

The European Union Presidency

Report of the Polish Institute of International Affairs



WARSAW
APRIL 2011

LESZEK JESIEŃ

THE POLISH INSTITUTE OF INTERNATIONAL AFFAIRS

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Leszek Jesień

Warsaw, April 2011

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ISBN 978-83-62453-11-5

Polski Instytut Spraw Międzynarodowych
ul. Warecka 1a, 00-950 Warszawa
phone (+48) 22 556 80 00, fax (+48) 22 556 80 99
pism@pism.pl, www.pism.pl

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Executive Summary

It is assumed here that the presidency concept in the European Union—in its political and managerial aspects—has been transformed over the years into a specific, institutionalized procedure of EU politics and policy-making. That means EU member states have established the presidency as a means for their cooperation, although it was initially somewhat less institutionalized. Its objective is a search for legitimacy in decision-making; hence the ways and means of making decisions that find support from all. The procedure is effectively a living set of specific rules of behaviour that are known to all the actors involved.

It is of particular importance that the presidency's institutionalization has been gradual and based on the stable administration of the Secretariat General of the Council. Over time, the presidency tended to intensify its cooperation with the European Commission as well as with the administrations of the European Parliament and its members. This has grown in meaning because of the tendency in the last two decades to broaden the co-decision procedure, which is now the regular decision-making procedure of the European Union as stated in the Lisbon Treaty.

The second most-important reason for the institutionalization of the presidency has been the gradual development of a set of commonly agreed rules by the member states. The rules are written into presidency handbooks developed by subsequent rotating presidencies. These constitute a kind of evolving procedural bible that is passed from one presidency to the next and readapted for particular needs or specific circumstances. The rules constitute a kind of reference toolbox for other countries as to what they may demand and expect from the member state holding the presidency. The institutionalization of political procedure has been largely expressed by the rule that subordinates the office to the authority of the whole council. After all, only a simple majority of council members is needed to overrule any procedural decision of the presidency. At the same time, any presidency statement on behalf of the whole EU needs to find practical support from the other 26 EU member states and EU institutions.

The fundamental problems discussed in this paper refer to the contemporary role and meaning of the EU presidency. How has an initially rather restrained presidency acquired such an important role in managing the EU, undertaking long-term initiatives, solving fundamental negotiating dilemmas and—until the Lisbon Treaty—representing the EU externally? What are the most important challenges involving preparations and management of the presidency? What could we say about the most recent experiences of the presidency following the entry into force of the Lisbon Treaty? Answering these questions seems necessary if we are to capture the elements of the contemporary rivalry for political leadership in the EU. This rivalry is deep and broad in the EU, involving member states big and small, old and new and of all economic stripes. This context has been narrowed here to the problems with the presidency and its institutional meaning.

Introduction

The European Union institution that gathers ministerial representatives of the member states is called the "Council" by the Lisbon Treaty, Art. 16. It is the main EU decision-making body, acting together with the European Parliament. Its decisions are mainly taken by a qualified majority. In order to proceed and take decisions, this

institution needs a presidency or chairperson (French: *présidence*; German: *Präsidentschaft* or *Vorsitz*; Polish: *prezydencja*). The presidency may be held by an EU member state for six consecutive months—this is the rotating presidency. It may, however, also be exercised by a person elected to the office for a specific term. The Lisbon Treaty establishes this kind of function for the sake of the European Council—Herman Van Rompuy has been elected as its new permanent president. Also the Lisbon Treaty assigns the leadership of the ministerial Council on foreign affairs to one person—the EU’s High Representative for Foreign and Security Policy. Before the entry into force of the Lisbon Treaty a similar solution was applied to some of the working groups, which elected their chairs from among the participants or officials of the Secretariat General of the Council. Hence, in these limited number of cases, the role exercised by the rotating presidency of the Member States was limited.

Generally, when referring to the total formation of the Council, including representatives of Member States at all levels, from administrators, ambassadors and ministers to prime ministers and presidents, we call it the “Council system.”

In relation to the concept of the Council presidency, the legal and political meanings should be differentiated. Every time an official EU text refers to the concept of the presidency, it is intrinsically linked to the Council of Ministers or the European Council. In its narrowest sense, the concept of the presidency is internal to one institution of the European Union, namely that of the Council and its various formations. There is, however, a second, broader meaning, which often works in public circulation, and this is the “presidency of the European Union.” In this sense, we are talking about a political meaning of the presidency as one capable of speaking for the entire European Union and therefore able to exercise its leadership functions, which carry at least implicit political accountability. This understanding, used in this study, draws attention to a hybrid nature of leadership in the EU, implemented by both the state (via the rotational presidency), and by certain individuals, selected to perform their functions.

