The Treaty of Lisbon
10th Anniversary of its Entry into Force
Introduction

On 13 December 2007, the leaders of the 27 member states of the European Union (EU) signed the Treaty of Lisbon. Entering into force on 1 December 2009, the Lisbon Treaty was the catalyst for many changes that brought concrete benefits to the work of the Union and to its citizens.

With the Lisbon Treaty the European Council became a fully fledged European Institution. Another major innovation Lisbon brought was the creation of the role of the President of the European Council. As incoming President Charles Michel begins his term in office, the benefits of the role of President can be seen in the dynamic leadership of his predecessors, Herman Van Rompuy and Donald Tusk.

The Council Library has compiled a bibliography relating to the Lisbon Treaty and, more specifically, to its history and subsequent impact on EU law, policies and institutions. It contains a wide range of books and articles accessible via Eureka or available at the Council libraries.

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History of the Treaty of Lisbon

**The Treaty of Lisbon: origins and negotiation**
David Phinnemore
Basingstoke : Palgrave , 2013
Available at Legal Library Main Collection (SJUR DEUR 101293)

"Decisive rejection by French and Dutch voters in 2005 forced the EU to abandon the Constitutional Treaty agreed the previous year. Yet by the end of the 2007, contrary to all expectations and after an intergovernmental conference essentially devoid of substantive negotiation, EU leaders had agreed and signed the Treaty of Lisbon containing the bulk of the Constitutional Treaty's substantive reforms. How did this latest treaty come about? Why did events move so quickly in 2007? Who were the key actors and what methods did they use to enable a treaty to be drawn up and agreed in such a short period of time? This book explores the process that saw EU leaders hastily agree a lengthy and detailed mandate for the intergovernmental conference. In doings so, it highlights the pivotal roles played by the German Council Presidency and key institutional actors in paving the way for and securing agreement among EU leaders on the new treaty."
A Union of law : from Paris to Lisbon : tracing the treaties of the European Union.
Council of the European Union ; General Secretariat of the Council of the European Communities
Open Access

"The treaties are the foundation of the European Union (EU). They are negotiated by the representatives of the governments of the Member States and adopted by common accord. They are signed by all Member States and ratified in accordance with their own constitutional requirements. They enter into force only when this process has been concluded and provided each step has been completed. If we look back over the history of the treaties, we can: see how the Union has evolved into an economic and political community which is active in a growing number of increasingly complex areas; see how Member States have responded, every step of the way, to new internal and international challenges; and trace the development of a Union of peoples and states for whom the rule of law is both a core value and a basic aspiration."

Le traité de Lisbonne
Pascal Gilliaux
Bruxelles : Centre de recherche et d’information socio-politiques CRISP , 2007
Available at Council Library Main Collection (086297)

The making of the EU’s Lisbon Treaty: the role of member states
Finn Laursen
New York : P.I.E. Peter Lang , 2011
Available on Request via Eureka

"The European Union (EU) has gone through a number of treaty reforms since the establishment of the European Communities in the 1950s and the creation of the European Union by the Maastricht Treaty in 1992. The latest such reform is the Lisbon Treaty, which entered into force in 2009. In this book, a number of scholars explore the process of producing the Lisbon Treaty. The focus is on the role of member states, arguably the ‘masters of the treaty.’ Intergovernmental conferences have become the main setting for treaty reforms since the Single European Act (SEA) in the mid-1980s. This makes national preferences and interstate bargaining important when new treaties are negotiated. The Lisbon Treaty delineates a number of institutional changes. In the end the product has to be evaluated against the standards established at the outset. Will the treaty improve the efficiency, democratic legitimacy as well as the coherence of the Union’s external action, as the member states claimed it would? While the final text of the treaty leaves the EU with some new institutional possibilities, it also has its limitations, especially in the area of foreign and security policy."

The Treaty of Lisbon: a story in history or the making of a treaty
Thérèse Blanchet
Fordham international law journal 2011, v. 34, n. 5, p. 1217-1250
Access via Eureka

"Like all stories there are of course the main characters, the public heroes, and, around them, those who help them find a happy ending. The story in this Essay is written in honor of one of the characters who played a key role in achieving the Treaty of Lisbon: Jean-Claude Piris, who was for more than twenty two years, Director General of the Legal Service of the Council of the EU. But to understand this story, to understand the reasons behind it, one should know its roots".
The Treaty of Lisbon and EU Law

The treaty of Lisbon and the future of European law and policy
Martin Trybus ; Luca Rubini
Available at Legal Library Main Collection (SJUR DEUR 097864)

"This book discusses in detail the many innovations and shortcomings of the historic Lisbon version of the Treaty on European Union and what is now called the Treaty on the Functioning of the European Union. Divided into six parts, the 23 chapters provide ‘after Lisbon’ perspectives on law and governance of the EU, its powers and nature, the Charter of Fundamental Rights, EU external action and policy, justice and criminal policy, and economic governance. The book argues that while the Treaty of Lisbon has to be considered a milestone in the history of European integration, its shortcomings and open questions will make a future major treaty inevitable."

