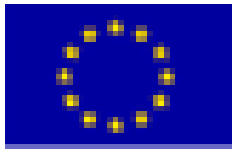
From the Convention to the IGC:
Mapping Cross-National Views
towards an EU-30



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"Reforming the EU Institutions - Challenges for the Council"

The Rotating Presidency of the Council of the EU: Obstinate or Obsolete?

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1. Reforming the presidency – the two debates[1]

In December 2001, the heads of state and government put the question of the future of the presidency of the Council on the Convention's agenda. Under the heading 'More democracy, transparency and efficiency in the European Union', the Laeken declaration succinctly asked 'What of the six-monthly rotation of the Presidency of the Union?'.[2] Due to increasing complaints about lack of continuity and chaos and with a view to enlargement, an increasing number of countries had been expressing doubts as to the viability of the existing system.

Since then several proposals for reform going from a team presidency to the introduction of an institutional chair have been put on the table. The proposition that has however dominated the debate in the Convention is that of a full-time and elected president of the European Council. This is understandable because its creation could have important implications for the institutional balance between the Council and the Commission. At the same time it is unfortunate to reduce the presidency to a stake in the institutional design of the Union. The question of an efficient, effective and legitimate presidency is at least as important for a good functioning of the EU.

Parallel to the Convention, the reform of the presidency is also being discussed in the framework of the European Council. Since Helsinki (December 1999) the heads of state and government have been exploring ways to ameliorate the operation of the Council. Several rather modest proposals for improving the rotating chair have been put forward. The most significant being the attempts of the Sevilla European Council (June 2002) to increase the co-ordination of agenda amongst succeeding presidencies.[3]

It is striking that the debates in the Convention and the European Council are taking place without the availability of an in-depth study of the strengths and weaknesses of the current system. Especially in the Convention delegations seem to launch very general proposals without thinking through the implications for the day-to-day functioning of the Union. Many delegations may be unhappy with the current system but it is far from clear whether the alternatives present the solution. Their proposals seem to be more based on impressions than on a real analysis.[4]

This article wants to contribute to the presidency debate by providing an analysis of the strengths and weaknesses of the current presidency system. Secondly, it examines the alternatives that have been proposed. It takes as a starting point the various functions currently fulfilled by the chair such as those of organiser, broker, political leader, and source of legitimacy. Following an evaluation of how these functions are fulfilled by the six-monthly rotating chair, it is examined how the alternative systems would affect the functioning of the presidency. This should allow us to get a clearer insight into the pros and cons of the various options and allow to debate the future shape of the presidency in terms of well-based arguments rather than general impressions. We start by placing the debate in perspective.

We conclude this introduction with a *caveat emptor*. Even though this article offers a rather positive perspective on the rotation system and presents ways to adapt it to the present-day challenges, it does not promote one particular option. The outcomes of change processes are unpredictable and depend on many factors. It remains that the decisions on the reform of the chair cannot be seen independently from those taken on the reform of the institutions and more particularly the Council. Secondly, this article focuses primarily on the presidency in the first pillar. Because of its intergovernmental character and the very important representative function of the presidency in the area of Common Foreign and Security Policy (CFSP), it is argued that the presidency in the second pillar should be organised separately. The proposal of the Benelux countries to entrust the

1 A version of this paper was presented at the EUSA Conference, Nashville, March 2003

2 'The Future of the European Union – Laeken Declaration', Laeken, 15 December 2001.

3 'Measures to prepare the Council for Enlargement. Report by the Presidency to the European Council (drawn up jointly with the General Secretariat of the Council', Brussels, 13 June 2002.

4 The background document prepared for the European Council of Sevilla (June 2002) is revealing in this respect. It states that 'the great majority of delegations *believes* that the current system will not be able to function in an enlarged Union'. 'Measures to prepare the Council for Enlargement. Report by the Presidency to the European Council (drawn up jointly with the General Secretariat of the Council', Brussels, 13 June 2002, 7 (emphasis added).

chairmanship of the External Relations Council to the High Representative, who would also have the hat of Commissioner for External Relations is along these lines.[5]

2. The presidency debate in perspective

The current debate on the presidency has been taking shape from the late 1990s onwards. It took off in the broader framework of the discussions on the reform of the Council. The increasingly wide scope of European responsibilities and the prospect of further enlargement raised concerns that the Council would soon be reaching the limits of its capacity. In addition there was a growing criticism on the functioning of the European Council, the General Affairs Council (GAC) and the presidency. Rather than giving guidelines and direction, the European Council was increasingly absorbed by addressing detailed problems and failed to address the core business. This was partly the result of the malfunctioning of the General Affairs Council failing to fulfil its function of co-ordinating the various Council formations and more and more transferring problems to the higher level of the European Council. The presidency on the other hand was primarily criticised for the amateurism of some of the member states, the lack of continuity, and too heavy workload for individual countries.[6]

Since 1999, the European Council has adopted four reports making suggestions to improve the functioning of the Council.[7] The main focus has been on the European Council, the General Affairs Council (GAC), the presidency, the legislative activity of the Council, and the question of transparency. As concerns the presidency, the results of these reform discussions were rather meagre and in practice countries at the helm very much continued to work as they always had. The European Council of Sevilla (21-22 June 2002) was an exception, with a number of concrete decisions aimed at increasing the continuity between presidencies. It was decided that from December 2003 onwards groups of six succeeding presidencies would elaborate a multi-annual strategic programme for the coming three years to be adopted by the European Council. Concretely this implies that by late 2003, Ireland, the Netherlands, Luxembourg, the United Kingdom, Austria and Finland, will have to come up with a joint programme outlining the priorities for the next three years. In addition, countries having the chair during the same year have to work out a more detailed annual programme. Greece and Italy were the first to present such an annual programme in December 2002. There is a reference in the programme of the Greek presidency to that of its successor but one can hardly speak of a real integration of the agenda's. It remains to be seen whether Ireland and the Netherlands will be more ambitious. While it is positive that there is now an obligation to already co-operate in an early stage, Sevilla is not going far enough to address the continuity challenges facing the chair.

Besides being a subject in the debates on the reform of the Council, the presidency is since 2002 also on the agenda of the Convention on the future of the EU. Various proposals for reform, going from a team presidency to institutional chairmanship or elected chairs have been put forward.[8] The draft constitution of October 2002, proposed by Giscard d'Estaing in his capacity of chairman of the Convention, includes two articles on the presidency: one on the chair of the European Council (art.15 bis); and one on the presidency of the Council (art. 17 bis).[9]

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5 'Memorandum of the Benelux: A balanced institutional framework for an enlarged, more effective and more transparent Union', Brussels, 4 December 2002.

