

# spotlight europe

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## Yet another President

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The Treaty of Lisbon does not bestow a president on Europe, but at least the European Council is getting one. The character of the new office will be determined to some extent by the incumbent. Now that the squabbling about the treaty is over, the European Union badly needs someone who is genuinely a people's president.

So a search is in progress for a President of the European Council and an EU Minister for Foreign Affairs, even if officially the latter may not be described as such. The decision on who will be appointed to these two top European jobs will be made at the special EU summit on November 19. Of course a debate about this has been in full swing for quite some time. At this stage it seems as if the Socialists are hoping to obtain the foreign minister slot, whereas the Conservatives are going for the top-notch position in the European Council.

But in addition to finding the right candidates, the exact nature of the new posts still needs to be clarified. It is true that the Treaty of Lisbon provides broad guidelines for the conduct of the future President of the European Council, the High Representative of the Union for Foreign Affairs and

Security Policy, and the rotating presidency. However, but within these limits, the precise roles assigned to the new European leadership figures have still not been defined. The first President of the European Council in particular will help to determine how subsequent incumbents construe their mission.

Furthermore, new functions must be found for future rotating presidencies. Powerful new leaders will no doubt want to shape the EU as they see fit, but the national presidencies are not going to allow themselves be marginalized. Here at least the large and small member states see eye to eye.

I

## A Herculean Task

The new President of the European Council is supposed to bring composure and continuity to the task of governing Europe. Yet before this happens there is going to be a great deal of commotion. Jean-Claude Juncker, the Prime Minister of Luxembourg, stated quite clearly more than a year ago that he does not wish to become a mere figurehead or a manager who has no real powers. On this point he is probably in agreement with the favourites for the job. But how in fact does the Treaty of Lisbon describe the role of the future President of the European Council?

The European Council elects its President on the basis of a qualified majority for a period of two-and-a-half years. He or she can be re-elected once. In other words, no government possesses a veto. Article 15 of the new "[Treaty on European Union](#)" assigns four tasks to the President of the European Council.

### **"The tasks of the President have been described only in vague terms."**

First, he "shall chair it (the European Council) and drive forward its work." Secondly, it is his duty, especially in conjunction with the President of the Commission, and on the basis of the work of the General Affairs Council, to prepare for and ensure the continuity of the work of the European Council. Thirdly, it is his duty to endeavour to facilitate cohesion and consensus within the European Council. Fourthly, it is his duty to submit a report to the European Parliament. A separate clause states that it is the duty of the President of the European Council to ensure the external representation of the Union on issues concerning its common foreign and security policy. So much for the text of the treaty.

However, this job description does not tell us whether he or she (hitherto there has been little or no speculation about whether women might be elected to these posts) will become a genuine Mr. or Mrs. Europe in the context of external representation, or more of a king or queen presiding over the quest for internal compromises. Similarly, there is the unresolved question of whether or not he or she will receive a staff of his or her own in order to secure his or her power internally. This is not only necessary, but also fairly probable.

The role of the President of the European Council is basically confined to executive tasks. The initiation and preparation of European decisions remains in the hands of the President of the Commission. Similarly, the work of the ministerial councils is not under the control of the President of the European Council. They continue to be chaired by ministers from the member state which holds the rotating presidency. The advent of the President of the European Council means that Europe will acquire a new and prominent personality, and the EU, it is to be hoped, a more striking profile. In future EU citizens will find it easier to make a link between European institutions and a specific individual. Europe will become more visible and less difficult to understand.

Yet he or she alone cannot determine the actual agenda on the European level, which will be shaped by both external political events and the proposals of the Commission. Thus the President of the European Council will try to exert an influence on the course of a debate by aligning topics in a hierarchical manner and emphasizing them as and when appropriate.

Although much will be expected and demanded of the forthcoming President, his tasks have been described only in rather vague terms. The extent to which he can in fact introduce changes will not become apparent before he begins to interact with the other players.

## II

### Potential Conflicts

The purpose of the Treaty of Lisbon is to increase the effectiveness of the governance of Europe. Yet initially it simply creates a number of additional leadership posts which are tantamount to a kind of surfeit of presidents. Instead of assigning clearly defined responsibilities to the new leadership, the treaty has created a highly complex structure with a number of different actors.

In addition to the President of the European Council there is the President of the Commission, who now possesses greater democratic legitimacy because in future he will be elected directly by the European Parliament. There is the High Representative for the Foreign and Security Policy, who at the same time is vice-chair of the Commission and thus needs parliamentary

approval in order to be appointed. Furthermore, there is the President of the European Parliament with its growing powers, the head of government of the country which holds the current EU presidency, and 26 other self-confident and powerful heads of state and government who believe that it is their duty to exert an influence on European policymaking. So whom would a future Henry Kissinger ring up?