EU law after Lisbon
Andrea Biondi ; Piet Eeckhout ; Stefanie Ripley
Available at Council Library Main Collection (098317) or Legal Library Main Collection (SJUR DEUR 096586)

"This book examines the landscape of EU law after the implementation of the Lisbon Treaty. The volume provides commentary on the various modifications and innovations which the Treaty of Lisbon introduced. Further, the new Treaty is analysed in the broader setting of how the EU, and EU law in particular, have been developing in recent years, including in the first year since the Treaty’s entry into force. As well as the detail provided by each contributor on the individual issues and changes resulting from the Lisbon Treaty, the volume also provides a more general understanding of where EU law is going, in the light of the new Treaty."
"This book addresses the main innovations made by the new Treaty, examining its legal and political consequences in a reformed EU. The book is organized thematically around the principal issues that occupied those engaged in the reforms over the last decade. The chapters include analysis of the reform process itself and the political forces that shaped the relevant provisions of the Lisbon Treaty. The book contains detailed analysis of the relevant legal changes made by the Lisbon Treaty on each topic covered. This legal analysis is informed by broader literature from related disciplines, such as political science and international relations, since it is only by doing so that it is possible fully to understand the legal implications of the new provisions dealing with issues such as the inter-institutional division of power within the EU, the distribution of competence, the hierarchy of legal acts, and the Charter of Rights."

"Given the controversies and difficulties which preceded the coming into force of the Lisbon Treaty, it is easy to forget that the Treaty is a complex legal document in need of detailed analysis for its impact to be fully understood. Jean-Claude Piris, the Director General of the Legal Service of the Council of the European Union, provides such an analysis, looking at the historical and political contexts of the Treaty, its impact on the democratic framework of the EU and its provisions in relation to substantive law. Impartial legal analysis of the EU's functions, its powers and the treaties which govern it make this the seminal text on the most significant recent development in EU law."
Sanctions for Infringement of EU Law after the Treaty of Lisbon
Peers, Steve
Access via Eureka

Article 260 TFEU (the former Article 228 EC) provides for financial sanctions to be applied more easily and in more situations. This paper examines the operation of the new rules and the impact that they could have on the enforcement of EU law in practice.

Mission accomplished? EU Justice and Home Affairs law after the Treaty of Lisbon
Peers, S
Access via Eureka

The legal framework regarding EU Justice and Home Affairs Law was changed fundamentally by the Treaty of Lisbon, so that the usual rules on decision-making, jurisdiction of the Court of Justice, legal instruments and legal effect are now largely applied to this area of law. The various issues falling within the scope of JHA law are now set out in Title V of Part Three of the Treaty on the Functioning of the European Union, which is divided into five chapters, beginning with general provisions, followed by chapters on immigration and asylum, civil law, criminal law and policing law. This paper examines the application of the new rules in practice, in particular the impact of extending QMV; the extended legislative powers of the European Parliament; the role of the Commission as compared to the Member States; and the role of national parliaments.

The Treaty of Lisbon and European Environmental Law and Policy
Vedder, Hans
Access via Eureka

This contribution analyses the effects of the entry into force of the Treaty of Lisbon for European environmental law and policy. The central conclusion is that, apart from the new numbering and some new names for procedures and institutions, this does not entail any major changes. The new Energy Title, it is submitted, does not go beyond confirming the status quo. One potentially interesting innovation is the special treaty infringement procedure for non-communication of implementing measures. Similarly, a new paragraph on standing to challenge the legality of European acts (Article 230 EC) may result in wider access to justice also in environmental matters.

The Treaty of Lisbon 2007 : winning minds, not hearts
Michael Dougan
Common market law review 2008, v. 45, n. 3, pp. 617-703
Available at Council Library Articles (27677/J)

This article seeks to provide an overview of the main reforms to the Union’s primary law contained in the Treaty of Lisbon 2007, highlighting some of the problems those reforms create and some of the issues they are likely to generate in the future.
The Treaty of Lisbon: the European Union's own judgment of Solomon?
Stefaan van den Bogaert; 2008
Available at Council Library Articles (27580/J)

This essay considers a number of general issues regarding the Treaty of Lisbon, in particular the way in which it has been negotiated, the fact that it has been concluded at all, and the actual form it takes; it will also reflect upon the wisdom of its adoption.

The European Council and the Council of the European Union after the Treaty of Lisbon

The European Council and the Council of the EU through time: decision- and law-making in European integration.
Council of the European Union; General Secretariat of the Council of the European Communities; Luxembourg: Publications Office, 2016
Access via Eureka

"This booklet traces the origins and history of both the European Council and the Council of the EU through the EU treaties, from the very first beginnings in Paris to the Treaty of Lisbon. It does so from both legal and political perspectives. The European Council, made up of heads of state or government and chaired by a full-time President, sets the political orientation and the priorities of the EU’s work. Its origins lie in the summit meetings of heads of state or government, the first of which was held in February 1961 in Paris. The European Council was created in December 1974 and formalized as an EU institution by the Lisbon Treaty. The Council of the EU, made up of representatives of the member states and in most cases chaired by a representative of the member state that holds the six-month rotating presidency, examines, negotiates and adopts EU legislation and coordinates policies. Politically and administratively, a close organic relationship exists between the Council and the European Council. However, the European Council is not simply an extension of the Council, nor the Council at a higher level. Each has its own distinct role in the EU’s institutional architecture."
The EU's Lisbon Treaty: institutional choices and implementation
Finn Laursen
Farnham: Ashgate, 2012
Available at Council Library Main Collection (097351)

“The Lisbon Treaty, which came into force in December 2009, aims to make the European Union both more efficient and legitimate. Two new important posts were created; an elected President of the European Council and a High Representative (HR) of the Union for Foreign and Security Policy who will also be a Vice-President of the Commission. This book examines the institutional choices and innovations of the Lisbon Treaty and discusses the likely effects of these changes. Will the changes meet the declared goals of a more efficient and democratic Union which will allow the EU to act internationally with greater coherence and efficiency? If institutions matter, how much do they matter? How significant is the Lisbon Treaty? What kind of leadership will be available in the post-Lisbon EU?”