6 Commission president Prodi f.e. criticised the presidency as 'ineffective political tourism'. See 'Prodi attacks EU' s Rotating Presidency' , *BBC News*, 9 January, 2001. According to de Boissieu, Deputy Secretary General of the Council, it is at the basis of inefficiency and ever changing priorities. See 'Top official attacks the way governments conduct EU business', *European Voice*, 6-12 April 2001.

7 'Operation of the Council with an Enlarged Union in Prospect. Report by the Working Party set up by the Secretary-General of the Council', Brussels, 10 March 1999. ' Preparing the Council for Enlargement. Report from the Secretary-General/High Representative to the European Council', Brussels, 7 June 2001. 'Préparer le Conseil à l'élargissement (rapport du Secrétaire Général', Brussels, 7 March 2002. 'Measures to prepare the Council for Enlargement. Report by the Presidency to the European Council (drawn up jointly with the General Secretariat of the Council', Brussels, 13 June 2002. The reports were successively discussed at the European Councils of Helsinki (December 1999); Göteborg (June 2001), Barcelona (March 2002) and Sevilla (June 2002).

8 For an overview of the different options on the table, see the Solana report (March 2002) and the Copenhagen report (December 2002).

9 'Preliminary draft Constitutional Treaty'. Cover note from Preasidium to the Convention. Brussels, 28 October 2002

The current discussions on the reform of the presidency may look new and primarily spurred by enlargement, they have already a long history. It is useful to take such a historic perspective because it helps to look beyond the current pressures and to put the debate in the context of the long-term development of the EU and the presidency. It may also provide us with interesting lessons from the past.

Criticism and discussions about reform of the presidency go back to at least the beginning of the 1970s. The complaints sound familiar: lack of continuity, the ever increasing time between a turn at the helm as a result of successive enlargements, the abuse of the political nature of the chair, chaotic organisation, the tendency to accept premature outcomes due to insufficient preparation and the pressure to show long tally sheets, and the increasing workload. The discussions resulted in a whole range of possible solutions and reports. Seen the similarity in complaints, it might be worthwhile to have a look at these 'forgotten reports'[10] of which the two most well-known are the Tindemans Report (1975) and that of the Three Wise Men (1979). Tindemans for example proposed to lengthen the period at the helm to one year and to have the possibility to entrust certain specific or temporary tasks to a single country or person, independently of changes in the presidency.[11] In other words he was a proponent of a pragmatic approach to the presidency allowing a more flexible interpretation of the rotation principle. The Three Wise Men recommend to formalise the presidency tasks so that each country would be under more pressure to live up to the formal expectations and to reinforce the chair by upgrading the Secretariat General of the Council.[12] These and other reports and papers[13] however all came to the conclusion that the presidency had important contributions to make not only to European decision making but also to the legitimacy of the EU and that it was important as symbol of the equality of member states. None argued in favour of a radically different system.

Aside from interesting parallels with the past –certainly when it concerns the complaints-, there are also noteworthy differences. Some of the alternatives tabled now would have been unthinkable before. Some of the current solutions are much more drastic going as far as shifting the responsibility for leading the negotiations partly to the Council Secretariat. The most important difference however is a shift from a general recognition of the advantages of a rotating chair towards the view that the downsides of the current system outweigh the benefits. It remains however to be seen whether such a view is justified. Contrary to earlier reports such as that of the Wise men, a thorough analysis of the current system is missing. What are the functions and what is the significance of the presidency in the EU polity? What are its strengths and weaknesses and have the disadvantages of the system indeed become so serious that they justify a radical change. If a first lesson is to be drawn from the past discussions, it is that any proposal for reform should start from a serious examination of the present system. The next sections will try to provide such analysis.

3. The functions of the presidency

The presidency system is as old as the Communities itself. Instead of opting – as NATO - for a professional chair in the person of a secretary general, the founding countries chose a rotating chair whereby every country in turn is at the helm for a period of six months.[14] By making this choice, they underlined the equality of the members and emphasised that it were in the first place the member states themselves who were at the centre of decision-making.

Providing an insight into the roles and the significance of the presidency is a first logical step when discussing its reform but it is harder than it at first appears. The presidency is a complex body

10 'Are we perhaps in the process of building up a library of forgotten reports? ... I would propose … a dictionary of wasted European ideas' in: Report by Mr Leo Tindemans, Prime Minister of Belgium to the European Council', *Bulletin of the EC*, Suppl. 1/76.

11 'Report by Mr Leo Tindemans, Prime Minister of Belgium to the European Council', *Bulletin of the EC*, Suppl. 1/76, p.31.

12 'Report on European Institutions Presented by the Committee of Three to the European Council (October 1979)' (Luxembourg: Office for Official Publications of the European Communities, 1980). The Wise Men were Barend Biesheuvel, Edmund Dell and Robert Marjolin.

13 E.g. P. Ludlow (1995), *Preparing for 1996 and a larger European Union; principles and priorities*, CEPS Special Report, No. 6.

14 This built on the practice of the European Steel and Coal Community (1952) where the chair rotated every 3 months.

and not being an institution in the strict sense of the word,[15] it is difficult to grasp. Every six months the chair has a different face and member states interpret their role differently. While some are highly ambitious, others take a much more low-key approach. Although it is fulfilled by the member states, the presidency is not a purely intergovernmental function. The task of the country at the helm goes beyond arriving at a synthesis of national positions. A good chair defends the general European interest and tries to ensure that decisions provide a basis for a viable EU in the long term. In that sense its role is more akin to that of a supranational body such as the European Commission. A further reason why it is hard to comprehend the presidency is that much of its work happens behind the scene. Chairing Council and working group meetings is only the top of the iceberg and much of the negotiations and compromise-building takes place through informal networks and at a bilateral level. Furthermore, the work of the chair covers a much longer time span than the six months in office. Most countries start their preparations two to one and a half years in advance and also after the term there may be some spill-overs. Most of this preparatory work is only seen by insiders.0

The position of the presidency has developed over time and grew by default rather than by design. It rose primarily in response to emerging gaps in the institutional design of the EU which demanded from the presidency organisational as well as political responsibilities. Most scholars, refer to the following duties (e.g. Kirchner 1992; Westlake 1995; Wurzel 1996; Hayes-Renshaw and Wallace 1997; Sherrington 2000):

- management of day-to-day business in the Council;
- coordination;
- chairing;
- mediation and brokering;
- spokesperson& external representation;
- contact point;
- taking political initiatives.

This list of tasks can be presented at different levels of detail. To get at the essence of the presidency, we group the various tasks into a limited number of core dimensions. This was also the approach of the Three Wise Men in their report on the reform of the institutions (1979). They referred to the presidency's "dual role of organizational control and political impetus" (Report of the Three Wise Men 1979, p.35).[16] In addition to the organisational and political role, we distinguish also the core tasks of broker and that of giving a national dimension/legitimacy to the EU (see table 1). This leads to a more complex picture as regards the roles with which the presidency has to juggle with (Schout 1998).