In practice, the presidency functions as the chairperson at meetings of the Council. For this reason, the presidency is sometimes considered the “missing element of leadership” in the European Union power structure, which Member States accept because without it they would be less able to influence the practice of the integration process.

The principle of biannual rotation protects the office of the presidency against possible abuse of its leadership. It also helps smaller countries to accept presidencies by larger ones. Not without reason, therefore, the presidency is regarded as the quintessence of the principle of formal and real equality between countries of the European Union. After all, this function will be exercised by every state, even the weakest ones, allowing them to enjoy all the powers and duties of the office. Very important aspects of the presidency are its practices and procedures. The basis for the procedures used by the presidencies is the Council rules, which exactly describe the tasks facing the presidency. For the sake of its permanent president, the European Council has its own rules. To some extent, the procedures of the European Parliament as set forth in a document about ways to work with the Council, especially on the ordinary procedure, are relevant for the presidency. All kinds of guides, handbooks and other descriptions of the actions of the Council, regularly provided and updated by the Secretariat General of the Council, have performed an auxiliary but important function in the process of proceduralisation of the presidency. Successive presidencies often make a substantial effort to prepare themselves to perform the functions. The documents

that describe these procedures represent a contribution to the achievements of the presidency as a unique and separate institution and also can serve as reference points for practice and evaluation. Therefore, these achievements by various bodies have provided the basis for the institutionalization of the presidency in the classic sociological sense. In the longer term they bear witness to a transition from the informal practices of the presidency in its early years towards the relatively stable forms of its activity today. The growing practice of evaluating the presidency by other players, including NGOs, trade unions, employers and the wider European public, strengthens the process of institutionalization of the presidency through a gradual formalization of the basis of its actions. This is reflected in the growing importance of its operating procedures.

An action of the presidency allowing for an institutionalized impact on the EU decision-making process appears to be a necessary complement to the whole EU political organism. If institutionalization were to be too shallow, the Member States would have limited influence on the EU or even be subject to marginalization in the process. From this point of view, the effective institutionalized procedure of the presidency does have a role to play in political communication between Member States. Consequently it can serve as the primary efficacy criterion of their ability to influence the fate of the European integration process. In other words, the more effective the presidency is the greater is its ability of the states to run and control the political process of the EU. Conversely, a weak presidency and poor quality institutionalized procedures may weaken Member States' political leadership, which could lead to an increase in the importance of the other Community institutions (the Commission, Parliament and Court of Justice) or even weaken the capacity of the entire European Union to act and impact its surroundings.

Evolution and Functions of the Presidency

The process of forming and reforming the EU presidency has been a long-term phenomenon. Given the nature of things, the institutionalization of the ongoing political process between Member States could not be quick. For example, the number of ministerial formations of the Council has evolved with the development of the EU. In the past it grew along with the integration process and new policies. This trend led to an excessive number of Councils. In the 1990s, ministers met in as many as 16 different configurations. It naturally resulted in coordination difficulties and doubts concerning the cohesiveness of the Council as a single institution. The provisions of the Seville European Council reduced to nine the number of formations in which the ministers of the Member States met as the Council. This change, however, was more a formality than reality and referred more to a change in the name of the meetings than a change in actual practices. When the Council would meet, the ministers often varied. Due to specialization, ministers would replace their predecessors. This also applied to ministers who would run the proceedings, namely the presidency. Currently, there are 10 formations of the Council, because the Lisbon Treaty divided the former General Affairs and External Relations Council (GAERC) into two parts (as it previously had been). The General Affairs Council is chaired by the minister for European affairs from the state controlling the rotating presidency, while the Council for External Relations is headed by the High Representative for foreign affairs and security policy. So, now the Council meets in the following formations:

- General Affairs, which is tasked with the coordination of the work of all other Council formations and the preparation of the European Council meeting;
- External relations, which deals with the policies traditionally known as the second pillar, e.g., Common Foreign and Security Policy (CFSP) and Common Security and Defence Policy (CSDP), as well as development cooperation;
- Economic and Financial Affairs (ECOFIN), which also deals with the EU budget;
- Justice and home affairs, including civil protection;
- Employment, Social Policy, Health and Consumer Protection;
- Competitiveness Council, which deals with issues relating to the internal market, industry, research and development and tourism;
- Transport, Telecommunications and Energy (TTE);
- Agriculture and Fisheries;
- Environmental protection; and,
- Education, youth and culture, including audiovisual policy.

The meetings bring together representatives of the EU member states and ministers authorized to make binding decisions for their countries. In practice, most are ministers, members of their governments or, sometimes, their deputies.

The treaty formula for the Council means that it is not important which minister represents the country, as long as he or she was duly authorized to make legally binding commitments for their state. However, this flexibility does not apply to the presidency. Here the practice requires the presence of a minister, or an official at an appropriate level, responsible for the particular formation of the Council. In other words, anyone other than the minister of agriculture may not chair the Council on Agriculture and Fisheries.