With and without supranationalisation: the post-Lisbon roles of the European Council and the Council in justice and home affairs governance
Maricut, Adina
Access via Eureka

'Integration without supranationalisation' is a recent phenomenon in European Union (EU) politics characterising new areas of policy activity which emerged on the EU agenda at Maastricht or beyond. Among fields like economic governance, foreign and security policy or social and employment coordination, the domain of justice and home affairs (JHA) appears to deviate from the pattern. While being a new area of EU activity which originally evolved on the basis of policy coordination arrangements, JHA has been gradually supranationalised in respect to decision-making procedures. However, given the political sensitivity of the issues it covers, JHA is far from functioning as a standard field of EU legislative decision-making, even after the Lisbon Treaty. By examining the active role of the European Council in setting the JHA agenda and the continuous centrality of the JHA Council in decision-making, this article demonstrates an important blend of supranationalisation and intergovernmentalisation in post-Lisbon JHA governance.

The Rotating Council Presidency and the New Intergovernmentalism
Puetter, Uwe
The International Spectator, 02 October 2014, Vol.49(4), pp.18-32
Access via Eureka

The Lisbon Treaty fundamentally changed the presidency regime of the European Union at the
expense of one of the oldest and most central institutions of European integration: the rotating presidency. The chair positions of the European Council, the Foreign Affairs Council and the Eurogroup have been decoupled from the rotating presidency. Understanding the reduced role of the rotating presidency requires attention for the changing dynamics of EU policymaking, especially for the new intergovernmentalism which implies decision-making outside the classic community method and for the rise of the European Council to the status of a lead institution.

The European Council after Lisbon: a review article
Giacomo Delledonne
2014
Perspectives on federalism 2014, v. 6, n. 3, p. 126-148
Access via Eureka

This contribution deals with the role of the European Council in the institutional framework of the European Union, as it has been laid down by the Lisbon Treaty. It focuses on its rising influence, even beyond the wording of the Treaty, and the increasing criticism stimulated by this evolution. In reviewing the main relevant issues and critical viewpoints related to the European Council, some aspects are considered in depth: the increasing institutionalisation of the European Council and its critical position with regard to the management of the economic and financial crisis and to the ongoing process of ‘ politicisation’ of the Union. The discussion also considers comparative constitutional data and organic proposal of reform of the institutional architecture of the EU.

Supranational? Federal? Intergovernmental?: The governmental structure of the European Union after the Treaty of Lisbon
Roger J Goebel
2014
Columbia journal of European law 2014, v. 20, n. 1, p. 77-142
Available at Council Library Bibliographies of the Council (31565/J)

The goal of this article is to provide an overview of the progressive augmentation of the supranational character of the governmental structure of the initial EEC, gradually evolving into the present European Union, particularly as a consequence of revisions to the constituent Treaties. Part I of this article presents the European Commission, the initial institution whose structure and operations have always been markedly supranational in character and which has always been dedicated to the promotion of supranational goals. Part II examines the Council of Ministers, the political institution that is intrinsically intergovernmental in character, but whose operational role in the adoption of legislation and policies took on significant supranational features in the late 1980s. Part III then describes the European Parliament, which can be properly characterized as a supranational, or indeed federal, institution after it began to be directly elected in 1979, and which strongly promotes a supranational agenda. Part IV presents the intrinsically intergovernmental nature of the European Council, and then examines the impact of the Lisbon Treaty, which marks the start of a shift to a partially supranational operational role for that highest political body.
**Consistency and diversity? The EU's rotating trio Council Presidency after the Lisbon Treaty**
Batory, Agnes ; Puetter, Uwe
Access via Eureka

The Lisbon Treaty introduced significant changes to the Presidency of the Council of the European Union (EU). The new Treaty combines a permanent chair with the principle of rotation based on three member states collaborating during an 18-month period, without specifying the responsibilities of trio groups. This left wide scope for the first post-Lisbon trio to establish new working mechanisms. By discussing the joint Presidency of Spain, Belgium and Hungary, this article interprets the trio model and its combination with the permanent chair model as an attempt to re-adjust the balance between consistency and diversity. Rotation remains a key instrument for ensuring the representation of the diversity of member states in an enlarged Union. At the same time, the EU's ever more complex policy agenda and a greater need for collective leadership motivate the search for new forms of co-operation to enhance policy consistency over consecutive Presidency terms.

**The institutional role of the European Council after the Treaty of Lisbon**
Richard Crowe
2013
Европейски правен преглед 2013, n. 6, p. 9-25.
Available at Council Library Bibliographies of the Council (90089/J)

This article assesses the institutional role of the European Council in light of the Treaty of Lisbon and its practical application.

