



« *The Changing Role of the Rotating EU Presidency* »

Roundtable Report

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On 1 October 2012, Egmont – Royal Institute for International Relations organised a roundtable on the changing role of the rotating presidency of the Council of the European Union*. This report mainly focuses on key topics raised with regard to the evolution of the chain of command within the presidency system following the Lisbon Treaty. Also, it briefly outlines other elements of the discussion, such as the evolving relation between the rotating presidencies and the European Parliament and the role of the General Affairs Council within the rotation model of the presidency.

The Treaty of Lisbon brought changes in terms of the structure of the overall presidency arrangement of the Council of the

European Union and of the European Council in various ways. In general terms, after the entering into force of the Treaty, the main players within the EU Council of the EU and the European Council are the permanent President of the European Council and the six-month rotating presidency. Another novelty of the Lisbon Treaty was the strengthened role of the High Representative of the Union for Foreign Affairs and Security Policy. Since 1 December 2010, the Foreign Affairs configuration of the Council is chaired by the High Representative and no longer by the rotating presidency of the Council.

The roundtable focussed on the role of the rotating presidency in the wider EU architecture, as well as how the Lisbon Treaty and other evolutions have changed its functioning.

* The discussion took place under The Chatham House Rule.

Presentation by Ambassador Rory Montgomery, permanent representative of Ireland to the EU

Ambassador Montgomery started his speech referring to the major changes that have taken place under the Lisbon Treaty. The creation of the posts of President of the European Council and High Representative have in some ways diminished the role of the rotating Presidency, above all in regard to external relations. In ways this has been positive: it is hard to imagine how the Eurozone crisis would have been handled without a permanent chair of the European Council. But the Presidency still has a vast chairing task. It also acts as a support to the new permanent institutions and as a link between them and the Council.

Next to these, he also noted the Presidency's role as the Council's negotiator with the Parliament, with Coreper II now being as involved in co-decision as Coreper I. He briefly outlined the important agenda points of the Irish presidency, which will take place in the first half of 2013, noting that these derived from the broader Union agenda but that Ireland would also hope to give a particular impulse to some areas of special national concern.

He summarized the arguments for and against the continued role of the rotating Presidency, including the importance of involving national administrations in the work of the Union, and the infusion of fresh energy at regular intervals. He suggested that the continuity offered by the permanent chairs, and the more efficient programming of Council work, had addressed many of the criticisms previously made of the rotating Presidency. It also has the great advantage of

avoiding long negotiation over who should chair different formations.

Ambassador Montgomery concluded by saying that the presidency is an important part of the EU institutional framework, even within the new EU architecture.

Presentation by Mr. Willem Van de Voorde, deputy head of Cabinet of the Belgian Minister of Foreign Affairs

Next, the floor was given to Mr. Van de Voorde, who started by sharing his previous experiences in Belgium holding the presidency of the EU Council back in the second half of 2010. At the beginning of his presentation, the particular circumstances that accompanied the Belgian presidency were enumerated: the beginning of the economic and financial crisis, the caretaker Belgian government and the newly introduced post-Lisbon Treaty system together with the unknown context in which the presidency had to operate, to name a few.

Then, he mentioned three preliminary assessments made during the Belgian presidency, namely (1) the continued importance of the role of the presidency, (2) the increased complexity of the management of its agenda, and (3) the obvious, but at that time not evident, observation that the Lisbon Treaty can actually function. He further commented on some aspects of the evolution of the 'broken' chain of command within the Council.

Mr. Van de Voorde concluded his presentation by referring to the importance of keeping some permanent elements together with some valuable rotating elements at the presidency of the EU.