Presidency Tasks

The first task of the incoming presidency is to prepare its program of action so that other actors in the EU (i.e., other Member States and institutions) know how the presidency plans to accommodate ongoing proceedings and influence the course of the EU. In terms of its programming, first a strategic plan for a three-year period is developed in consultation with the countries of the six successive presidencies that will preside during the period. Then, in consultation with the three countries that will preside over 18 months (a trio presidency), a programme for the three presidencies is developed. Finally, on the basis of these documents, the country draws up its own work program, covering the six months it will hold the office. The program will include specific, although initial plans, for the work of all meetings of the Council.

In cooperation with the Secretariat General of the Council, the European Commission and European Parliament, the presidency prepares a calendar of all Council meetings, both formal and informal. On this basis the presidency then prepares plans for other meetings that might involve the Council.

In the most general sense, the main task of the presidency is to lead the Council's work, including working groups, and all other gatherings of the Member States' representatives. The purpose of this guidance is to reach agreement. Managing all Council meetings of all formations and other meetings of Member States' representatives allows the presidency to acquire a level of efficiency in horizontal

coordination between various formations of the Council (environment, agriculture, competitiveness, etc.) as well as vertical coordination between meetings of various administrative and political levels of the formations of the Council (e.g., a working group, COREPER, the ministerial Council and the European Council). In some cases, the vertical coordination needs to take into account the positions and plans of permanent chairpersons of the Council (such as external affairs and the European Council). Obviously, the bigger the number of Council formations the greater the need for coordination between them, hence, the greater the challenge for the presidency.

The many functions of the presidency can be reduced to just three broad baskets: management, mediation and leadership. As part of the management of the Council, the presidency should do the following:

- manage hundreds of meetings, including working groups, committees, seminars, formal meetings of COREPER and sectoral Councils;
- prepare drafts of legal acts and decisions, and appropriately develop them from expert and legal points of view;
- follow the acts through the legislative process;
- take into account the positions of other states, the Commission and Parliament;
- master the necessary expert, diplomatic and leadership skills required to effectively run the presidency;
- cooperate with the Secretariat General of the Council and the administration of the Commission; and,
- perform the Council's other duties and obligations.

The presidency primarily works with its formal tools, such as convening and chairing the formal and informal Council meetings at every level. After the Lisbon Treaty, this power has been limited because Herman Van Rompuy will convene the European Councils as its permanent president while Catherine Ashton convenes the meetings of the Foreign Affairs Council as is required for the High Representative for Foreign and Security Policy. Within its role, the presidency has to care for the proper conduct of meetings and resolve tensions and problems in a practical manner. An extremely important task is to define the priorities for the meeting and to propose and obtain approval of the agenda. This calls for early agreement from all Member States and to closely monitor the progress of cases to be discussed during the meeting in order to be able to respond swiftly to emerging problems.

The presidency as principal EU mediator continues on three, clearly distinct levels to work:

- between EU Member States, where it extends the ability of the Council to reach compromise in negotiations, for which it receives support from the Secretariat General of the Council and the European Commission with, in particular, their legal services;
- between EU institutions when, during the decision-making process, the presidency acts as a focal point for the Commission and Parliament and other institutions that may need to be involved, and as a kind of interface between EU institutions and the Council as a whole, greasing the gears of management of the EU institutional system; and,
- between the European Union and third countries as a spokesman and representative of the EU to the outside world, although this function is now very much limited by the Lisbon Treaty.

In performing leadership functions the presidency should be able to propose compromise solutions that allow everyone (all Member States and other institutions) to come to agreement despite having divergent opinions and interests.

Paradoxes and Limitations of the Presidency

The presidency may be beneficial for the internal policy of the country holding it because a skilful presidency can lead to the elimination of conflict between national interests. Also, the notion of a distant, anonymous and bureaucratic “Brussels,” often seen as an alienated power centre dominated by others more powerful and more efficient and therefore foreign, can be weakened. In this sense, the presidency may help diminish the sense of estrangement in public opinion with regard to the European Union as a whole.

Certainly, holding the presidency is essential for new Member States and those that may consider themselves—reasonable or not—as weaker economically, politically or even culturally. The effectiveness of the presidency to some extent will always depend on its ability to convince the public that as the authorities of the country perform the duties of the presidency they deal with the whole Union, which contributes to a sense of pride in the country. In this sense, the conduct of the presidency is an element of national policy par excellence in the country concerned.

Sometimes the EU presidency also can act outside the formal framework of the organization, as was the case in the coordination of the Bologna process, thus serving the pan-European and wider public to improve standards in higher education.