**The European Council after the Treaty of Lisbon**
Roger J Goebel
2012
A man for all Treaties: Liber Amicorum en l'honneur de Jean-Claude Piris p. 179-193 ; 990001326810504371
Access via Eureka

This article explores the major changes in the European Council produced by the Treaty of Lisbon. First, it discusses the impact of the European Council's new status as one of the institutions of the European Union (“EU”). Second, it considers its designated power to take by qualified majority vote many important legally-binding decisions. Third, it reviews two of its major roles: deciding when the Treaties should be amended and setting the procedure for amendment, and determining the timing and terms of accession of candidate nations. Finally, it discusses the status and role of the new President of the European Council.

**Les Conseils après Lisbonne**
Jean-Paul Jacqué 1942
2012
La mise en œuvre du traité de Lisbonne n'a guère posé de problèmes au Conseil de l'Union et au Conseil européen, car, compte tenu des délais de mise en œuvre du traité, les modifications à apporter avaient été anticipées depuis longtemps. Les modifications au règlement intérieur des deux institutions étaient prêtes et les nouveaux textes ont pu être publiés immédiatement. Par contre, les répercussions des réformes sur le fonctionnement des institutions ont été plus lentes à se manifester.

Presidency of the EU Council and the President of the European Council

Leadership in the European Council : an assessment of Herman Van Rompuy’s presidency
Desmond Dinan 1957-2017
Access via Eureka

In November 2009, the European Council elected Herman Van Rompuy its first standing President, under the terms of the newly-implemented Lisbon Treaty. Using the analytical framework developed by Ingeborg Tömmel to assess the performance of three Commission presidents, this contribution examines Van Rompuy’s leadership in the European Council during two terms in office (2009–2014). First incumbents are generally influential in shaping the positions they occupy. Van Rompuy's personal qualities helped him meet the demands of an inherently difficult job in an extremely challenging situational context. Yet, institutionally, the presidency of the European Council is a weak office. It brings prominence and close proximity to power, but not the potential of power itself. Nevertheless, Van Rompuy was an effective President because he understood the formal and informal rules of the game, making a modest contribution to leadership in the European Council during a severe financial and political crisis.

Le Conseil européen après Van Rompuy
Philipppe de Schoutheete 1932- ; Notre Europe - Jacques Delors Institute.
2015
Open Access

Cette Tribune reproduit une intervention à l'Académie royale de Belgique le 12 mars 2015 dans le cadre du cycle de conférences du Collège Belge. Elle analyse l'exercice de la fonction de président du Conseil européen.
Five years as president of the European Council: lessons and challenges
Claire Versini ; Notre Europe - Jacques Delors Institute (France).
2014
Open Access

On 25 November 2014, a few days before the end of his term of office, the first president of the European Council, Herman Van Rompuy, took stock of his five years as president of the institution, and of the challenges that the EU still has to face, during a conference organised by Notre Europe – Jacques Delors Institute, in partnership with Sciences Po Paris. This Synthesis summarises the debates following his speech.

The "New Faces" of Lisbon: assessing the performance of Catherine Ashton and Herman van Rompuy on the global stage
Jolyon Howorth
2011
European foreign affairs review 2011, v. 16, n. 3, p. 303-323
Available at Council Library Bibliographies of the Council (30016/J)

The Treaty of Lisbon created two key new positions: President of the Council and High Representative for Foreign Affairs and Security Policy, Vice President of the Commission. These positions were filled, respectively, by Belgium's former Prime Minister, Herman van Rompuy, and the UK's Catherine Ashton. This article examines the process by which these appointments were made and assesses the performance of the post holders during the first eighteen months of their tenure.
The EU after the Treaty of Lisbon: Impact on Institutional System and Policies

The EU and the proliferation of integration principles under the Lisbon Treaty
Francesca Ippolito editor. ; Massimo Condinanzi editor. ; Maria Eugenia Bartoloni editor. 
London ; New York, NY : Routledge, an imprint of the Taylor & Francis Group, 2019
Access via Eureka

“The entry into force of the Lisbon Treaty has brought about a proliferation of "integration principles". In addition to the environmental integration principle, which has been part of the EU legal framework for some time, the Lisbon Treaty introduced the principles of gender equality integration, social policy integration, non-discrimination integration, consumer protection integration as well as animal welfare integration. This book addresses the implications of the proliferation of sectorial integration principles and the introduction of a universal requirement of policy consistency in terms of the division of competences between the Union and the Member States as well as the scope for judicial review of the EU legislative process. In particular, it explores whether the introduction of various integration principles has led to an extension of Union competences and whether it has limited the scope for judicial review by extending the discretionary power of the Union institutions.”

Alarums and excursions: improvising politics on the European stage
Luuk van Middelaar
Newcastle upon Tyne : Agenda , 2019
Available at Council Library Main Collection (105618)

"In a revealing and candid portrayal of a Europe improvising its way through a politics of events and not rules, the author provides a picture of the political metamorphosis of the EU and the changing role of the European Council. Forced into action by a tidal wave of emergencies, Europe has had to reinvent itself. It has had to cast off its legal straitjacket and to confront hard issues of power, territorial borders and public authority. The author contends that this reinvention will succeed only if the EU becomes a truly representative body that allows people’s opposition to share the stage.”
"This Study examines the functioning of EU Justice and Home Affairs (JHA) cooperation in light of the reforms and innovations introduced by the Lisbon Treaty since the end of 2009. It identifies the main challenges and deficits characterising the practical and effective implementation of these transformations and suggests specific ways for the European Parliament to address them. The Study recommends that that any future legislative reform or Treaty change should not promote or enable further differentiation in the next generations of EU AFSJ cooperation. It should neither allow for restricting or 'lowering down' existing EU rights and freedoms enjoyed by European citizens and residents in EU JHA law. The Parliament should give priority to devising a mutual trust-building agenda for EU AFSJ cooperation based on three main policy actions focused on improving and strengthening: First, implementation and evaluation; Second, accountability, transparency and fundamental rights; and third, the rule of law and fundamental rights."