EU citizens will soon begin to notice the competition among the new European leadership figures. However, there is a dis-

tinct danger that they will neutralize each other whenever there are differing views and interests. In the treaty three constellations are possible sources of future conflict:

- Both the President of the European Council and the High Representative are responsible for the external representation of the EU. In future the High Representative will have the support of a European External Action Service. Admittedly it is not yet clear where exactly this will be lo-



### Duties of the President of the European Council

#### Art 15, Treaty on European Union

- is elected by the European Council by a qualified majority
- has a term of two and a half years, renewable once
- shall chair the European Council and drive forward its work
- shall ensure the preparation and continuity of the work of the European Council
- shall endeavour to facilitate cohesion and consensus within the European Council
- shall report to the European Parliament
- shall represent the European Union on the international stage

cated within the European institutional structure, and what its brief will be. However, the service has been established, and under the High Representative it will continue to grow and flourish.

- In recent years the importance of the President of the Commission has continued to increase, though this has gone virtually unnoticed by the European public. On the strength of its right of initiative the Commission determines the political orientation of the EU. In the past no EU Presidency was able to formulate direc-

tives and regulations without consulting the Commission. The future President of the European Council will also need the support of the Commission. Yet it would be completely erroneous to reduce the role of the President of the Commission to that of top administrator. He will in fact cooperate with the President of the European Council only if he has enough leeway to develop ideas of his own.

- Although the heads of government will (probably) elect one of their number to be President, they will subsequently do all that they can to restrict his ability to engage in self-adulation. Without a power-base of his own, the President of the European Council will need the support of important member states. Furthermore, he must make adroit use of the media to promote his own agenda.

### III

## A Strong President

The Europeans would like the first President of the European Council to be a strong politician, and if possible someone who is a household name. As the debate progressed, one occasionally had the impression that people believed that candidates with household names would automatically be strong presidents, and politicians who were not so well known on the European level would be weak presidents. In fact the EU cannot afford the luxury of having a weak president. The Treaty of Lisbon is supposed to make the EU more efficient and to strengthen its leadership. EU citizens would find it particularly difficult to understand why, of all things, it is impossible to meet this target at the institutional centre of the new treaty.

A more pertinent question is how the President of the European Council intends to demonstrate his strength. Is he the kind

### Three options for the role of the President of the European Council



#### Europe's strongest facilitator:

The EU is enlarged, interests diverge. The new President of the Council must facilitate compromises and consensus.



#### Europe's President in the World:

The EU needs a face in the global arena. "To speak with one voice" means that just one person speaks.



#### Europe's Citizen President:

Brussels' distance to Europe's citizens grows. To be effective internationally, the EU must come together internally.

of chairman who seeks to promote internal integration and emphasizes conciliation? Or is he a powerful "leader" on the international stage who is self-confident and able to forge relations with old and new world powers? In the current debate the two approaches are associated with specific personalities. They have their advantages and disadvantages.

A case can be made for a *conciliatory president* because there is a need for someone who is able to reconcile the increasingly diverse interests within the EU. The constitutional debate demonstrated quite clearly that the Union is immersed in a crisis not on account of a lack of ideas, but as a result of integration policy paradigms which are totally contradictory. However, the EU will continue to grow, and thus reaching a consensus will become even more difficult. The reasoning is simple. The Union can only act with one voice on the global stage if it achieves internal cohesion and solidarity. In this model one does not have to have any qualms about leaving EU foreign policy in the hands of the High Representative.

The second approach construes the President of the European Council more on the lines of *Europe's president in the world*. If Europe at long last wishes to be taken seriously by the U.S., Russia and the other burgeoning world powers, it will need a president who is capable of adroit partner management. He would be the familiar and easily identifiable representative of the European Union throughout the world. Of course, there is bound to be the kind of competition with the High Representative alluded to above. However, in this constellation the latter would be a kind of foreign minister attached to the President of the European Council. In the context of such an approach the President of the Commission would have to fend for himself, and would be left to deal with internal European topics.

## **"In future EU citizens should elect the President of the European Council."**

However, there is a third possibility. The future President of the European Council might perhaps think of himself as "*president of Europe's citizens*." If this were the case, his main task would be to explain the EU to its citizens in a rather more lucid manner. Such an understanding of his role would be an indirect response to the failure to ratify the European constitution and the growing need on the part of EU citizens for more information and orientation. A citizens' president in particular would be above the national and economic disputes which characterize European policymaking. A problematical feature is the fact that, since he has not received the assent of the European electorate, the President of the European Council lacks legitimacy. Election by the European Council merely enhances the impression that there is a European democratic deficit. Is there any reason why the European power architecture should not be redesigned in a few years' time in order to make it possible to elect the President of the European Council by universal suffrage?

