

A real Compromise for the EU presidency is still possible

By Kalypso.Nicolaidis

Who should govern the EU? A few days before the finish line, the Convention on the Future of Europe has reached the beginning of a compromise over the key question of power and institutions. Predictably perhaps, it looks conspicuously close to the so-called Franco-German compromise reached six months earlier.

In the last few months, two camps had seemed bent on irreconcilable positions. On one side, the Franco-German proposal along with the British promote the creation of a permanent head of the European Council, the body bringing together heads of states and governments. On the other side, the small and medium size countries led by Benelux long stated their opposition to such a plan, fearing the prospect of a "European Napoleon," and the entrenchment of a directorate of the big countries.

Arguably, any final compromise needed to incorporate the Franco-German proposal as a starting point. It does represent a combination of intergovernmental and supranational demands since it balances the new Council chair with an old German favourite, the introduction of a democratic mandate for the Commission president *via* the European parliament. And many in Europe believe (especially in these two countries!) that when the odd couple deals the rest of Europe must follow.

Today, however, it appears that the 19 strong club of non-big countries have been "persuaded" to accept the Franco-German blueprint as is, with a few adjustments to constrain the power of this Council president and to guarantee equal rotation inside the Commission. In the end they might grudgingly endorse this least worse option.

This is unfortunate. The Convention could have done better. First because the Union is not a normal federation where each institution is created to serve certain interests: a senate for equal representation between states, a chamber for proportional representation. Or, as seems to be the received wisdom today in the EU: a deal on the Council to please to big states, a deal on the Commission to please the small states. Instead reforms proposals should be considered on their own merit *for each EU institution*.

This implies for one, that all member states ought to feel comfortable with the reform envisaged for the European Council. The smaller country coalition has been right to defend the idea of rotation in the leadership of the EU and should not abandon it. Of course, rotation is precious to smaller countries, including most new members, as a symbol of equality between states and a counterweight to the power of the big states.

Yet, rotation has other virtues. It creates a healthy competition between national administrations, while at the same time socializing civil servants and citizens into "thinking European". In the process, it serves the spirit of compromise and long term reciprocity within the EU, as member states often support each other's presidency

ambitions and deadlines in the expectation that the same will be done for them. But perhaps most importantly, rotation holds a key symbolic value by demonstrating to European citizens that EU policy is not “made in Brussels” but is a shared and decentralized enterprise conducted everywhere in Europe from Copenhagen to Lisbon. Summits in unfamiliar places are the most media-friendly events in EU politics.

The oft-heard argument that rotation becomes meaningless if held every 13 years in a Union of 25 simply misses the point. It is as valuable for the citizen whose country *does not* hold the presidency as for the one whose country does.

But the critics are right when they stress the costs of rotation for the EU both internally and externally, in term of visibility and continuity. So, how can we have our cake and eat it too? Is it not possible to reach a real compromise that would be endorsed enthusiastically rather than grudgingly by an overwhelming majority in the Convention? Or by a unanimity in the IGC?

“Rotation is dead, long live rotation!”

We can, by reforming the governance system in the EU to address both, demands for more permanence at the helm of its institutions and fears of concentration of power at the top of EU. We can, by creating a new rotating presidency for the EU itself, a presidency for the EU as a whole, that would put rotation *over and above* the European Council. At the same time the European Council would acquire a permanent chair and a foreign minister of the EU would be created as is envisaged in the current draft constitution.

Under this proposal, the goal of the big countries would be achieved by shifting rotation *outside* the European Council and therefore delink it with its management. The EU presidency would be stripped from most of the tasks currently associated with rotation, now entrusted to the new Council chair and to the minister of foreign affairs. Its main tasks would be to host on its territory the European Summit held during its mandate, chair some of the Council formations, and coordinate with all EU institutions in doing so. Mainly, as with the German president, this would be a ceremonial position, assisting in the democratic life of the Union by bringing its leadership closer to its citizens.

This proposal’s first merit would be to make explicit that the new chair of the European Council would not be thought of as the *de facto* president of Europe. Such a label has been wrongly attached to this potential position by commentators. Under the Franco-German dual presidency proposal, the bets have been open as to who will be “the real head of the EU”: the one backed by our princes or the one with the big budget, civil service and parliamentary mandate? A rotating EU presidency would serve as a cap over both.

Symbolically, such a presidency would reflect the character of the EU as an exercise in pooled sovereignty and collective governance. It would provide the clearest sign possible that EU is not a super state in the making, reproducing at the European level the models of parliamentary or presidential governance found in the member states. The collective

character of this EU presidency could be emphasized through the creation of a Presidency team bringing together the presiding member states every year, with rotation possibly brought to three months.

This approach is both innovative and faithful to the spirit of the Treaties. A new rotating EU presidency would not detract from the profoundly important insight of those who insist on the need for a permanent Chair of the European Council to provide long term planning for this institution. On the contrary, it would make it acceptable. Indeed, every EU body should have a single, permanent and accountable head, recognized inside and outside the EU as responsible for running his or her shop. This is the hallmark of all democracies: In the United States, the Congress and the Senate each have their president, even while there is also a president for the whole country. But let the EU as a whole continue to stand for another concurrent ideal of decentralised, trans-national and shared governance.

In short, the compromise reached at the Convention can still be embellished, if need be at the IGC.

Some will object that this proposal will be perceived as too complicated by the European public. To be sure, it does not have the elegant simplicity of merging all existing positions into one! But come to think of it, would the average European citizen not be able to appreciate the logic of the construct: a new symbolic collective EU presidency, and a head for each separate EU institution? Would she not appreciate such a guarantee of EU pluralism and thus perceive the EU as closer to her concerns? It seems worth making this bet, and in the process mend the deepest divide in our Constitutional dialogue.

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For more details see, Paul Magnette and Kalypso Nicolaidis, *Large and small member states in the European Union : Reinventing the Balance*, Notre Europe website, May 2003.

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