"On 1 December 2009 the Treaty of Lisbon entered into force. Although often described as primarily technical, it significantly amended the Treaty on the European Union (TEU) and the old EC Treaty (now the Treaty on the Functioning of the European Union, TFEU). This book explores what the Treaty means for social law and social policy at the European level."
The European Union after the treaty of Lisbon
Diamond Ashiagbor; Nicola Countouris; Ioannis Lianos; Cambridge: Cambridge University Press, 2012
Available at Legal Library Main Collection (SJUR DEUR 097839)

“This volume of essays casts light on the shape and future direction of the EU in the wake of the Lisbon Treaty and highlights the incomplete nature of the reforms. Contributors analyse some of the most innovative and most controversial aspects of the Treaty, such as the role and nature of the EU Charter of Fundamental Rights and the relationship between the EU and the European Court of Human Rights. In addition, they reflect on the ongoing economic and financial crisis in the Euro area, which has forced the EU Member States to re-open negotiations and update a number of aspects of the Lisbon ‘settlement’. Together, the essays provide a variety of insights into some of the most crucial innovations introduced by the Lisbon Treaty and in the context of the adoption of the new European Financial Stability Mechanism.”

The European Union after the Treaty of Lisbon: visions of leading policy-makers, academics and journalists
European Commission; Directorate-General for Education and Culture; Luxembourg: Publications Office, 2011
Open Access

“This volume includes proceedings of the 2010 Global Jean Monet and ECSA-World Conference organized by the European Commission and the Programme Jean Monet. The main focus of the conference is the EU after the Treaty of Lisbon. More specifically, policy-makers, academics and journalists discuss institutional balance and inter institutional cooperation, fundamental rights in the EU after the entry into force of the Treaty of Lisbon, and the role of the EU as an international political and security actor.”
Les institutions européennes après le Traité de Lisbonne
Charles-Étienne Lagasse ; Namur : Érasme, 2010
Available at Council Library Main Collection (094594)

"Malgré les efforts de communication des institutions européennes elles-mêmes, les thèmes européens n'ont pas la faveur des médias nationaux. Le devoir d'expliquer l'Europe et de la faire vivre dans l'opinion publique s'impose plus que jamais. D'autant plus que notre arsenal législatif est désormais très nettement majoritairement déterminé par l'Europe. L'objectif général de cet ouvrage est de fournir au lecteur une boîte à outils contenant un jeu de clés destinées à comprendre les institutions et à faciliter le positionnement de chacun comme citoyen, comme usager ou comme partenaire de celles-ci."

The Treaty of Lisbon: a second look at the institutional innovations: joint study
Egmont - Royal Institute for International Relations (Bruxelles) ; European Policy Centre (EPC) (Bruxelles). Brussels : Egmont - Royal Institute for International Relations, 2010
Available at Council Library Bibliographies of the Council (EC.C 2010 tre)

"With the Lisbon Treaty in force and the institutional innovations gradually being implemented, this joint study by EPC, CEPS, and EGMONT, (which follows one issued in 2007 while the Treaty was still a chimera), makes a preliminary assessment of how it is likely to work in practice. Some trends are already apparent, say the authors: the balance between the institutions has changed, with a more complex set-up and ‘joint management’ everywhere. But the most significant conclusion is that the Treaty’s success – or failure – will in the end be determined in and by national capitals."
L'Europe du traité de Lisbonne
François-Xavier Priollaud ; David Siritzky
Paris : Documentation française, 2008
Available at Council Library Main Collection (087308)

"Ce " petit guide " du traité de Lisbonne présente l'essentiel des changements apportés par le nouveau traité, tant sur le plan des réformes institutionnelles qu'en ce qui concerne les principales politiques de l'Union européenne. Écrit dans un style simple et clair, il s'adresse à tous les citoyens désireux de connaître et de comprendre le fonctionnement de l'Europe. Les chapitres sont illustrés d'exemples concrets qui en rendent la lecture facile et vivante."

Dividing lines between the European Union and its member states : the impact of the Treaty of Lisbon
Stephen C Sieberson ; Jaap W. de Zwaan ;
Available at Council Library Bibliographies of the Council (CEU.C 2008 sie)

"This book examines the Treaty of Lisbon to determine its impact on the division of authority within the European Union. The focus is on the current 'dividing lines' between member state and Union competences, and whether the new Treaty amendment will shift them toward more central power in Brussels. At stake in the EU today is nothing less than the collective success of the Union versus the national sovereignty of its member states. The book provides an interesting review of the most recent developments in European cooperation. Will the Lisbon Treaty be the last treaty, as certain politicians tell us or at least seem to believe?"
The Treaty of Lisbon and beyond: the evolution of EU minority protection?
Ahmed Tawhida
European law review 2013, v. 38, n. 1, p. 30-51
Available at Council Library Articles (30913/J)

This article argues that the post-Lisbon EU legal framework better equips the European Union to be more receptive towards the protection of diversity than was the case in the pre-Lisbon European Union. The relevant aspects of this new framework comprise new EU legal sources, new legal provisions and new directions in interpretation of EU law. Nonetheless, this article also notes several remaining limitations. Among others, minority protection in EU law is largely dependent upon the standards of protection given (or not given) to minorities within the European Convention on Human Rights system, and most significantly, within state systems. This dependency severely curtails the autonomous development of a genuine and credible EU minority protection policy.

