

The Lisbon Treaty stipulations on Development Cooperation and the Council Decision of 25 March 2010 (Draft) establishing the organisation and functioning of the European External Action Service

Dr Simon Duke (European Institute of Public Administration)

&

Dr Steven Blockmans (T.M.C. Asser Institute)

Contrary to the emerging legal advice on the potential role of the European External Action Service (EEAS) and development cooperation under the Lisbon Treaty, this legal brief argues that the stipulations concerning this area contained in the proposal for a Council decision of 25 March 2010 on the EEAS, are entirely consonant with the Treaty. In particular this brief argues that development cooperation is a shared competence and not, as is often argued, an exclusive competence. It is also noted that the Treaty places the Common Foreign and Security Policy (CFSP) on an equal footing with other EU external relations policies and brings an end to the default setting of, for instance, EU policy in development cooperation. The legally binding obligation for the Union to ensure consistency between the different areas of external action and between these and its other policies again provides the overarching rationale. Finally, it is observed that the elevation of the eradication of poverty to an objective of the Union in its external action offers far greater leverage for a development perspective in EU external actions, rather than any alleged illegal politicisation of development cooperation.