Whatever the approach that is finally selected, the President of the European Council will need a "supporting structure" to enable him to prepare for the meetings of the European Council and to forge much-needed compromises. He can rise above the level of a European master of ceremonies only if he has at his disposal an effective political apparatus. Furthermore, he must acquire the kind of status in all of the EU ministerial councils which will enable him to intervene and to submit proposals. This applies to all those areas which are directly or indirectly connected with the preparation and implementation of decisions made by the European Council.

The President of the European Council can determine the European or, to put it more precisely, the global political agenda for a period of two-and-a-half or perhaps even five years. Thus it is essential at the outset to clarify the nature of the post and to select a suitable candidate. In the past it was undoubtedly an advantage, albeit a minor one, that a bad presidency lasted for only six months. In future the President of the European Council will be in office for a much longer period of time.

## **IV**

## **Where are the heads of state and government?**

The rotating EU presidencies will not disappear completely from the European stage. In fact, in the new "differentiated presidency" system the relevant ministers will continue to chair the ministerial councils. Thus the presidencies will retain 90 per cent of the responsibilities previously assigned to them. However, according to The [Economist](#) they will be losing the most interesting 10 per cent.

As a result of the forthcoming disjointed European competence structures, rotating presidencies may well be tempted even more than in the past to come up with the

ing an EU presidency is now much less attractive. As the head of the rotating presidency, he will have to assume complete responsibility for the six months in which his country leads the EU. However, his ability to influence European policymaking

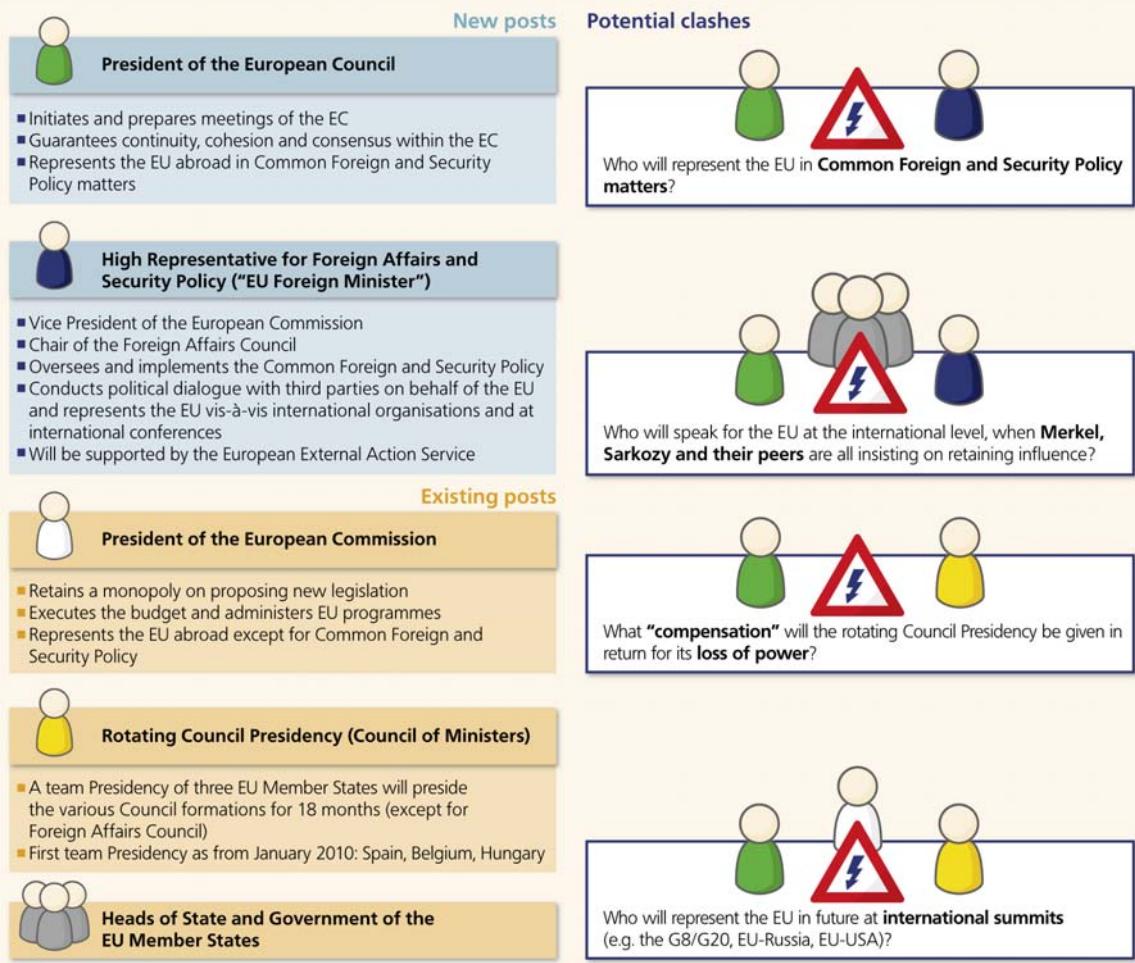
odd success story or spurious triumph designed for domestic consumption. One of the aims of the Treaty of Lisbon is to increase the responsibility of the nation-states, and especially of the national parliaments, for European policymaking. Yet it is quite possible that the temptation to turn Brussels and its new representatives into scapegoats will become even greater, especially since a presidency in the enlarged Union will now only come along every fourteen (or more) years.