European integration in the aftermath of the ratification of the Treaty of Lisbon: quo vadis?
Guy Harpaz
European public law 2011, v. 17, n. 1, pp. 73-89
Available at Council Library Articles (29868/J)

On 2 October 2009, the Irish electorate, in a mandatory and legally binding referendum, approved the Treaty of Lisbon. That vote, followed by the signing of the Lisbon Treaty by the Czech President on 3 November 2009, completed the ratification process of the Lisbon Treaty and paved the way for its entry into force. The focus of this contribution is the two Irish referenda and other major milestones in the ratification process of the Lisbon Treaty in the other EU Member States. Yet its objective is to go beyond Irish socio-political borders and to probe the broad constitutional implications and ramifications of the ratification of the Lisbon Treaty for the future of European integration."

The European Union's institutional balance of power after the Treaty of Lisbon
Jörg Monar
2011
Access via Eureka

The Treaty of Lisbon continues the tradition of EU treaty revisions bringing changes to the institutional balance – and the range of institutional reforms introduced is much more extensive than in the case of the previous reforms under the Treaty of Nice. This contribution is intended to provide an assessment of the shifts in relative power occasioned by the new treaty changes between the EU institutions which exercise legislative and/or executive power, i.e. the European Parliament, the European Commission, the Council and (as newly formally codified "institution" of the EU) the European Council. This will allow us, at the end, to draw arrive at some conclusions regarding the overall implications of these shifts for the further evolution of the EU system.
The treaty of Lisbon: an ongoing search for structural equilibrium
Matej Avbelj
The Columbia journal of European law 2010, v. 16, n. 3, pp. 521-530
Available at Council Library Articles (29320/J)

This contribution analyses the impact of the Treaty of Lisbon on the so-called "structural equilibrium" of European integration. The Article argues that the Treaty of Lisbon puts up a structural equilibrium of its own kind, which places European integration in the middle of a federal-confederal continuum. This Article qualifies European integration as a Union (Bund), a non-state, non-federal, and non-constitutional pluralist entity, which preserves the essential autonomy of its Member States and the supranational level, the European Union stricto sensu, within a viable common whole in a manner achieved by neither federations nor confederacies in the traditional sense.

The Lisbon Treaty's provisions on democratic principles: a legal framework for participatory democracy
Cuesta Lopez, Víctor
Access via Eureka

Even though the Lisbon Treaty avoids the constitutional foundation of the European Union, it contains the same strategies as the Constitution for Europe to strengthen its democratic legitimacy. This article explores the Lisbon Treaty's 'Provisions on Democratic Principles' and, particularly, the strategies of democratization based on the participation of citizens and organized civil society in European governance. The article provides a legal analysis of the principles of participatory democracy and the rules governing civil dialogue, external consultations and citizens' initiative.
The Treaty of Lisbon and EU Foreign Policy

Le droit des relations extérieures de l’Union européenne après le Traité de Lisbonne
Anne-Sophie Lamblin-Gourdin ; Eric Mondielli ; Université de Nantes. Laboratoire Droit et changement social. ; Lascaux Program: Law, Food, Land. ; Colloque "Le droit des relations extérieures de l’Union européenne après le traité de Lisbonne" (2011 : Nantes).
Bruxelles : Bruylant , 2013
Available at Legal Library Main Collection (SJUR RELEX 100312)

"Le domaine des relations extérieures de l’Union européenne a depuis longtemps été l’objet d’études savantes touchant aux diverses dimensions de l’action extérieure de l’Union. Au cours de ces dernières années, un certain nombre de travaux et d’ouvrages se sont attachés à proposer une approche transversale et synthétique de ces questions, et tous reflètent la complexité des dispositions régissant la matière. Cet ouvrage explore l’évolution des relations extérieures de l’Union européenne après la mise en œuvre du traité de Lisbonne.”

The European Union's Common Foreign and Security Policy after the Treaty of Lisbon
Panos Koutrakos ; Svenska Institutet för Europapolitiska Studier.
2017
Access via Eureka

The Common Foreign and Security Policy (CFSP) of the European Union (EU) has gradually taken its place at the centre of EU activities. Developed organically from a set of practical arrangements, it is governed by a set of rules and procedures which have been formalised and strengthened over the years. In introducing their current manifestation, the Lisbon Treaty appeared to bring this area of activity closer to the mainstream of the Union’s external action. It strengthened its procedural and substantive underpinnings, reconfigured its position in the constitutional architecture of the Union legal order, and introduced a new institutional actor intended to give the policy sharper focus and raise its visibility. This report sets out the relevant legal framework, analyses it within the broader constitutional and substantive legal context of the Union’s legal order, and explores its implications for the Union’s role as global actor.
**Le Conseil européen et la politique de sécurité et de défense commune (PSDC)**
orientation et mise en œuvre dans le domaine de la gestion des crises depuis le traité de Lisbonne.

