



### The Council Presidency after Lisbon

*The rotational system of Council presidencies has been in existence for over 50 years. Although the Treaty of Lisbon does not replace it, the Treaty's modifications have reduced both the role and influence of the Member State holding the six-month title.*

*The conclusion of the Hungarian presidency in June 2011 marked the end of the first "trio" of Member State presidencies. Whilst there are few definitive conclusions, these 18 months have seen the growing influence of the new semi-permanent European Council President, through adopting a "top-down" approach to policy-making, in contrast to the traditional, Council-led, "bottom-up" approach.*

*The coordination role of the General Affairs Council, both between Council configurations and with the European Council, remains a critical aspect of the rotating presidency's tasks. However, with its status reduced post-Lisbon, questions have been asked about its effectiveness.*

*The rotating presidency's role in external relations is also greatly reduced with the appointment of a High Representative of Foreign Affairs to chair the Foreign Affairs Council. However, the Belgian and Hungarian presidencies, in Cancun and Libya respectively, have shown that the presidency can still play an important role.*

In this briefing:

- Context
- The first "trio"
- The new General Affairs Council
- A continuing role in external relations?
- Main references

#### Context

The presidency of the Council of Ministers has operated on a six-monthly rotational basis ever since its formation under the Treaty of Rome. The pre-Lisbon system was designed to balance the power of small and large Member States (MS) and to give a public face to the EU. It also conveyed considerable prestige on the government of the MS holding the title and in particular on the head of state or government, as President of the European Council.

However with the growth in EU competence and membership, particularly in the past ten years, the Council's workload has increased in both volume and complexity. With this came increasing criticism of the "rotating presidency". It was seen as a major factor in the EU's failure to provide a coherent message. Specifically it was accused of delivering insufficient continuity, poor external communication and inadequate credibility.

This impression was reinforced by the practice of each MS producing a new six-month work programme which habitually included "pet projects", often deemed important on narrow, national political grounds.

#### The Lisbon reform

The reform of the Council presidency, designed to address these perceived weaknesses, was one of the most high-profile aspects of the Treaty of Lisbon (TL). It was even widely considered to be a key selling point.

Contrary to some initial demands, the rotational system was not abolished. This was seen as evidence that national governments



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were not willing to give up entirely the chance to show they were "leading" the EU.

The system has, however, brought a significant downgrade in terms of prestige and influence. Under a new "hybrid" approach, the head of state or government and foreign minister of the MS holding the presidency are left with a very limited role.

With the European Council now an institution in its own right, complete with semi-permanent President, the head of state or government of the presidency MS is simply a member. The General Affairs and External Relations Council (GAERC), has also been split, with the Foreign Affairs Council now chaired by the High Representative. The other nine Council configurations, including the General Affairs Council (GAC), along with Coreper and working parties (outside the foreign affairs field) remain under the control of the rotating presidency. To increase coherence, the successive presidencies of groups of three MS are formally linked together as the "trio",<sup>1</sup> developing a common 18-month work programme.

One view describes the changes as a decision to "move away from a presidency that was monolithic but devoid of continuity to one that it is lasting but multi-faceted".<sup>2</sup>

Although responsible for these innovations, the TL provides little detail on how the MS holding the rotating presidency should interact with its predecessor or successor, with the newly created actors or with the other institutions. A December 2009 [European Council Decision](#), and accompanying [implementing measures](#), shed some further light on the role. However, whether this new system can match its ambition depends to a great extent on the effectiveness of cooperation between the actors concerned.

### The first "trio"

The first MS to take on the role post-Lisbon would establish new guidelines and procedures for those that followed, particularly in their relations with the European Council and its President.

### Spain (January – June 2010)

As the first post-Lisbon Presidency, Spain's performance was closely monitored. The publication of a "Spanish presidency programme" and the arrangement of a number of meetings in Spain were initially seen by some as indications that Spain intended to operate similarly to pre-Lisbon.

The effect of the new system became particularly apparent, however, in the reduced role of the Spanish Prime Minister. It was suggested that, as a consequence, he soon became detached from presidency matters, which was perceived as hindering attempts to coordinate the presidency's work. The cancellation of the Madrid EU-US summit also damaged perceptions of the Spanish tenure.

At the same time there were clear indications that the European Council President was keen to assert the new institution's role, based on a "top-down" approach rather than a Council led "bottom-up" one. By the end of the Spanish term there were suggestions that it had become irrelevant with *European Voice* arguing that, "the permanent Presidency had simply drowned out the rotating Presidency".<sup>3</sup>

### Belgium (July 2010 – December 2010)

In contrast to Spain, which enjoyed a stable government throughout its presidency, the Belgian term operated under an exceptional and possibly unique set of circumstances. Run by an outgoing, caretaker government the acting Prime Minister was effectively powerless to offer a challenge to the European Council President, Herman van Rompuy. Moreover, as the former Belgian Prime Minister, most current ministers had previously worked under him. A close relationship was therefore expected between him and the heads of the Council configurations.

Although the unusual circumstances make it an unreliable guide to future presidencies, the Belgian Presidency was considered a success. Close cooperation was a feature and was widely argued to have consolidated the authority of the European Council President. Nevertheless in leading budget negotiations with the EP, the Belgian Prime Minister also

helped reassert the rotating presidency's role at the highest level.

Upcoming Council Presidency "Trios"	
2011/12	Poland, Denmark, Cyprus
2012/13	Ireland, Lithuania, Greece
2013/14	Italy, Latvia, Luxembourg
2014/15	The Netherlands, Slovakia, Malta
2015/16	United Kingdom, Estonia, Bulgaria
2016/17	Austria, Romania, Finland

Source: [Council Decision 2007/5/EC, Euratom](#).