3.1. Organiser

The country at the helm is in the first place responsible for efficiency in the Council: planning meetings, arranging rooms, drafting agendas, and preparing and circulating documents. The presidency is supported in this task by the General Secretariat of the Council.
The administrative tasks may not be intellectually demanding but they should not be bantered. With the involvement of 15 member states, the Commission and the EP, it is important that meetings are well prepared. If well done, the organisational work is hardly noticed but if neglected it can greatly affect the effectiveness of a meeting and lead to a lot of frustrations with the other delegations.

3.2. Broker

The broker role consists in getting the delegations around the table and facilitating problem solving. It concerns sounding out member states, creating a good atmosphere and mutual understanding for each others' problems and fears, identifying mainstreams in the discussions, making issues transparent,

15 Formally the EU has five institutions: the European Parliament, the Council, the European Commission, the European Court of Justice and the Court of Auditors. Strictly speaking the Presidency is a function within the Council (see also Ludlow, 1995).

16 The same distinction can be found by Kirchner (1992); see also Sherrington (2000), p. 3.

unearthing directions for compromises and forging agreements. Essential are the creation of the conditions for finding common positions and the serving of group processes. In order for the chair to have the trust of the other delegations, it is important to have a receptive ear for problems and objections, and not to favour particular delegations. Being unbiased does however not necessarily mean that the chair cannot have a position of its own. Fairness is more important than absolute neutrality (see below). The broker role receives a lot of emphasis in the literature and is by many seen as the core function of the chair (Ludlow 1993; Weyland 1993; Galloway 2001).

However, its mediating role is not exclusive because there is multiple brokerage in the EU system. Also the Commission and other delegations sometimes fulfil this role. Nevertheless, as chair of the meetings at all levels from the working group to the (European) Council, the presidency is particularly well placed to broker.

3.3. Political leader

The presidency is also a political function. It sets the agenda, can give priority to particular questions and can steer debates and final outcomes. Leadership is shown when solutions go beyond the lowest common denominator and short-term national interests are recast in terms of 'what is best for Europe' in the long term.[17] Although there is always a degree of subjectivity in 'what is best for Europe', there are nevertheless objective criteria such as legitimacy, effectiveness and efficiency. Moreover, debates about what is best for Europe are not intended to lead to a specific outcome, but aim to move away from preconceived short term interests and to search for common solutions (compare the concept of integrative bargaining in Walton and Dutton, 1969).

Leadership is not so much related to the direct transaction costs of a particular meeting (see the broker role) but it is concerned with the long term viability of proposals and solutions. It concerns thinking through the consequences of proposals, finding new solutions and addressing short-term value problems in making the solutions feasible. This part of the presidency profile is only needed in situations in which current proposals need rethinking or elaboration, if long term frictions are insufficiently taken into account or if short term values and interests impede a clear view on long term viability.

Leadership requires thorough preparation, familiarisation with various national positions and frictions. It demands understanding future trends and the capacity to convince other delegations to give up short-term stakes for wider EU interests. Not all dossiers lend themselves to such an approach and not all countries have leadership ambitions. Providing direction is demanding in terms of time and resources. Presidencies opting for such an ambitious definition of their term in office have to decide well in advance which dossiers can be moved further and they have to seriously invest in it.

The presidency literature warns against leadership (e.g. Verbeke and Van de Voorde 1994). It is presented as creating resistance, making the presidency part of the problem and reducing the required trust in the chair. Moreover, it is argued that it should not be overrated what can be achieved in six months. A political presidency undoubtedly presents a number of pitfalls but when done properly, it can lead to a more ambitious outcome than when limiting the role of the chair to that of an altruistic server of the group process. At a time when there is a general concern about lack of leadership in the EU (e.g. Grant 2002), the potential of the presidency to make a difference should not be downplayed.

4. The national dimension/legitimacy

The presidency has also an important national dimension. Firstly, as agenda-setter it can give some national colour to the European agenda. Secondly, national politicians and officials are seen to play an important role at the European level. This stimulates the domestic discussion on Europe. It contributes to bring the EU closer to the citizens and adds to the legitimacy of the Union.

The bringing in of the national dimension is a sensitive issue and is one of the most criticised aspects of the presidency system. Most handbooks on the presidency urge the chair to ignore national

17 See the case of the integration of the Schengen provisions into the TEU in the IGC discussions leading to the Treaty of Amsterdam (A. Schout/S. Vanhoonacker, forthcoming).

interests even to the point of making heavy national sacrifices.[18] The argument is that showing national preferences reduces the credibility as broker and creates distrust. Giving up national positions allegedly sets the right example and raises prestige. Reality however is quite different. The country at the helm regularly adds hobbyhorses or removes sensitive topics from the agenda and (ab)uses its position to defend own positions and interests. If a too strong emphasis on national interest might indeed become problematic for the broker role, in certain cases the price for concessions to be paid at home can be too big and politically unacceptable. Making major concessions but having to come back to the negotiating table after the six months because the national parliament would not accept the outcome is not helpful either. Rather than tabooing national interests, one should realise that the responsible politicians cannot ignore the political sensitivities at home.

Evidently, national interests can easily compromise trust and presidencies have to be extremely careful in dealing with them. Yet, taking them into account need not always to be problematic. It depends on the situation whether there is scope for the chair to also present national views. The art of the presidency does not require neutrality but that those around the table remain are convinced that the chair is fair even when having an own outlook. As Gibson *et al.* (1996) show in their review of neutrality in negotiation theory, own interests may help to achieve better outcomes for all involved, provided fairness is guarded.

Table 1 Presidency roles

Organiser	**Broker**	**Leadership**	**National dimension/legitimacy**
-Planning of meetings; -Arranging rooms -Drafting agendas; -preparing and circulating documents	-Sounding out member states -Creating a good atmosphere -Creating understanding for each other's problems -Identifying mainstreams -Formulation of compromises -Stimulating flexibility -Serving group processes	-Putting current discussions in long term perspective on EU challenges -Steering the debate in particular directions -Convincing delegations to give up short-term interests	-Influencing agendas by adding or removing topics. -Short term orientation on national gains and values -Bringing Europe closer to the citizen

It is clear from the above that presidency is far from being a figurehead but that it occupies a central place in the system of European governance. It does not own this position to the founding fathers but to the weakening position of the Commission and to the swelling need for managerial, brokering and leadership skills in an increasingly large and divergent Union. Changing the system can have important consequences for the decision-making in the Union and should therefore not be taken light-heartedly. Before looking for alternatives, it is worthwhile to have a closer look at the performance of the current system and to analyse its main strengths and weaknesses.