Topics under discussion

The EU architecture and its evolution following the Lisbon Treaty

The Treaty of Lisbon brought changes in terms of the actors at the EU level, their role and their competencies. Its entry into force was followed by major challenges with which the EU had to deal as a consequence of the economic and financial crisis. Two examples of institutional changes are, firstly, the greater role of the Eurogroup since the crisis unfolded and, secondly, the expanded role of the High Representative of the Union for Foreign Affairs and Security Policy regarding the Summits with third countries. In respect of the latter, it was stressed that the High Representative's expanded role reduced Prime Ministers' role in the post-Lisbon era in such Summits. But this is not necessarily always the case. As observed, a Prime Minister can still be involved, provided that the field concerned is well-chosen and the right attitude is present.

In respect of the overall post-Lisbon system, several participants remarked that most of the Treaty changes are positive, especially when viewed within the framework of the current crisis. One key advantage is that there is an element of continuity in the Council business. A case in point is the representation of the EU at international fora by the same representatives, i.e. the permanent President of the European Council or the High Representative. Another example is the permanent President of the European Council, brought into by the Lisbon Treaty. As regards the latter, most participants agreed that the post of the President of the European Council proved to be positive in dealing with the ongoing economic and

financial crisis, as well as particularly important and effective for the institutional architecture that has emerged through the crisis.

At the same time, the role of the six-month rotating presidency still has huge significance in some areas, such as in the General Affairs Council and the Coreper. An example of that can be found when looking at the role of the presidency during the different phases of the co-decision procedure within the working parties and the Coreper at the Council. For instance, with the exception of the Common Foreign and Security Policy area, the rotating presidency, with the assistance of the General Secretariat, organises the proceedings of the Council working parties, namely the meetings, their agendas, the decision to pass the dossier on to Coreper etc.

However, as regards the overall change of the EU structure, it was observed that the context of the management of the EU is rather complicated. In that respect, one deficiency of the present EU system is that not only it is difficult to be understood by the EU-insiders, but it is also hard to be understood by third parties, such as when the EU is represented beyond the European borders. Eventually, as pointed out, more voices seems to be the outcome of the initially-meant-to-simplify Lisbon Treaty. Consequently, the matter of simplification of the EU structures was raised by several participants during the roundtable, while others questioned whether the implementation of the Lisbon Treaty is disappointing in this field.

In addition to the above remarks, the role of the so-called trio presidency was put into question. Such a trio presidency groups three

successive rotating presidencies and thus forms a single eighteen-month presidency group. It was stated that the trio presidency did not play a significant role beyond the preparations preceding each trio presidency. One participant suggested moving to a “rolling” trio presidency, in which the trio always is composed of the previous, the current and the future rotating presidency. This could allow for more consistency, notably by preparing the next presidency and sharing experiences vis-à-vis the other presidencies.

The agenda points of the rotating presidency

Turning to the consequences of the evolution of the chain of command, the rotating presidency model meant a change in the agenda. Put in general terms, it was mentioned that the largest part of the agenda of the rotating presidency is the pre-determined European agenda, a smaller part concerns expected agenda points, whereas only a very small amount concerns issues of particular national interest to the rotating presidency. This way, specific issues of national interest that the presidency enjoys the privilege to bring forth only represent a minor part of the presidency's agenda. In addition, as noted, presidency countries occasionally have to make concessions with regard to the agenda of their own national interest in order to find a compromise in the Council. Finally, in terms of agenda-setting, the importance of the continuity and consistency of the work of the presidency was underscored.

Drawbacks of the rotating presidency system

Some drawbacks of the rotating presidency system were further pointed out. In respect of this, it was mentioned that the six-month presidency model entails the danger of the unknown each time another Member State is to take the chair. The risk attached to the rotating presidency system is that the incoming presidency may handle its tasks less effectively, not fully responding to its role. Yet, this problem is constrained to a great extent by the system of the rotating presidency itself (see infra).

Continuing with its disadvantages, it was added that the presidency is an expensive matter. For instance, it could be estimated that even a low-key rotating presidency may cost around 60 million euros. In addition to these, several participants wholeheartedly agreed that a deficiency of the rotating presidency is the high degree of complexity attached to the function of the rotating presidency within the other existing EU structures.