The position of a head of government dur-

during this period has now been drastically curtailed.

This could turn out to be a problem, especially for coalition governments. Whereas individual ministers, some of them belonging to a different party than that of the head of government, can use the ministerial councils in order to demonstrate their prowess to the domestic public, the head of government merely has the thankless role of invisible coordinator. As far as the heads of government are concerned, it re-

### Potential conflicts in the EU's new power structure



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mains to be seen whether the new European leadership system is capable of providing something of added value that might be useful on the national level or in a media context.

The forthcoming Spanish EU Presidency, like the first President of the European Council or the High Representative, will mould the operational style of the future. In Madrid people are already saying that a head of government cannot simply be brushed aside without further ado. And if Prime Minister Zapatero thinks that he has an important role to play on the European stage, then all the other 26 heads of state and government will do exactly the same.

## V

### A New Role for the Rotating Presidency

The Treaty of Lisbon will force European policymakers to redefine the role of the rotating presidency. One possibility would be to lend greater support to the internal effect and influence of the national presidencies. In other words, the rotating presidency would have the function of acting first and foremost as an intermediary between European policymaking and the individual member states. In a certain sense the presidency would thus be turning its attention from external to internal concerns.

The desire to bring Europe closer to its citizens must of course be a constant concomitant of European policymakers. In the past the presidencies played an important role in transmitting and communicating European policies. Their endeavours in this respect should now be reinforced, and they should be encouraged to embark on new and innovative paths. The promotion of its own policies is becoming increasingly important for the EU, and for the presidencies and their national electorates this is a role which may very well prove to be an attractive one.

Furthermore, in future the rotating presidency should try to place greater emphasis

on a single topic and to communicate what it signifies. By and large this can be done by convening an informal summit organized by one of the rotating presidencies. Furthermore, in future an informal summit could begin with a public debate conducted by the heads of state and government and specific societal groups from the "host" country. An informal summit would be chaired jointly by the respective head of government and the President of the European Council.

### "Turning the rotating presidency inwards."

Whenever there is a formal summit, the heads of government could be asked to give an impetus to the debates. It would thus be up to them to attempt to influence the discussions of the heads of state and government by the provision of factual material and strategic ideas. The head of government of an EU presidency should of course also keep in touch with the European Parliament.

The Treaty of Lisbon requires Europe's leading politicians to display a new kind of leadership and cooperation. Leadership is needed because, after the seemingly endless constitutional crisis, Europeans once again wish to believe that the EU model is capable of being a success. Cooperation is essential because the structure of the new leadership architecture, more than in the past, now requires a greater ability on the part of leading politicians to engage in teamwork and promote integration. The EU has embarked on a new and interesting project, and, as so often in Europe, whether or not it turns out to be a success will only become apparent a few years down the road.

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**Responsible**

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**For Further Reading:**

CEPS / EGMONT / EPC: The Treaty of Lisbon: Implementing the Institutional Innovations, November 2007

European Policy Centre: Challenge Europe. The people's project?  
The new EU Treaty and the prospects for future integration, Issue 17, December 2007

Sarah Seeger: Rotation in the Council – Bringing Citizens Closer to the EU? CAP Policy Analysis, No. 6, Oktober 2007

European Policy Centre: EU Foreign Service: how to build a more effective common policy, EPC WORKING PAPER No.28, November 2007

Grant, Charles: Europe leaves behind the era of treaty change by, CER Bulletin, Issue 68, October/November