5. Evaluating the performance of the rotating presidency

As is the case with any system, the rotating presidency has both strengths and weaknesses. Before opting for a radically different approach, it is worthwhile to carefully analyse the advantages and disadvantages of the current system and to examine to which extent the implementation of the four

18 See for example the Presidency handbook from the Secretariat General of the Council: "The presidency must, by definition, be **neutral and impartial**" in Presidency Handbook 1997, p. 5 (emphasis in the original).

above-mentioned presidency functions have become problematic. Are the complaints exaggerated or has the system indeed become unworkable?

5.1. The presidency as organiser

One of the major concerns in terms of organisation is that over the last years the workload of the presidency has increased considerably. Some consider that after enlargement it will no longer be feasible for one country, especially if it is a smaller or a new one, to handle all the work. It is indeed the case that some countries perform rather poorly when it comes to performing their organisational duties. This has however in the first place to do with a lack of cooperation with the general secretariat. If member states start to reinvent the wheel and try to organise their work from their capital rather than Brussels, chaos will be the result. Countries who for the planning of meetings, drafting of agenda's, and circulation of documents rely on the Council general secretariat will generally have a smooth presidency as concerns organisation.

5.2. The presidency as broker

The formulation of compromises and the forging of agreements is one of the central tasks of every chair. One of the most heard criticisms with regard to the brokerage function is that the short term in office and the eagerness to score provokes countries to force through dossiers that are not yet mature. Although this may sometimes be the case, the short term of the presidency has also a positive dimension. Coming in with fresh ideas, a different chair can give new impulses to a difficult dossier. Also in cases where the chair itself has important interests at stake it is positive that after six months another country can take over.

Much more problematic than the short term is that countries are often not sufficiently well-prepared to seriously carry out their role as broker. Finding out positions of other delegations, profound knowledge of the dossier, working out possible scenarios, being ahead of 'difficult' partners requires thorough preparations and sufficient resources. Too often countries start too late with their preparations, lack guidelines from their political superiors as to the priorities and do not receive sufficient support to carry out their work. Sometimes improvisation works, but in most cases it doesn't.

The most important advantage of having a system where every member state has the possibility and the responsibility to forge agreements at European level is from a pedagogic and socialising nature. During a period of six months officials and politicians are fully immersed in European affairs. In order to be successful in their role as broker, they have to deepen their understanding of European decision making and to reinforce networks with member states, the EP and the European Commission. They experience how important it is to not only criticise Commission proposals but to also actively search for solutions. The learning effect is much longer than the six months at the helm. As a Swedish president of a working group put it succinctly: 'I sat differently at the right hand of the table (where countries sit before the presidency) than at the left side' (where one sits after the term in office).

5.3. The presidency as political leader

Setting the agenda of the Council, the presidency also fulfils a political role. It is this role which over recent years has been increasingly criticised and which for several member states is an important reason to opt for an alternative system. The main criticism is that a six-monthly change in priorities negatively affects the continuity in decision making. It also leads to the pushing through of acts that are not ready and to the launching of non-binding and time-consuming resolutions.

The point of discontinuities should not be exaggerated, nor be generalised. In the first pillar, the agenda is largely determined by the Commission's initiatives and by what is inherited from the previous chair (the rolling agenda). Moreover, there are important elements of continuity built into the system itself. The presidency closely co-operates with officials of the European Commission and the

Council Secretariat who normally follow a dossier from the beginning to the end and who serve as institutional memory. De facto a presidency lasts much longer than 6 months. During the one or two preparatory years, future chairpersons through their work in working groups and by close co-operation with their predecessors and successors of the Council already gradually start to become involved in dossiers, knowing the intricacies and thinking about solutions. The next presidency may indeed change direction by emphasising other dossiers and themes, but then a topic may be picked up again two or three terms later. In the field of environment, there are ample examples showing that some countries start with a certain initiative which is subsequently taken over by another chair one year later. In other words, when one takes a longer perspective, more continuity can be found than it might appear at first sight.

Finally, member states trying to steer the Union in a certain direction can give new impulses to the process of European integration. The contribution of the Dutch presidency to the incorporation of Schengen into the TEU (IGC 1996-7) and the role of the French presidency in the dossier of the future composition of the Commission illustrate how a presidency can make a difference to the long-term development of the EU.[19] A political approach is however very demanding from the chair. In order to be successful the country at the helm has to be well-prepared and dispose over sufficient resources. If a country is not ready to make these investments a political approach of the presidency is doomed to fail.

5.4. The presidency as source of legitimacy

The presidency is in the first place a function of the Union, but it has also an important national dimension. Countries use and sometimes abuse their term in office to put national preferences on the agenda. It is indeed the case that a country that ruthlessly pushes its own interests looses all credibility as chair. Some national colouring of the period at the helm need however not be unproductive. For example, the initiatives bringing in the northern, southern and eastern dimensions of the internal market have helped sharpening the international basis of the EU.

The national component is also one of the ways to bring the EU closer to the citizens and can contribute to the Union's legitimacy. European dossiers receive additional attention in the national press and the population sees how its government plays a central role in the European decision-making process. The period at the helm stimulates the internal discussion about Europe and provides an opportunity to put questions that strike a sensitive chord with the own public on the European agenda. National policies may temporarily move to the background but this is the price to pay for a legitimate Europe. Especially at a time when the EU is more and more accused of lacking transparency and being elitist, this is a strength that should be highly esteemed and considered in the discussions of reform.

Also, being at the helm provides an excellent opportunity to get one's own European house in order. Countries often use the pressure of the upcoming presidency to make haste with their implementation of EU legislation to prevent being reproached that they could not fulfil its commitments itself. The presidency has often an impact on national policy co-ordination. For example, the Dutch environment departments used the experience of the 1997 presidency to continue to work on the basis of pro-active preparation of EU agenda's and to better select its priorities.[20]

The above analysis has not only highlighted some of the advantages of the system of the rotating chair, it also has guarded against caricaturising some of the disadvantages. There are for example more elements of continuity in the system than generally acknowledged and organisational weaknesses are not so much inherent to the system but to lack of delegation to the Council General Secretariat. One of the biggest advantages of the rotating chair, namely that each country has the opportunity to be at the helm and to play an active role in the European integration process has also an important backside: the system stands or falls with the willingness of the member states to take their job seriously. Especially when it comes to the performance of the roles of broker and political leader, long-term preparation, involvement of the political top, availability of sufficient human and other resources are crucial for

19 See Adriaan Schout/Sophie Vanhoonacker, 'Towards a contingency theory of the presidency. Revisiting Nice' (forthcoming); Id., 'Leadership and the presidency: the case of Schengen' (forthcoming).