The presidency must also take into account the views of other EU institutions: the Parliament and the Commission because it depends on their acceptance of a proposal in the decision-making procedures involving these institutions. The adoption by the Lisbon Treaty of the principle of the co-decision procedure as an ordinary decision-making procedure in the EU will have a significant impact on the presidency: the function of a liaison between institutions in law-making becomes even more substantial for the operation of the Council than it was in the past.

The advantage that the presidency has over other countries (improved access to information about the positions of other countries and institutions) may fade in time if other countries would rather prefer to cooperate with other Member States instead of the presidency. In those cases, the states may replace or complement the coordination of negotiations exercised by the presidency. A similar leadership role on some issues may be accrued by the European Parliament. Moreover, if a country happens to hold a distinctly different view than the current presidency, and perhaps somewhat closer to that of a coming presidency, it might be tempted to avoid working with the current presidency and may push to postpone the contentious issues to later.

The Practice of the Presidency

To repeat, the main task of the Presidency of the European Union is conducting Council meetings in each formation, whether working groups and committees or the ministerial Council. The scope of the effort of the presidency can best be seen in the example of the working groups and committees, known generically as the preparatory bodies of the council. Their number and distribution of portfolios changes over time. Of the 164 committees and working groups in 2008, there were eight cases of chairpersons

chosen for a fixed term. In seven other cases, the persons acting as chair were officials from the Secretariat General of the Council.

The objective of the presidency is to lead the working groups and committees to prepare decisions and then follow up with the Council to get the legal decision. Along this path, the presidency should allow for the identification of differences of opinion that could not be resolved at various work levels of the Council. The presidency must assess whether the status of work in a given group has advanced enough to send the document up to the next level.

An interesting phenomenon associated with the presidency, in view of its practical management and administration, is the two-way interaction between participants of the Council. It is, therefore, not only a place for the representation of traditionally understood national interests, and thus the essence of the intergovernmental dimension of the EU, there is also ongoing feedback and interaction. During meetings, officials and ministers became aware of possible areas of compromise, and as a result they can address their respective publics (which normally define national interests) with what is reasonable and possible to fight for and where the real scope of compromise remains. Since the task of the presidency is precisely to find what is in common to agree upon, the administration of the presidency can experience the two-track phenomenon in the strongest way possible. In other words, in exercising the presidency, the administration of the Member State can obtain a course in “Europeanization” in the sense that taking care of the country’s national interests (a regular situation) can be supplemented by the ability to correctly read the range of room for compromise by all EU countries. A misreading of the playing field in all countries is probably one of the largest failures of the presidency in practice.

One of the most important institutions in the course of the presidency is the country’s Permanent Representation to the European Union. The institution belongs normally to the core of European policy coordination scheme in each Member State. Usually, all Member States set their permanent representations as their “front line” in Brussels. Its role, in practice, is defined by the authorities’ adoption of a model they wish to pursue during the presidency. In the most general sense, models of presidencies extend along a continuum from the centralized to decentralized ones. These models are sometimes also called, respectively, capital-based and Brussels-based.

In the centralized model, most of the decisions during the presidency, both strategic and tactical/technical, are taken at the Member State’s capital. Hence, the workload falls on the Ministry of Foreign Affairs, the Prime Minister’s office or the President’s office (depending on constitutional arrangements specific to the country). The advantage of this model is the constant and direct involvement of the top political leadership in negotiations. It may be susceptible to the temptation to pursue the country’s own interests when it holds the presidency. The country also may become somewhat insulated from the daily flow of information in Brussels and Strasbourg.

In the decentralized model, decisions of principle and strategic importance are as a matter of course taken by the prime minister (or president) and the government in its political environment, while other questions—most importantly the negotiations and mediation—are left to the Permanent Representation to deal with. Thus, the Permanent Representation becomes a mini-government, or at least a mini-MFA abroad. The advantage of this model is in the improved ability to respond more quickly with a better understanding of the field of possible compromise.

The Permanent Representation may take on a substantial part of the tasks of the presidency, not just the technical aspects such as logistics and meeting management. In this form, no one person or group can replace the Permanent Representation. The key to this model is for the Representation to become an intelligent sensor or detector for the capital-based government and not just a “central mailbox” for the other EU institutions and Member States. This implies the government’s acceptance of the Representation’s understanding of what is possible and what is acceptable for the presidency under previously adopted priorities.

Whatever model of the presidency is adopted, the Permanent Representation is under constant pressure from two sides: other EU partners (institutions and other Member States) and national partners (government agencies, parliament, the president and/or prime minister and their staff or representatives and some elements of local government, especially regional ones). Hence, although the decentralized model seems to be the most interesting from the point of view of achieving the overall success of the presidency, it puts the Permanent Representation at additional risk. In case the results of any negotiations (left largely in the hands of the Permanent Representation) were not accepted by its own government, the Representation and its overall clarity and transparency would be called into question along with the credibility of the country running the presidency. During the time of the presidency, the Permanent Representation must ensure a balance between negotiating hard enough to be perceived as a winner at home while at the same time caring about the success of the various committees and working groups of the Council as a single institution.