Anghel, Suzana Elena ; European Parliament ; Directorate-General for Parliamentary Research Services Brussels : European Parliament , 2016
Access via Eureka

La présente étude évalue la planification, le commandement et le contrôle des missions et opérations civiles et militaires de la PSDC, les progrès réalisés en matière de développement des capacités civiles et militaires, plus particulièrement des capacités de réaction rapide sous forme de groupements tactiques de l'Union européenne, ainsi que les difficultés rencontrées tout au long du processus de génération de forces. Au cours des dernières années, le Conseil européen a demandé à plusieurs reprises de nouveaux progrès dans tous ces domaines.

**The European Council and the CFSP after the Lisbon Treaty**

Youri Devuyst
2012

European foreign affairs review 2012, v. 17, n. 3, p. 327-349
Available at Council Library Bibliographies of the Council (30720/J)

The Treaty of Lisbon has further reinforced the position of the European Council at the top of the Common Foreign and Security Policy (CFSP) decision-making hierarchy. This has encouraged the Heads of State of Government to go beyond their fundamental task of establishing the CFSP political priorities and strategic course, by attempting to take direct responsibility in CFSP crisis situations such as the Libyan revolt of 2011. This article reviews the European Council's CFSP performance since the entry into force of the Lisbon Treaty. The yardstick used in this assessment is the degree to which the European Council has managed to foster a common approach to the international foreign and security problems confronting the European Union.

**L'évolution de l'équilibre institutionnel de l'UE sous le prisme des relations extérieures depuis l'entrée en vigueur du Traité de Lisbonne**

François Fink
2012

Revue trimestrielle de droit européen 2012, v. 48, n. 3, p. 594/1-594/28
Available at Council Library Bibliographies of the Council (30942/J)

L'analyse de l'évolution des rapports interinstitutionnels relatifs aux relations extérieures de l'Union suite à l'entrée en vigueur du Traité de Lisbonne révèle une tentative d'intégration et d'unification plus poussée de ce domaine, caractérisé par la multiplicité tant des régimes juridiques qui le gouvernent que des acteurs impliqués dans sa direction. La conduite des relations extérieures reste cependant particulièrement marquée par la perpétuelle tension entre l'affirmation progressive du supranationalisme et la place incontournable des institutions intergouvernementales.
The EU and a holistic security approach after Lisbon: competing norms and the power of the dominant discourse
Zwolski, Kamil
Journal of European Public Policy, 01 September 2012, Vol.19(7), pp.988-1005
Access via Eureka

The European Union (EU) aspires to become a truly comprehensive international security actor, coherently utilising the different kinds of instruments at its disposal. To this end, Lisbon Treaty reforms aim to equip EU policy with a stronger sense of strategic direction by bringing external assistance instruments of the EU under the guidance of the High Representative. However, pursuing the norm of a more holistic, strategic international security policy has arguably threatened a key norm which contributes to the EU's normative identity, namely the apolitical character of its aid. This article explores the friction between these two norms in the EU's international policy, particularly in the context of the arrangements concerning the European External Action Service.

The European Union's foreign policy since the Treaty of Lisbon: the difficult quest for more consistency and coherence
Vicky Reynaert
Access via Eureka

In the past, the effectiveness of the European Union's (EU's) foreign policy suffered from a lack of consistency as well as horizontal and institutional coherence. In order to enhance the consistency and coherence of the EU's foreign policy, the Heads of States and Governments reformed the position of High Representative and created a European External Action Service (EEAS) under the Treaty of Lisbon. This article deals with negotiations on the decision regarding the organization and functioning of the EEAS by examining the preferences of the actors involved, the negotiation process and the eventual outcome. Will the institutional set-up of the EEAS and the new position of the High Representative enable the EU to play a more consistent and coherent role in the world?

The EU's Common Foreign and Security Policy (CFSP) after the Lisbon Treaty: supranational revolution or adherence to intergovernmental pattern?
Kerstin Radtke
2012
Laursen, Finn. The EU's Lisbon treaty : institutional choices and implementation p. 41-61 ; 990001342420504371 See book availability
Available at Council Library Main Collection (097351)

This chapter constitutes an integral analysis of the changes that occurred to the EU's Common Foreign and Security Policy as well as its Common Security and Defence Policy (CSDP) after the entry into force of the Lisbon Treaty, and provides an estimation about the prospect of success for a more prosperous European foreign policy.
Institutionalization or Intergovernmental Decision-Taking in Foreign Policy: The Implementation of the Lisbon Treaty
Morillas, Pol
Access via Eureka

This article analyses the evolving nature of the foreign policy of the European Union (EU) as a consequence of the set-up of new structures such as the office of the High Representative/Vice-President (HR/VP) and the European External Action Service (EEAS). It argues that while decision-taking in Common Foreign and Security Policy (CFSP) and Common Security and Defence Policy (CSDP) remains intergovernmental for the most part, the strengthened power of initiative granted to the new services has introduced critical changes in EU foreign policy-making.