20 A. Schout, L. Metcalfe (1999), *Integratie van het milieubeleid in de Europese Vakraden – Interministeriële afstemming van 'event' naar 'issue' coördinatie?*, EIPA, Maastricht.

success. Although most countries start preparations two years in advance, both politicians and officials often wait too long to give priority to the European agenda over the national one. If precious time in the preparations is lost, it becomes hard to catch up later, and this negatively affects the performance of the chair.

Finally, one has to guard against holding the presidency system responsible for the broader malaise in the Council and the EU. Long-term observers of the Union have noticed an increasing reluctance to accept the presidency as a force of discipline and authority. Negotiations tend to go on and on and too often national rather than the European interests prevail. In an enlarged Union, such attitude risks to bring about a total paralysis for whoever is in the chair.

6. Alternatives – Is the Cure Worse than the Disease?

Since the Laeken Declaration has placed the presidency on the agenda of the Convention, several proposals for reform have been put forward.[21] The suggestions for change go in many directions and are not well elaborated. The Copenhagen report (December 2002) grouped them in three main categories: maintaining the system combined with a further strengthening of co-operation between current and incoming presidencies; the introduction of a team presidency; and the introduction for an 'institutional' presidency for the Council's coordinating chain (i.e. the General Affairs component of the GAERC and Coreper). In addition, there is the proposal for an elected chair of the European Council, which can be combined with all three approaches.[22]

So far the proposals are very preliminary and pay little attention to how they will work in practice. To contribute to a further deepening of the discussions, we will analyse the four above-mentioned propositions. Each of the proposals will be discussed in terms of the four functions currently performed by the presidency. This should help us to get a better view of the implications of the different options for the functioning of the presidency and conduct the debate on the future of the presidency in terms of well-founded arguments rather than impressions.

6.1. Further strengthening of the cooperation between rotating presidencies (Sevilla plus)

In an attempt to address the increasing criticism on the lack of continuity amongst presidencies, the European Council of Sevilla introduced the adoption of annual and multi-annual programmes elaborated by groups of respectively two and six presidencies. Although the member states seem to have been giving a rather minimalist interpretation of these demand for increased co-ordination and cooperation amongst succeeding presidencies, it is at this moment still too early to evaluate the results as the first multi-annual programme still has to be adopted (cfr supra, p.3-4).

At the European Council in Copenhagen, a group of primarily small member states such as the Benelux, Ireland and Portugal defended the view that the track of strengthening cooperation amongst successive presidencies should be further explored as a way to address the weaknesses of the current system (Sevilla plus). More concretely it is proposed to incorporate in the Council Rules of Procedures 'a set of incentives and obligations to share and/or delegate power'. In co-decision dossiers

21 See, among others, Solana report, 'Préparer le Conseil à l élargissement (Rapport du Secrétaire Général)', 12 March 2002 ; Poos report, 'Report on the Reform of the Council. Committee on Constitutional Affairs. Rapporteur: Jacques Poos', 17 September 2001; 'Discours de Monsieur Jacques Chirac', Strasbourg, Wednesday 6 March 2002; 'Speech by the Foreign Secretary, Jack Straw, at The Hague', 21 February 2002; 'Guest lecture of Mr. H.A.F.M.O. van Mierlo, Representative of the Dutch government to the European Convention', University of Leiden, 20 March 2002; 'Memorandum of the Benelux: A balanced institutional framework for an enlarged, more effective and more transparent Union', Brussels, 4 December 2002; Romani Prodi, President of the European Commission, 'The European Union's new institutional structure', European Parliament, Brussels, 5 December 2002; 'Contribution franco-allemande à la Convention européenne sur l'architecture institutionnelle de l'Union', Paris et Berlin, le 15 janvier 2003; 'The Future of the EU and the work of the Convention'. Extract from the Government report to Parliament on Finland's position regarding the future of the EU and issues that have emerged in the work of the Convention', Ministerial Committee for EU Affairs, 17 January 2003 ; 'Benelux: prise de position des Premiers et des Ministres des Affaires étrangères suite à la contribution franco-allemande à la Convention, Bruxelles, le 23 janvier 2003;

22 'Reform of the Council Presidency. Report from the Presidency to European Council', Brussels, 10 December 2002.

for example, the presidency involved in the adoption of the common position would also conclude the dossier, meaning that the EP in the trialogue would only have to deal with one presidency. With mutual agreement presidencies at the helm during the same year could divide certain tasks and determine respective responsibilities in the annual programme. To further lighten the burden of the chair, it is also proposed to further extend the working groups chaired by the Council Secretariat.[23]

De facto such closer cooperation and sharing of the work between succeeding presidencies implies the setting-up of a rolling team presidency whereby there is always a close co-operation and co-ordination between incoming, current and succeeding presidencies.
This approach is attractive for a number of reasons:

- It preserves important advantages linked to rotation such as increased legitimacy of the EU and the pedagogic/networking dimension of the chair;
- It respects the principle of equal exercise by all member states;
- Increased co-operation amongst successive chairs can reduce the burden for individual presidencies;
- New members would considerably benefit from the close co-operation and could share work with experienced members;
- As countries would be allowed to accomplish a dossier beyond the period at the helm, this would reduce pressure to score on dossiers that are not ready for conclusion;
- Closer co-operation and adoption of joint priorities would increase continuity amongst presidencies and make it more difficult for member states to push for national hobby horses;
- For presidencies who want to provide political leadership on a certain dossier, it would become easier to already use the term of their predecessor to prepare the ground.

Cooperation amongst presidencies is attractive from the point of view of continuity and workload but it is not the *deus ex machina* that will solve all problems. One can wonder whether an enhanced cooperation amongst succeeding presidencies goes far enough to be an adequate response to the many criticisms on the chair. So far the results of Sevilla seem rather meagre. This has more to do with the minimalist interpretation of the member states than with the proposals itself. In order for the co-operation to make a difference, the countries involved will have to invest time and resources to make it work. It might be necessary to set up structures for co-ordination. Being an element of continuity, the General Secretariat might play a role in it (cfr infra).

Besides enhancing the co-operation amongst presidencies, there also other ways to strengthen the current system. In the last part of this article, a number of further measures are explored.

6.2. Team Presidencies

In a system of team presidencies, a group of countries simultaneously hold the chair for a specific period and share the workload (i.e. the different Councils) amongst each other according to a pre-established fixed scheme. A strong advocate of such approach is the United Kingdom. The British Foreign Secretary Straw proposes to limit the number of Council formations to 10 and to have a different national chairperson in each of the various specialist Councils. The period in office could be extended to 2,5 years and co-ordination would take place in the frame of a steering group. While the team proposed by Straw would consist of ten countries, the Solana report refers to blocks of 5 to 6 member states to perform the presidency collectively and simultaneously. Others talk about 3 countries for 1,5 years.