While running the presidency, the country has a duty to represent the Council as a whole institution, especially before the European Parliament. Before taking office, the Prime Minister and Foreign Minister of the country holding the presidency will submit the program of activities, called the program of the presidency, that are planned for the coming term. From the EP point of view, the most important items are anticipated legislative actions, in particular those that affect EU institutions on the basis of the Charter of Fundamental Rights. The EP also pays attention to items about subsidiarity and proportionality, the rule of law and the financial impact of decisions or proposed laws.

Representatives of the presidency take an active part in sessions of the Parliament, during which they answer questions addressed either directly to the presidency or the Council. At the end of the term of office, the prime minister of the presidency appears before the EP and summarizes the achievements of the previous six months. Between plenary sessions, the ministers or other high representatives of the presidency sometimes take part in meetings of relevant committees.

The importance of the relationship of the presidency to the European Parliament is reflected by the fact that both institutions operate in the same sphere of political power. The presidency is the quintessence of political power in the European Union as exercised by the Member States (the Council as a whole), while Parliament is a political institution of a supranational nature par excellence. The internal complexities of both institutions render their collaboration more difficult. Both pursue different interests, and Parliament has gradually begun to realize its own political agenda, which results in an inter-play of the utmost importance in the programming of EU action (agenda setting) as conducted by the Commission and Council.

The underlying structure of Council–Parliament relations is based on decision-making procedures, in particular the ordinary one. But the inter-institutional game also has an informal layer without which it would be impossible to imagine any agreement between the two institutions that are so different and very difficult to manage. During the ordinary decision-making procedure, at its first and second reading the Parliament’s position is largely defined by the key people involved: the rapporteur and the shadow rapporteur, the chairman of the respective standing committee as well as the coordinators of political groups. On the Council side, the presidency acts as a liaison between the institutions. Thus, it is within the interface of key Members of the EP and presidency officials, with the help of the Commission, that inter-institutional compromises are reached.

Relations of the presidency with the European Commission are characterized by elements of rivalry and cooperation. The competition focuses on those areas where both institutions are able to act accordingly, for example in their pursuit of leadership and ability to specify action throughout the EU. The same applies to the possibility of finding concrete solutions to establish consensus in the Council, or between institutions. The Commission, having functioned continuously for dozens of years, has a natural advantage over the rotating presidency of the Member States.

Sometimes the presidency waives the right to exercise leadership. The natural beneficiary of this situation is usually the European Commission, which by its nature is called upon to lead by submitting its designs and concepts to the states for acceptance. However, a relative weakening of the Commission in recent years, following the accession of the new Member States also has influenced its ability to perform leadership functions. Since politics abhors a vacuum, one would expect more political initiatives from the European Parliament, whose competencies are greatly strengthened by the Lisbon Treaty.

Chairing a Council Meeting

As noted before, Council meetings may be convened at the initiative of the presidency itself, most often on the basis of the work plan. Meetings may be also called in an emergency situation on its own initiative or that of any other Member States or the European Commission. The person chairing sessions of the Council does not vote. That is why the country holding the office usually sends two delegations: one to defend its national interests, the other to run the meeting and manage negotiations that lead to compromise. This follows from the principle of the neutrality of the presidency, which should ensure equal representation of all points of view and serve as a good contact point for all other parties involved, including ministers, ambassadors, officials and others. On the Council agenda, items are marked by the presidency in two ways. Items labelled “A” are intended for issues that previously have been agreed upon in working groups then by the COREPER. The Council simply must take a decision, because in theory the items are not to be discussed any longer. Items marked “B” are for matters that will be discussed at the meeting. An additional asterisk mark (e.g., “B*”) means that the presidency may call a vote on the matter.

As a result of this procedure, the presidency is expected to intensively work between the meetings of the Council, during working groups and committees. This work should seek compromise between different interests. Well-prepared documents and their timely presentation by the presidency (or by the Secretariat General of the Council) are of particular importance. If a document comes too early or too late in the

process it can make it more difficult, or impossible, to reach agreement before the start of the Council meeting. This may result in a failure of the presidency's ability to develop understanding between the Member States.

The Presidency uses a whole range of technical and tactical means, enabling it to conduct the meetings efficiently and effectively towards compromise. There are electronic means, limits to the composition of the delegation, prioritization of issues, setting up orders of the day, time limits for discussions about various items, setting the order of speakers and calls for votes.

An old formula of the *tour de table*, very important to the working mood of the Council, reaches its natural limits at 27 Member States. The presidency, therefore, tries to find ways to limit the speaking time of the delegations. It encourages Member States to submit written positions that are circulated early enough before the meeting to be known by all parties. This practice requires a high degree of internal organization of the presidency and efficient cooperation with the Secretariat General.

