies, the new provisions of the Lisbon Treaty also seek to distinguish between CFSP activities and those that do not constitute CFSP. Thus, according to Article 40, it is stipulated that: “The implementation of the CFSP shall not affect the application of the procedures and the extent of the powers of the institutions as laid down in the Treaties for the exercise of the Union’s competences.”³³

The new provisions in the Treaty concerning the EU’s external activities have implications for existing case law. However, here the determination of the nature of CFSP activities still does not represent an easy task, even in cases under the jurisdiction of the European Court of Justice. An example of this is the dilemma of how the Court distinguishes between what constitutes a CFSP activity and when it is not, in relation to issues such as terrorism and organized crime, where it is particularly difficult to determine the difference between the internal and external aspects of EU security. In this context, the question arises as to whether, in this case, the measures applied are part of the EU’s counter-terrorism policy, or whether they are measures aimed at promoting international peace and stability as part of the CFSP.³⁴ The division between activities that constitute part of the CFSP and those that do not continues to be a challenge for the coherence of the EU’s activities.

Although the Lisbon Treaty sought to provide provisions for overcoming institutional dualism, the new rules are nevertheless rooted in previous reforms without eliminating the fundamental dichotomy between the intergovernmental and supranational elements of the institutions.³⁵

V. Conclusion

As a necessary precondition for an effective foreign policy, the Lisbon Treaty was expected to achieve the following main challenges:

First, the Treaty was expected to legally support the challenge of vertical and horizontal coherence. However, although it endorses these principles primarily in Articles 21 and 24, it never succeeded in creating a convincing picture. The Treaties as a whole left room for legal disagreements. An example of this is Declarations 13 and 14 on the provisions of the CFSP, which emphasize the sovereignty of the Member States in foreign affairs.

Second, the institutional innovations raised expectations that they would finally contribute to the effectiveness of European diplomacy. However, in practice, it turned out that the newly

³¹ Ibid, p.31

³² Ibid, p. 58

³³ Ibid, p. 61

³⁴ Holzhocker Ronald L. & Springer P. L. (2014) Freedom, security and justice in the European Union: Internal and external dimensions of increased cooperation after the Lisbon Treaty, p. 123

³⁵ Blanke H.J. & Mangiameli S. (2012) European Union after Lisbon: Constitutional Basis, Economic Order and External Action,, p. 518

created institutions faced problems. Thus, horizontal coordination between the European External Action Service and the European Commission involved many bureaucratic activities.

For example, cooperation and humanitarian aid policies had to be coordinated with other aspects of foreign policy, primarily with the CFSP. However, coordination did not always proceed in the most ideal way, as a result of competition and differences existing among the various actors. Namely, each Member State focused on the implementation of individual projects without taking into account the overall direction of the required structural reforms.

The European External Action Service, which provides horizontal coordination, proved not to be always successful in dealing with the EC's directorates, and thus the need arose to establish joint procedures to overcome this problem. It became evident that vertical coordination among the Member States is more complicated within international organizations than within bilateral diplomacy. A relevant example is the UN system, where the EU is not adequately represented within its specialized agencies. In the World Trade Organization, the EU has the same status as individual Member States. As a result of UN Resolution A/65/276³⁶, the EU has the status of "enhanced observer" in the UN General Assembly, while the Member States have full membership.³⁷ A shortcoming is considered to be the failure of the European External Action Service to reconcile the conflicting relations among the larger Member States.

Despite the fact that, in a certain way, the European External Action Service facilitated coordination between the foreign policies of the Member States, it nevertheless proved to be more the result of political compromise between the institutions and the Member States than of any grand plan.³⁸ The ability of the European External Action Service to influence the interests of the Member States remained limited in cases where politics dominated.

Third, the signing of the Lisbon Treaty was part of the so-called unifying strategy of the EU. In order to be taken seriously in the multipolar world, the EU needed to speak with one voice and ensure a coherent foreign policy.³⁹

However, two aspects continued to be inconsistent and incoherent. First, the EU inherited the old status of the European Commission in multilateral organizations and agreements. Second, the main problem undermining the desire for vertical and horizontal coherence is the division of competences between the EU and the Member States in several policy areas. Such overlap in different policies constituted a major source of confusion.

The legal framework of the EU's external relations was always ambivalent, confusing, and represented an attempt to overcome the lack of coherence. The legal provisions and institutional innovations in the Lisbon Treaty are important, but political circumstances must not be underestimated either.⁴⁰

The institutional innovations in the Lisbon Treaty brought only a new quality in relation to the previous "collective leadership" in the form of the European Council. Nevertheless, the Treaty merely presented the new symbolic and factual leadership, as well as the representation of the Union (imposed by the new institutions), the new rules and procedures, and the attempt of these innovations to overcome the process of balancing the "individual" and the "collective" in international relations. Despite the high expectations of the Treaty, the achievement of a truly coherent and consistent foreign policy remains weak.

³⁶ Resolution adopted by the General Assembly A/65/276, available at: <https://docs.un.org/en/a/res/65/276>, accessed on July 27, 2025

³⁷ Blavoukos S., Bourantonis D. & Gianniou M. (2016) The European Union's visibility and Coherence at the UNGA, available at: https://www.researchgate.net/publication/297584878_The_European_Union%27s_Visibility_and_Coherence_at_the_United_Nations_General_Assembly

³⁸ Telo, M. & Ponjaert, F. Globalisation, Europe, Multilateralism Series: EU's Foreign Policy: What kind of Power and Diplomatic Action?, *ibid.*, pp. 81–83

³⁹ *Ibid.*, p. 114

⁴⁰ *Ibid.*, pp. 109–113

Although a long period has passed since the entry into force of the Lisbon Treaty, the coherence of the European foreign policy still represents a real problem for the EU's goal of establishing its international credibility. Further harmonization to achieve a legal framework that will create conditions for greater coherence still remains a challenge.

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