Several variants of the system are possible: a renewal of the entire team at the end of the mandate or a rolling team whereby new members come in at regular intervals. Some propose to combine it with the maintenance of the principle of rotation for certain central coordinating bodies

23 This already happens in specific cases such as the military committee, the economic and financial committee, the employment committee. They have chairpersons who have been elected for a longer period of two or three years. In Sevilla this group has been further extended to the working parties on electronic communications; on legal information; on codification of legislation; on information; on new buildings.

such as the General Affairs component of the GAERC (General Affairs and External Relations Council) and Coreper. There are also several possible criteria as to how the teams would be composed. While some plead for a combination of small and larger member states and countries from different geographical areas, others think in terms of groups who have already a habit of co-operation such as the Nordic countries or the Benelux. On one point all proposals however agree: representation has to be based on a continuing respect of the equality amongst the member states.

Being a drastic proposal for reform, the team presidency will have important implications for the fulfilment of the different presidency functions. Working in a group of countries may represent certain advantages from the point of view of continuity and workload; from a co-ordination perspective it will constitute a tremendous challenge.

6.2.1. Main advantages

- The team presidency divides the increasingly heavy workload over different countries. Besides the ministries of foreign affairs who will be key because of their co-ordinating role, it will be primarily the ministries who will provide a chair for one of the specialist Councils that will be involved. As they will chair over a longer period, the burden for those involved will however be heavier.
- As members of a team presidency, the new member states would be not have to carry the full burden of being in the chair. They could profit from the experience and help of the other members of the team.
- A longer period at the helm gives member states more time to work on long-term objectives and to steer a particular policy area in a certain direction. This supposes that a country has vision and knows where it wants to go. It also presumes that the presidency wants to invest sufficient human resources in preparation and managing the process. Unfortunately this is not always the case. When having a 'bad' presidency, contenting itself with the lowest common denominator, two and a half years is a long time.
- A team presidency respects the principle of equal rotation.
- The advantage of the presidency as an instrument to contribute to the legitimacy of the EU is preserved.

6.2.2. Weaknesses

- The division of tasks amongst the members of the team is likely to lead to harsh fights for the most prestigious policy areas. Will the presidency of the External Relations component of the GAERC automatically go to a big country? Will Scandinavian countries demand to chair environmental dossiers? The Belgian presidency (second half of 2001) can to some extent already be considered as a group presidency *avant la lettre*. The Regions and Communities who were in charge of chairing the Council formations for which they have exclusive competencies first had to divide amongst each other the various Council formations for which they were responsible.[24] This led to very difficult negotiations, leading to delays in the preparations. Such clashes are also to be expected in the case of group presidencies and arbitration will be even more difficult than within one country.
- In principle, being part of a team presidency will be less work than under the current system. At the same time, one should not underestimate the risk for double work and internal skirmishes and delays. It is highly probable that a country will not limit itself to the policy domain for which it is responsible but that it will also try to exert control upon what is happening in other areas – as also happened under the Belgian presidency. Rather than distributing the work, there might be a tendency to co-author presidency position and monitor negotiations in the various Councils.

24 See Steensels, C., 2001, 'Vlaamse inbreng tijdens Belgisch voorzitterschap van de EU' , *Internationale Spectator*, vol. 55, nr. 6, June, pp. 313-318.

- A group presidency will be prone to serious co-ordination problems. When only one country is at the helm, co-ordination is already problematic. But there is at least the Prime Minister or Cabinet office who can take decisions in case of disagreements. With a group of five countries with different political interests, languages, political and administrative cultures, such co-ordination will become even more challenging. A further question is who would be responsible for the co-ordination. Straw proposes the creation of a steering committee of the members of the team presidency. This will be indispensable but at this moment many questions remain as to the chairmanship of this committee, its decision-making procedures, and its relation to the General Affairs Council and the European Commission.
- The team presidency also raises questions with regard to the role of Coreper. At this moment the chairs of the working group, Coreper and the Council all have the same nationality and report to the same capital. With a team presidency, the chair of the working groups and the specialist Councils will for a big number of dossiers be of a different nationality than that of Coreper. This problem is not dramatic but it will require more co-ordination and could lead to communication problems. Having to work with up to 4 or 5 different nationalities will further add to the already extremely heavy workload of the chair of Coreper. A further effect might be that member states, especially the country chairing the Council tries to postpone solutions that could be reached in Coreper to the Council level.
- The involvement of various countries also raises the question of overall leadership and supervision. At this moment the definition of priorities is primarily a matter of the presidency in co-operation with the European Commission. The European Council of Sevilla has introduced a yearly programme (two presidencies) and a multi-annual programmes of 2,5 years. A team presidency has the potential to further strengthen longer-term approaches to presidency objectives. The chances for such approach to be successful will to a large extent depend on the capacity of the steering group to agree on certain political directions and to respect these agreements.

The team presidency may be attractive from the point of view of workload and continuity, it has a number of pitfalls particularly when it comes to the questions of co-ordination. Much more detailed proposals have to be worked out as to how such a presidency would work in practice. A simultaneous chairmanship of different countries will add to the complexity and unless the necessary structures are developed to keep the different players together, the team presidency might create more problems than it solves.

6.3. An institutional presidency for the Council's co-ordinating chain

According to this option, the presidency of the GAERC would be entrusted to the Secretary General/High Representative of the Council General Secretariat and that of Coreper to the Deputy Secretary General. This approach could be combined with a continuation of the rotating presidency for the specialist Councils or with a system of chairs elected by their peers both at the Council as well as at working group level. As we have amply discussed the rotating presidency, this section focuses on the combination of an institutional presidency for the co-ordinating bodies combined with chairs elected by their peers for the specialist Councils and working groups.

Such combination aspires to be an improvement vis-à-vis the current system in two respects: it tries to strengthen the co-ordination capacities of the Council; secondly, it aims to bring more continuity in the system. Again the questions arises as to the implications of such system for the various functions of the presidency.

Although a longer-term chair of the General Affairs component of the GAERC could be an asset for the continuity of its work and even if elected chairs of the specialist Councils might lead to more expertise and proficiency, it is very much the question whether these advantages weigh up against the many flaws:

- It is an illusion to assume that a change in chairmanship will solve the many problems related to the General Affairs Council. The weakness of this co-ordinating body is in the first place the result

of the lack of commitment of its members who tend to be more interested in external relations than in co-ordinating EU policies. Secondly, the co-ordination problems in the General Affairs component of the GAERC, are linked to the European co-ordination problems at national level. Ministries of foreign affairs are often too weak to fulfill their coordinating role at the national level. The appointment of an institutional president will not solve this predicament.