The more Member States there are, the more difficult the role of the presidency becomes, especially in executing its primary function, which is to link the managerial and political dimensions of the process. A multitude and variety of stakeholders must be accounted for at all levels of the process, which means that an effective presidency needs enormous political and administrative skills, as well as excellent coordination between all horizontal and vertical levels involved. The challenge is easier for bigger countries with a larger and more experienced administration. Weaker administrations from smaller countries may need the support of larger countries as well as from the Commission.

One of the most important instruments in the hands of the presidency is the power to call for a vote on a matter under discussion. It may be used to apply pressure on some players in the process. A call for a vote may be part of a game played by the presidency to secure agreement across the board. A prospect of a vote presents this dilemma: Differing points of view will not be given further consideration and may become a minority that loses the opportunity to influence the majority. Of course, the presidency runs a risk, too: If the situation is not opportune it may lead to the failure of the whole project. Moreover, it is not the presidency alone that has the power to call for a vote. If the European Commission or another Member State requests a vote, the presidency may be forced to do so by a simple majority in the Council.

A successful conclusion of a meeting of the Council means a decision was taken and Council conclusions were adopted. However, if there are dissenting voices that prevent the adoption of the Council conclusions, the presidency may present its own conclusions. This is an important record of the direction of thought and action, even if it failed to gain consensus.

The Problems of the Presidency in Flexible Arrangements

Uniformity of the EU presidency appears problematic wherever the EU itself has an uneven structure. Because of the nature of international relations and its internal fragmentation, problems arise where the EU is dominated by traditional European powers—the strongest countries economically and financially. The single currency euro zone, a policy on security and defence co-operation and the Schengen system are the most famous examples of variable membership, sometimes referred to as flexibility in the integration process. This situation causes major difficulties for the presidency and

the cohesion of the whole system of management and policy-making process in the EU. If a country holding the presidency is not part of the euro or the Schengen area, for example, it cannot and even should not perform leadership functions in the Council formations that take decisions in those areas. One such case is the Eurogroup.

Initially the Eurogroup operated under the provisions of the Luxembourg European Council (1997). Since the entry into force of the Lisbon Treaty, the Eurogroup now operates under a special protocol. It brings together finance ministers from the limited circle of euro area EU Member States. Similarly to the Council presidency, the Eurogroup presidency was initially rotating every six months. In other words, for every member of the euro area, the Council and Eurogroup presidencies were concurrent. But if the country of the current presidency of the Council were not a member of the euro area, the Eurogroup presidency was managed by the next eligible country in the Council presidency rotation.

During the first meeting of the Eurogroup in 1997, this became politically awkward when the British minister of finance, acting as the Council presidency, opened the meeting at the Chateau de Senningen in Luxembourg only to leave once he had done so. After the minister had left, decisions were made among the euro group only, chaired by the Austrian finance minister, who represented the next Council presidency and the euro member. Hence the Eurogroup evolved to have its own, elected and permanent chairman. Since 2004, it has been the Prime Minister of Luxembourg, Jean-Claude Juncker, who was recently elected for a third term through mid-2011.

Financial matters make up an area that can serve as a good example of the difficulties evident in the EU's external representation when it is combined with economic significance and financial weight. The international financial and economic crisis of 2008–2010 helped to give considerable authority to the group of 20 countries representing the world's largest economies—the G20. It is composed of 19 countries (including Germany, the United Kingdom, France and Italy) and the European Union and is chaired by both the European Council president and the Commission president.

The big EU Member States represent themselves, unless they perform the same function during the EU presidency. This was important in November 2008 during the presidency of France, during the G20 summit in Washington. There, the EU as a whole was overshadowed by the assertive attitudes of mainly Great Britain and France.

A similarly complex situation can be observed with the example of Denmark, which due to the first, negative referendum on the ratification of the Maastricht treaty obtained an exemption for, among other things, all aspects of the defence policy. As a result, during the Danish 2002 presidency the representatives of the next presidency, Greece, were in charge of the meetings on defence. The situation caused by the Danish opt-out of defence policy will be important for the trio of presidencies from 2011 to 2012, which includes Poland, Cyprus and Denmark. This raises both an opportunity and a challenge for the Polish presidency in the management and planning of defence policy that involves now the High Representative.

Experiences of the First Lisbon Presidencies

The Lisbon Treaty entered into force in December 2009. The consequences of the change on the practices of the presidencies were drawn before. The presidencies

that have followed (Spain and Belgium in 2010 and Hungary in 2011) are naturally qualitatively different from previous rotating presidencies. Here is a brief look at their experiences so far.