The positive side of the rotating presidency system

Despite its drawbacks, it was emphasized that the rotating presidency system itself can be seen as a safety valve against one of its drawbacks already mentioned, i.e. the risk of the unknown each time the presidency is to rotate. The limited duration of the rotating presidency has the advantage that a presidency that is handling its tasks inadequately will automatically change after six months. Conversely, it would be more difficult to remove a permanent chair. In this respect, the rotating presidency seems to be

better than the permanent chairs, where the above risk cannot be overcome within only a six-month period.

The rotating presidency of the Council of the EU has also several other positive aspects. It means energy, excitement and positivity for the country involved. As some participants also observed, holding the chair of the EU Council helps the Member State concerned to gain some public profile. And that is a matter of particular importance for smaller countries. At the same time, it provides smaller countries with the opportunity to closely participate in the EU architecture. When countries which are at the European borders hold the presidency, they are getting involved into the EU decision-making from a different, more prominent, position. This way, smaller countries are becoming more "*visible*".

Related to this issue, it was emphasised that the rotating presidency is important for the cohesion of the European Union for two reasons. One is that, this way, smaller countries experience the concept of equality between EU Member States. The second reason is the fact that "*EU Institutions function, if the national administrators know how the Institutions function*". Put in other words, when the countries know or, in practice, learn during their presidency how the ordinary legislative procedure works, then the EU system operates smoother.

The evolving relation between the rotating presidencies and the European Parliament

The Treaty of Lisbon changed not only the actors, but also the equilibrium between them. An example is that it changed the EU

decision-making process once more by making the renamed ordinary legislative procedure the main legislative procedure of the EU's decision-making system. Consequently, the European Parliament gained more power, as it also did following previous European Treaties.

Yet, as highlighted during the roundtable, the increased role of the European Parliament results in the need for a different relation between the rotating presidency and the Parliament. The rotating presidency is increasingly required to work closely with the European Parliament, with which it needs to play a very different role than when working in the Council. Likewise, it was pointed out that the tasks a presidency has to carry out during its six-month term can be divided as such: half of the work is to chair the Council of the European Union, while the other half is to participate in the ordinary legislative procedure together with the European Parliament.

The role of the General Affairs Council

Another Treaty novelty was the General Affairs configuration of the Council of the European Union. The General Affairs Council, that has been created by the Lisbon Treaty, enjoys a special role among the other configurations of the EU Council. It is a meeting point for ministers from the EU Member States and the European Commissioners responsible for the areas concerned. However, as noted during the roundtable, it is difficult for the General Affairs Council to work efficiently. For instance, as it was observed, it seems difficult to find a Member State's representative who has the political authority in the country concerned to make sensitive policy decisions

and who also make time to attend the meetings in Brussels. This difficulty results in the paradox that despite the importance of the General Affairs Council, its meetings often are attended by “junior” national representatives.

Conclusions

During the roundtable, most participants agreed on the important, yet complicated, role of the rotating presidency of the EU Council. The model of the six-month presidency may be complex, as discussed, but it should not be neglected that it has several positive elements. One of its positive aspects is the exposure of the country holding the presidency to the overall EU structure. The frequency and the time horizon of such an experience for Member States may not be ideal: in the Europe of 27 countries (soon 28), Member States hold the presidency only once every fourteen years. Yet, even this way, it should be kept in mind that the rotating presidency still creates an important linkage between the EU Institutions and the Member States. Given that the Lisbon Treaty has not

resulted in a simple balance within the EU architecture and, particularly, between the rotating presidency and the permanent chairs, it remains to be seen how the role of the rotating presidency will evolve in the future. In the meanwhile, as noted at the end of the roundtable discussion, *“the overall system will work, even if it requires great efforts from the actors”*.

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This report aims at reflecting the views expressed by speakers and other participants. Deviations from actual statements are incidental and unintentional.

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