- Coreper and its chair fulfill a crucial role in the European decision making process. It not only prepares Council decisions, it also often reaches agreements which are then rubberstamped by the ministers. Being a body that makes political choices, the ambassadors or deputy ambassadors get their instructions from their respective ministers. It is questionable whether such a political function should be entrusted to a high level official of the General Secretariat. Already at this moment Coreper is being accused of contributing to the democratic deficit;
- Already at present there is a tendency to blame 'Brussels' for anything going wrong at the national level. There is a lot less ground for this argument as long as agreements are brokered by national politicians and the preparations are in the hands of the member states. Chairmanship by 'bureaucrats from Brussels' would negatively affect the feeling of shared responsibility for EU decisions. It would also reduce the empathy for the chair. The prospect of being in the chair impels delegations to adopt a more constructive attitude towards the presidency.
- If the role of the Secretary General and Deputy Secretary General is considerably increased the question arises to whom they will be responsible. Should they also become answerable to the European Parliament? What happens in case of malfunctioning?
- If chairs of the specialized Councils and working groups will be elected, this would imply that the number of different nationalities involved in chairmanship will increase tremendously. This will represent an enormous challenge from the point of view of co-ordination. In the current system the national co-ordination system of the country at the helm fulfils an important function. With elected chairs, co-ordination at the European level would have to be strengthened considerably. It is the question whether the appointment of institutional chairs in the GAERC and Coreper can compensate for this.
- With chairs elected for a longer period, the pressure to conclude deals on dossiers that are not ripe will decrease. At the same time there might be a greater tendency to spread out problems in time. At present a chair who is not performing well quits after half a year. An ineffective longer-term chair can obstruct decision-making for quite some time.
- The socialisation of national officials and politicians will be a lot less. The presidency experience and the responsibility for ensuring cooperation in the EU will be limited to a smaller group.
- In a more heterogeneous setting, the danger exists that elections of chairmen will look like the Eurovision Song contest: countries vote for their neighbors and members who share the same values and problems. It may be that in homogenous groups the peers are more oriented towards the one who reflects best the values that are deemed essential by the group and that are held in common. More diversified groups may tend towards polarization.

6.4. A longer-term elected president of the European Council

The most publicised and discussed proposal for presidency reform is undoubtedly that of a longer-term and elected chair of the European Council. It only addresses one dimension of the future shape of the presidency, namely that of chairmanship at the highest level of the heads of state and government. An elected European Council President could in principle be combined with a team presidency, the current system of a rotating chair, or any other presidency alternative.

Motivated by the desire to have more continuity as well as to give a face to the EU at the highest level, it were the British and Spanish prime ministers Blair and Aznar who first launched the proposal. Giscard d'Estaing, included the idea of an elected president of the European Council in the draft constitution of October 2002.[25] The proposal was also supported by the French President Chirac[26] and it became one of the corner stones of the Franco-German proposal to the Convention in January

25 'Preliminary draft Constitutional Treaty'. Cover note from Preasidium to the Convention. Brussels, 28 October 2002
26 'Discours de Monsieur Jacques Chirac', Strasbourg, Wednesday 6 March 2002

2003.[27] The initially reluctant German chancellor Schröder accepted that the heads of state and government would elect amongst their peers a full-time president of the European Council for a period of 2,5 years (once renewable). In exchange, France agreed to the direct election of the Commission president by the European Parliament. Also some of the smaller member states such as Denmark and Sweden have been arguing in favour of the formula of an elected European Council president.

The proposal for an elected chair of the European Council has been one of the central themes around which the Convention debate between intergovernmentalists and supranationalists has been polarising. Those in favour of strengthening the supranational institutions in the EU fear that a so-called dual presidency will lead to fierce competition between the Commission and the European Council and that it will lead to a further weakening of the former. But also from the point of view of the functions fulfilled by the presidency, the proposal represents a number of serious flaws.

6.4.1. Advantages

The European Council is in the first place a political body. Because of poor preparation and an overburdened agenda, it has been performing its role as political leader rather poorly. A strong personality might positively affect the leadership role of the European Council. The same person would chair the meetings for 2,5 to possibly 5 years providing continuity and increasing the chances to steer the Union in a particular direction.

6.4.2. Disadvantages

- Meeting four to five times a year, the European Council is not a decision making body but it gives guidelines and direction to the process of European integration. Over the years there has been a trend to increasingly transfer difficult questions from the General Affairs Council or the specialist Councils to the level of the heads of state and government. This has led to an overburdening of the European Council and has negatively affected its role to provide impetus. The nomination of a full-time president risks to further reinforce the trend to turn away from its original objectives and make it the ultimate arbitrator whenever decisions at Council level are politically sensitive or difficult.
- It is proposed that the president would be elected by qualified majority amongst the peers in the European Council. The question arises to which extent (s)he would responsible before the European Parliament. What would happen in case of malfunctioning?
- Unless the presidents of the European Council and the Commission join forces and succeed to pull in the same direction, the system of a dual presidency risks to increase rivalry between both institutions, creating a kind of Solana-Patten competition.

The analysis of the four main proposals on the table from the point of view of the presidency functions learns that none of the proposed options excels. They all have a number of advantages, especially when it comes to increasing continuity, but they also show serious weaknesses. They pose co-ordination, practical or legitimacy problems, or threaten the institutional balance between Commission and Council. In addition, the analysis of the current system has exposed an important number of advantages of the rotating chair and guards us against caricaturising its weaknesses. It is therefore worthwhile to further explore whether changes in the current system are a viable option for the future. Sevilla plus (the first option) primarily concentrates on the question how to enhance co-operation amongst presidencies. The next section examines a couple of other possibilities to improve the performance of the current system. Firstly it looks at the possible role of the Council General Secretariat in better supporting the presidency; secondly, it explores how pragmatic ways of working can help to address some of the current weaknesses; finally it addresses the question how a better preparation and more commitment on behalf of the member states can improve the quality of the period at the helm. These measures can be seen as mutually reinforcing.

27 'Contribution franco-allemande à la Convention européenne sur l'architecture institutionnelle de l'Union', Paris et Berlin, le 15 janvier 2003.