The Spanish presidency of the first half of 2010 probably was the most difficult from this perspective as the Spaniards were unsure whether the Lisbon Treaty would be finally ratified on time and had to prepare themselves for two scenarios: One, to run the rotating presidency under a pre-Lisbon setting or, two, to operate under the new setting. This clearly did not help their preparations. As a consequence, the presidency had to cooperate with both the nascent and existing institutions and help build the former. In particular, this meant the need to work well together with the newly established permanent president of the European Council, Herman Van Rompuy. There were, however, two outstanding issues with which the Spanish presidency was particularly busy. The first is a classic task for any presidency and is how to deal with a well-foreseen problem and add it to the working plan of the whole EU and all the institutions. In Spain's case, this problem was the adoption of the new economic governance strategy—"Europe 2020"—to replace the outgoing Lisbon Strategy. In this case, the presidency was well served by the European Commission, which prepared a well-received draft of the new strategy. Still, the presidency had to lead discussions in the Council on ways to correct it and get it accepted by all member states. The second issue was a problem of an entirely different nature: crisis management of a deteriorating fiscal situation in Greece. It led to the establishment of a temporary emergency financial mechanism and instrument that hopefully helped Greece to find its way hopefully out of the crisis. Given the problematic situation in the euro zone, the presidency had to effectively collaborate with the permanent president of the Eurogroup, Jean-Claude Juncker and the most active big euro member states.

The Belgian presidency of the second half of 2010 was crippled by the lack of a fully fledged national government, but was lucky not to be confronted with any major crisis that required it to handle Council affairs singlehandedly. True, there was yet another eruption of the fiscal crisis that touched Ireland this time and required effective EU coordination at the top level. With the essential participation of the presidency, Ireland's rescue was assured by the permanent president of the European Council along with the president of the Eurogroup. Belgium's presidency also was characterised, as was the case earlier on with the Greece crisis, by the intensive involvement of key political leaders of the euro zone, notably German Chancellor Angela Merkel and French President Nicolas Sarkozy. As a result, the presidency was very active in setting up the new system of economic governance along with new financial supervising institutions. The so-called European semester of budgetary coordination between the Member States was agreed to and applied for the first time as of 2011.

The presidency also was very helpful in achieving consensus on the new instrument of the European Citizens Initiative, which allows citizens to petition EU institutions for new legislation. As a result, the Council reached agreement with Parliament, and President Jerzy Buzek signed the act into law in early 2011.

While the Belgian presidency was happy not to be exposed to any larger crisis, it nevertheless practiced some of its crisis management capabilities when faced with a deadlock between the Council and the Parliament during negotiations on the budget for 2011. The first attempt to reach agreement under the conciliation procedure was blocked by Parliament on claims of participation in forthcoming negotiations over the multiannual financial framework after 2013. Luckily for the institutions, and with the

active negotiation of the presidency, agreement was reached in time for the new budget to enter into force before the new year.

In short, the second post-Lisbon presidency was run in the shadow of the EU institutions mainly due to domestic political problems in Belgium but also with a clear determination to strengthen and support new institutions designated by the Lisbon Treaty. It helped that the new permanent president of the European Council happened to be Belgium's former prime minister. Also, the Belgian federal foreign ministry offered as a helping hand to the newly established post of High Representative for foreign relations and security policy, specifically at the time the new office was set up, the European External Action Service.

The Hungarian presidency of 2011 is qualitatively different from previous ones precisely because the new government of Mr. Viktor Orbán has been placed well in the saddle due to unusually large parliamentary majority, giving Hungary rare comfort while exercising duties during the rotating presidency.

Only the first steps of this presidency could be noted here because it is still early in the presidency (February 2011). Yet, the Hungarian presidency has been very effective in taking over specific issues from the Belgians and has been able to press on with an enhanced cooperation concept on the European patent. This move could end decades of EU internal squabbling about language problems in the European patent process (i.e., in which language the single European patent should be handled).

The presidency also was quick enough and effective in responding to the needs and uncertainties of the Southern Member States who have been challenged by the pressures caused by renewed waves of migrants due to revolutionary changes in Northern African countries. Responding to an initiative by France and in smooth cooperation with the Commission and the Frontex, the presidency saw to it that the administration responsible for managing external borders in the Mediterranean was strengthened and financially supported.

However, the Hungarian presidency seemed somehow surprised by a negative assessment of some aspects of Bulgaria's readiness for membership in the Schengen area and the subsequent opposition of some other Member States to uphold promises to Bulgaria and Romania of Schengen membership by the end of March 2011. Consequently, a new assessment mission was scheduled for Bulgaria, and there still is time for both countries to join the Schengen agreement within the Hungarian presidency. If not, the issue may well be handed over to the Polish presidency.