The New EU 'Foreign Policy' System after Lisbon: A Work in Progress
Missiroli, Antonio
Access via Eureka

This article starts with an overview of the main changes that the Lisbon Treaty brings to the domain of foreign affairs and external relations. The main focus of the analysis, however, lies in the actual implementation of the key provisions related to the role of the High Representative/Vice-President and, in particular, the set-up and functioning of the fledgling European External Action Service. Finally, this article raises a number of questions about the way in which this new 'architecture' might and/or should contribute to improving on the position and action of the EU on the international scene.
“As the European Union has evolved, it has also begun to address policy questions which are closer to the very heart of the state. From cooperation in Justice and Home Affairs, originally conceived as the third pillar of European cooperation, has emerged the Area of Freedom, Security, and Justice (AFSJ). A unique aspect of policy in this area is the desire to integrate the internal and external dimensions of this policy area. One of the tensions in this policy area has been balancing the protection of fundamental rights and increasing security. The first part of this book focuses on the institutional relations of policymaking in AFSJ, both within member states and between member states. The second part focuses on specific policy areas which are part of AFSJ. Two chapters highlight the tension found in this policy area between security and human or fundamental rights, the first related to data retention and the second on policing external borders. The final two chapters are concerned with data exchange among European countries and transatlantically with the US, and the interface between AFSJ and the Common Foreign and Security Policy (CFSP).”

Les droits fondamentaux dans l'Union européenne le rôle de la Charte après le Traité de Lisbonne : analyse approfondie.
Ferraro, Francesca ; Carmona, Jesús ; European Parliament ; Directorate-General for Parliamentary Research Services ; Luxembourg : Publications Office, 2015
Access via Eureka

La présente publication vise à donner une vue d'ensemble de l'incidence des droits fondamentaux dans l'ordre juridique de l'Union européenne, notamment depuis l'entrée en vigueur du Traité de Lisbonne et depuis que la Charte des droits fondamentaux a acquis force de loi. Elle étudie l'évolution de la jurisprudence de la Cour européenne de justice concernant les droits fondamentaux et les conséquences de la Charte sur les politiques et objectifs de l'Union européenne. Elle décrit les initiatives des institutions européennes visant à évaluer l'impact de la nouvelle législation et de sa mise en œuvre par les États membres sur les droits fondamentaux.
The European Union and human rights after the Treaty of Lisbon
Sionaidh Douglas-Scott;
2011
Human rights law review 2011, v. 11, n. 4, p. 645-682
Access via Eureka

This article considers the state of human rights protection in the European Union (EU) after the Treaty of Lisbon. The Lisbon Treaty introduced significant changes to human rights protection in the EU, the most significant of which lie in the amendments to Article 6 of the Treaty on European Union. These provide that the EU Charter of Fundamental Rights is now legally binding, having the same status as primary EU law, and that the EU “shall accede” to the European Convention on Human Rights (ECHR). This article examines the import of the European Court of Justice case law, some of it groundbreaking and controversial, as well how the higher profile for human rights under the Charter is likely to change the nature of the EU's relationship with the ECHR. The article also examines the complex procedure for the EU's accession to the ECHR, which is now underway, highlighting particularly significant aspects of this. The article concludes with some general reflections about the status of human rights protection in the EU, suggesting that this has become one of the most significant areas of EU law which has had, and continues to have, a crucial impact on the EU's relationships with its Member States, the EU and international law.

Reflections on the Architecture of the EU after the Treaty of Lisbon: The European Judicial Approach to Fundamental Rights
Morano-Foadi, Sonia; Andreadakis, Stelios
Access via Eureka

This paper focuses on the role of the Court of Justice of the EU in shaping legal integration in Europe. The entry into force of the Lisbon Treaty, the new legally binding nature of the EU Charter of Fundamental Rights and the future EU's accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) bring significant changes to the fundamental rights discourse within the European Union. These developments allow the enhancement of human rights protection within the EU. The paper offers insights into the post-Lisbon era of regional integration and reflects on the impact of the Charter on the court jurisprudence.

The Legal Status of the EU Charter of Fundamental Rights after the Treaty of Lisbon
Franklin, Christian
Access via Eureka

Much academic debate has naturally ensued over the course of the last decade concerning the ambit and scope of the Charter and the substantive rights set out therein, and the relationship between the Charter and the European Convention of Human Rights (ECHR). The aim of the
present article will be to attempt to shed some light on certain legal issues that may arise as a direct result of the Charter's new-found legal status.

**Challenges for the protection of fundamental rights in the EU at the time of the entry into force of the Lisbon treaty**
Jacqueline Dutheil de La Rochère
2010
Fordham international law journal 2010, v. 33, n. 6, p. 1776-1779

Concomitant with the entry into force of the Lisbon Treaty, many of the alleged weaknesses of the mechanisms of protection of fundamental rights are in the process of being addressed: the Charter has acquired binding force, the European Union is due to accede to the European Convention of Human Rights, and the Fundamental Rights Agency has been established as a European Union body in charge of monitoring the correct implementation of fundamental rights throughout the Union. This Essay will address three main questions. First, a question of legitimacy: is it of any consequence that the Charter has the same legal value as the treaties but is not part of the treaties? Second, a question of subsidiarity: what is the right level for the protection of fundamental rights? Last, a question of efficiency of the protection of fundamental rights: what role can the European Union Fundamental Rights Agency play?

**The Lisbon treaty and fundamental rights**
Jane Golding
2008
Journal of European criminal law 2008, v. 2, n. 4, p. 31-41
Available at Council Library Articles (27634/J)

The present article explores the changes introduced by the Lisbon Treaty relating to fundamental rights. Among these, the discussion focuses on the amendment of Article 6 of the Treaty on European Union which declares the binding nature of the Charter of Fundamental Rights, also providing that it will have the same legal status as the EU treaties.