7. Additional ways to reinforce the rotating presidency

7.1. The contributions of the Secretariat reconsidered

It is no overstatement to say that rotating presidency system would have been impossible without the active support of the Council General Secretariat. This body of approximately 300 A officials serves as the Council's institutional memory and provides continuity in EU decision-making. Following a dossier from the beginning to the end, it provides the chair with background briefings, tactical advice, progress reports and press briefings. In addition it also takes care of many administrative tasks such as distributing papers and arranging meeting rooms. Due to the weakness of the Commission and the workload of the presidency, the Secretariat is increasingly involved in the formulation and drafting of compromises. The additional workload has not been compensated by adding extra staff and some chairpersons have complained that the services of the Secretariat are of lesser quality than during their previous term in office. If presidencies increasingly rely on the Secretariat for more 'political' tasks, it also has to be provided with the necessary resources. Furthermore, it may be necessary to make this role of compromise-builder more explicit. Now we have the unclear situation where the Secretariat fills a vacuum in the decision-making without having the mandate to do so. This leads to contradicting signals from succeeding presidencies. While some are all too happy that the Secretariat alleviates its work, others stress that the Secretariat officials should stick to their purely supportive role.

There is a second area where the role of the Secretariat could be reconsidered. At this moment this body is primarily involved during the six months of the term in office. The first contacts with the upcoming presidency are normally established two months before the start of the period at the helm. It may be worthwhile to consider the extension of the supportive role of the Secretariat to the preparatory phase of the presidency already starting 1,5 to 2 years before the term in office. Especially at the higher level of senior management and politicians such contacts could be recommendable, helping to raise the political awareness of the role of the presidency, pointing to the importance of good preparations and supporting the process of selection of priorities. Such a strengthened role of the Secretariat in the preparatory phase would also support the process of multi-annual strategic planning as decided in Sevilla. When 6 presidencies on the basis of guidelines of the European Council want to succeed in elaborating a joint programme, co-ordination will absolutely be required. Having the overview of the various policy areas and knowing better than any other player the ins and outs of a presidency, the Secretariat would be in an excellent position to assume this task. A timid step in this direction has already been set with the introduction of the so-called 'building blocks', overviews prepared by several Directorates General of the Secretariat indicating the main challenges in the various policy areas in the coming three years.

7.2. A pragmatic/flexible approach

The EU has developed into a very complex polity. It deals with an increasingly wide number of policy areas and copes with more and more member states. Although it is in the interest of transparency to keep the rules that govern the EU as simple as possible, the high complexity makes it sometimes very difficult if not impossible to come with approaches that fit every situation. It might therefore increasingly be necessary to allow room for flexibility, including in the system of the rotating presidency.

As such the idea to provide for a degree of elasticity in the application of the principle of the rotating presidency is not new. Already the Tindemans report (1975) proposed to entrust certain specific tasks to a single person or country, independently of changes in the presidency. At this moment, a couple of committees have already elected chairs[28] and in Sevilla it was agreed to further extend the number of working parties that would be chaired by the Council Secretariat.[29]

28 Cfr. supra.

29 It concerns the working parties in electronic communications, on legal information, on codification of legislation, on information, on new buildings. See 'Presidency Conclusions'. SevilleEuropean Council, 21 and 22 June 2002. Annex II.

There can be several reasons why it can be decided to make an exception to the general presidency rule: the highly technical character of the dossier requiring a particular knowledge, the lack of personnel within the presidency in charge, the fact that the bulk of the dossier will primarily be dealt with during the next six months; or vice versa the need to finalise a dossier that is almost finished. It is important however that such decisions to introduce exceptions to the rotating system are taken with the general consensus of the group and more particularly with that of the presidencies involved.

The introduction of a certain degree of flexibility has several advantages. It allows taking into account the particular character of certain dossiers or policy areas and it is a way to alleviate the burden for an overloaded presidency. Especially in areas or dossiers where continuity appears to be a problem, the introduction of a certain degree of flexibility could be appealing. Furthermore it could also be very attractive for the new member states. Close cooperation with the next presidency could provide the extension of the presidency period. Anyway nobody obliges the new countries to immediately assume the presidency task. It is probably recommendable that they first take the time to adjust to the EU and as Portugal when it first joined, skip their turn in the beginning.

7.3. Taking the presidency more seriously

When discussing the future of the presidency, it is important to take into account that some of the problems are less related to the characteristics of the system itself than to the way member states prepare for their period at the helm. Very often preparations start too late or do not receive sufficient attention and resources. Furthermore upcoming presidencies have the tendency to place too much on the agenda.

The problem lies especially with the political level and senior management who have to give general guidelines and provide the necessary support so that the lower levels can do their work. As discussed before, the problem could partly be addressed by a more intense involvement of the Council Secretariat in the preparatory phase. Another disciplining force could come from the strengthening of the national co-ordination systems.

One of the strengths of the current system of the rotating chair is at the same time also its weakness. While it is extremely positive that each of the member states can fulfil the function in turn, it also means that the system is vulnerable and to a large extent dependent on the commitment of the member states to fulfil their obligations.

8. Conclusions

The presidency fulfils important – often unrecognised - functions in the EU decision making process and being carried out in turn by each member state, it provides an opportunity to involve ministers, national officials, and citizens more actively in the European integration process. The increasing scope of EU activities and the prospect of further enlargement has brought many observers to the conclusion that the current way of working has reached its limits and changes are imperative.

This article does not deny the need for serious reform but criticises the fact that the current debate seems to be primarily guided by general impressions and feelings rather than by an in-depth analysis of the different options on the table, taking into account the functions fulfilled by the presidency. Most striking is that several member states, even before the debate had seriously started, had already come to the conclusion that the six-monthly rotating system had become obsolete. They opt for alternative approaches such as a team presidency, an institutional presidency or elected chairs. Most of these proposals have been inspired by a concern to address problems of workload, discontinuity and the challenges of enlargement.

Rather than arguing for alternative systems, this articled explored ways in which the underlying problems can be solved so that the rotating presidency can be strengthened instead of watered down. In this way new problems associated with the proposed changes can be prevented and the strengths of the rotating presidencies maintained. Pivotal in our suggestions is the expansion of responsibilities of the Council General Secretariat. At present, no one acts as counterweight against governments that put too many topics on the agenda, that shift priorities too much or that under-invest

in preparations. The institutional memory of the CSG may help to play a much stronger role in agenda setting and preparations than is currently the case. This is not to suggest that the CSG should take over responsibilities. Instead we argue for a CSG that forces national governments to think harder about the responsibilities of the chair in the run up to their term. In addition, the CSG could assume more forcefully the role of quality controller by checking more than the legality of decisions but by also scrutinising whether decisions meet criteria of clarity and consistency.

One objection against reinforcing the role of the CSG might be that member states may not accept this kind of interference in agenda setting and in their decisions about how much time and money are spent on preparation. However, the fallacy of the current system is that member states have proven to underestimate the steps towards an effective presidency. This leads to the contradictory situation in which – although for different reasons - big and small countries alike would like to continue to keep Council decisions in the hands of national ministers but that they do not connect this to ensuring that presidencies arrive well prepared in the chair. A stronger CSG may be the appropriate institution to counteract the centrifugal forces that erode the chairs strengths.

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