Conclusion

If the presidency is aptly prepared, organized, determined and ambitious, its power can be observed at the highest level. Thus, in the process of European integration there are presidencies that have rightly gained a permanent place in the history of its development. Using two examples from recent years, the presidency of Denmark effectively led to successful completion accession negotiations with 10 candidate countries in December 2002, while the German Presidency in 2007 led to a compromise about a renewal of the process of institutional reform that culminated in the Lisbon Treaty.

There are some costs associated with the exercise of the presidency. It draws on a relatively high amount of political energy, time, human resources and money from the state performing the duties. The high costs of the presidency may negatively affect the performance of smaller Member States, although this is not always the rule.

The main problem with leadership in the EU is a lack of the precise settlement of treaties in this respect. From the Rome Treaty to now, the issue of division of powers between the Union and its Member States has not been resolved. The lack of precision in this matter directly affects the ability of the presidency to impact other countries on the Council and, consequently, the overall functioning of the EU's institutional system. The evolution of the division of powers between the states and the Union and institutions amounts to a paradox of the integration process. The most important political actors in this process—the states that compose the EU's foundation—systematically lose their influence on this process while at the same time seem to have direct control over it in the form of the Council managed by the presidency. The reasons for this paradox lie in the changing nature of leadership exercised by the rotating presidency. That constant change seems to weaken the unitary system of the inter-governmental institution. Its administrative apparatus gives power to individual nation-states but then is passed regularly to the hands of another country. Member states do not want to give up their eventual participation in the system, though, for example by agreeing to an elective presidency. States appear to want to continue to have the opportunity to wield power, even if the system appears not entirely satisfactory. Member States do not want to depart from the principle of rotation because it supports a feeling of neutrality for the presidency, which strengthens its ability to support countries in search of an agreement. No state intends to substantially extend the term of presidency because it amounts to a very important instrument of influence on the decision-making process, so there is competition for a share in it. As a result, there is no singular authority exercised by the rotating presidency as its power is dispersed across the system. This power is essential, though, to ensuring that the country serving the Council is able to help find internal agreement and compromise. It is also essential that it represent 27 different political entities as a whole. The dissipation of its power does not mean that the presidency is somehow fundamentally flawed. The presidency is an effort, above all, of a political, administrative and diplomatic nature. In this context, we can use the following criteria when evaluating a presidency:

- the efficiency of Council management;
- the neutrality of its proceedings;
- the degree of implementation of the program of the presidency;
- its effectiveness and calm manner when responding to emergency crises or unforeseen events and its ability to resolve unexpected disputes.

In assessing the leadership exercised by the presidency, it is also important to note the sources of informal leadership that each presidency and all other shareholders in the EU must reckon with. Despite the formal equality of states, particularly as expressed in the capacity of each Member State to veto, in principle, a European Council decision, states practice and acknowledge different meanings of their strengths and political weights. One prime minister differentiates countries in the following way: "Luxembourg may use the veto once per decade, while the United Kingdom once a week."

The concept of the proceduralisation of the presidency used in this study refers to the whole set of rules written or not, passed down in formal and informal ways from the

work of previous Councils. The rules of procedure serve to determine the functioning of the Council. Thanks to this, the presidency may be carried out in a fast-changing rotation of politicians, officials and diplomats but still able to work as a uniform, singular institution. All players in the EU institutional game, whether Member States or other institutions, know what they can expect from the presidency in terms of its limitations and possible impact on the decision-making process. Unlike classical international organizations, the EU presidency plays an important role and provides an essential element to the entire system of EU decision-making. Without it, the Council probably would not have been so actively able to cooperate with other institutions. Without the presidency searching for new initiatives and finding solutions satisfactory to all Member States, they would likely prefer less ambitious integration projects.

As a consequence, the EU presidency has now acquired a hybrid nature consisting of two distinct elements: a traditional rotating presidency and people who are nominated to the offices. Still, it is interesting to note that the procedures for carrying out the work of the various Council configurations are basically the same. The person chairing the meeting, whether representative of the rotating presidency or a nominated official, is subject to the same rules and phenomena. The institutionalization of the presidency is a dynamic phenomenon. The next couple of years in the implementation of the Lisbon Treaty will be important for the future of the presidency in practice.

The experiences of the first rotating presidencies following the entry into force of the Lisbon Treaty confirm this observation. While being less visible, due to changes in the external representation of the Union, the rotating presidencies remain vital for the effective functioning of the Council and the whole EU. Weak presidencies will weaken the EU, while strong ones will contribute to its strengths.

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POLSKI INSTYTUT SPRAW MIĘDZYNARODOWYCH
THE POLISH INSTITUTE OF INTERNATIONAL AFFAIRS
UL. WARECKA 1A, 00-950 WARSZAWA
TEL. (+48) 22 556 80 00, FAKS (+48) 22 556 80 99
PISM@PISM.PL, WWW.PISM.PL

ISBN 978-83-62453-11-5