### Hungary (January – June 2011)

In comparison to its trio partners, Hungary was holding the rotating presidency for the first time and therefore lacked the equivalent experience at administrative and political level. General sentiment at its conclusion was mixed, with one commentator describing the six months as a "whirlwind of success, failure, negotiation and embarrassment".<sup>4</sup>

Its initial efforts were overshadowed by two domestic issues: one relating to a controversial media law and the other an amendment to its constitution which tainted public perception.

In its relations with the European Council President, it is considered to have made efforts to regain some of the territory ceded by the previous two holders. This appears to have been largely unsuccessful however, with reports suggesting Hungarian officials felt they had become marginalised by the combined influence of the European Council President and the General Secretariat.

The current Polish Presidency and that of Denmark which follows are also expected to continue to battle for more autonomy.

### The new General Affairs Council

Prior to Lisbon, GAERC was considered a central forum for EU decision-making. It was attended by foreign ministers, with the rotating presidency coordinating positions on a cross-policy basis and for the preparatory work for European Council meetings. These duties have been passed to the new GAC, but with the latter role now shared with the European Council President.<sup>5</sup> Many

commentators have, however, expressed concern about its effectiveness in comparison to its predecessor. In particular it is suggested that none of the rotating presidencies have harnessed GAC's potential power.

It has been argued that the failure of GAC to assert itself politically may see its coordinating role taken by another body such as the President of the European Council, Coreper or even the General Secretariat of the Council. Each of these options would raise questions of democratic legitimacy and accountability.

### Diminished status

A reduced level of representation within the GAC has been cited as a possible cause of its lack of influence. Separating General Affairs from Foreign Affairs has seemingly made GAC less important and prestigious in the eyes of foreign ministers who have turned their attention to the FAC. Moreover, they previously provided a link between GAERC and the European Council, but post-Lisbon, foreign ministers no longer routinely attend European Council meetings.

In many cases, foreign ministers have delegated GAC duties to junior ministers or officials. A survey showed that from January 2010 to July 2011, only 50% of attendees at GAC meetings were foreign ministers. In 15% of cases, senior officials represented their MS, with no minister present.<sup>6</sup>

It has been questioned whether a GAC consisting of such junior actors can be sufficiently effective at coordinating horizontal issues between different Council formations. Furthermore the fluctuations in attendance provide little continuity or opportunity to grow trust between participants.

One early suggestion to address this issue was for the head of state or government of the presidency country to chair GAC. This would provide a significant upgrade in GAC's status and profile, restore the link between Council and European Council and compensate prime ministers or presidents for the loss of the European Council presidency.<sup>7</sup> However such a change seems extremely unlikely.

Instead the practice of sending a European Affairs Minister, already adopted by the Swedes, seems a more likely development.

### A continuing role in external relations?

The rotating presidency played an important and multi-dimensional role in EU external relations under the Nice Treaty. Through chairing GAERC, it helped shape agendas at MS level, acted as broker at EU level and represented the EU internationally.

Under Lisbon its role has been significantly reduced. Meetings of the Foreign Affairs Council are chaired by the High Representative. She is also responsible for coordinating the EU position in international organisations, attending international conferences and as interlocutor with the EP on CFSP. Furthermore the European External Action Service (EEAS) has taken over the organising and agenda-setting roles in external affairs.

Whilst the rotating presidency is no longer expected to make any significant mark on foreign policy it still retains a role in strategic planning. Its continued leadership of Coreper allows it to influence the preparation of all Council configurations including the FAC. The HR may also ask a minister from the presidency country to stand in for her if she is unavailable.

Additionally, the rotating Presidency retains control of non-CFSP aspects of external relations, such as trade and environment, as well as horizontally through GAC. In this respect, the post-Lisbon Presidencies have asserted their remaining competence.

The Belgian Presidency played a particularly active role, in keeping with its [programme](#) commitment to "a smooth application of the

new measures introduced by the Treaty". Whilst this partly referred to a desire to complete the transfer of powers to the HR and EEAS, it was active in other areas. The Belgian presidency opened and closed chapters in accession negotiations as well as signing trade deals. In terms of external representation, agreement was eventually reached with the Commission to attend and negotiate, behind the EU flag, at events such as the Cancun climate change conference.

In terms of CFSP, Hungary showed that the rotating presidency still had a role to play during the early stages of the uprising in Libya. The Hungarian embassy represented the EU locally in the absence of an EU delegation. Following preparatory work by the EEAS and Commission it also [coordinated](#) the evacuation of EU citizens under the EU's Civil Protection Mechanism.

### Main references

[How to assess a rotating presidency of the Council under new Lisbon rules. The case of Hungary](#). CEPS Policy Brief No. 232, February 2011.

[Think Global - Act European. The contribution of 16 think tanks to the Polish, Danish and Cypriot Presidencies](#)

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### Endnotes

<sup>1</sup> Although the Lisbon Treaty formally established the Presidency "trio", it was first introduced in 2007 (Germany, Portugal and Slovenia).

<sup>2</sup> [Treaty of Lisbon: A second look at institutional innovations](#), CEPS, Egmont and EPC, September 2010, p. 78.

<sup>3</sup> [Spain must show value of rotating Presidency](#), *European Voice*, 27 May 2010.

<sup>4</sup> [Mixed bag for Hungary's presidency - Public Service Europe](#)

<sup>5</sup> Article 15(6) TEU.

<sup>6</sup> The General Affairs Council: The key to political influence of rotating Presidencies *CEPS Policy Brief* No.246, July 2011.

<sup>7</sup> A related suggestion was that the head of state or government would also act as de facto Vice President of the European Council.