

# The French Presidency of the EU Council: A Big Boat in Stormy Weather



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**T**HIS IS NOT the start that a country starting its presidency of the European Union would dream of. Quite the opposite. It has been more than one year since the French election in May 2007. Now President Nicolas Sarkozy's government prepares itself for its six-month mission of chairing the EU Council of Ministers. It is impatient to demonstrate that the motto the President used on the day of its elections 'France is back in Europe and Europe is back in France' is a reality. It was not, however, really anticipating such a blow as the Irish 'no' to the Lisbon Treaty has been for the EU as a whole.

The main priority for France is to make sure that the ratification process of the Lisbon Treaty is indeed pursued as was decided at the last European Council in June. The position of the Czech President and more

recently the Polish one will certainly complicate its task. At the same time, the fact that UK has proceeded with ratification despite the Irish 'no' is a sign that there is a political will in Europe to avoid a new negotiation, for which all energies have been exhausted after the transformation of the Constitution into the Lisbon Treaty.

Does the Irish 'no', however, totally impede the French presidency from acting with efficiency on its four priorities: climate, immigration, agriculture and defence? Probably not, to the extent that, in any case, since the Lisbon Treaty was to come into force only in 2009, France was planning to go ahead in these areas without the Lisbon Treaty. Moreover, governments are probably keen to show that the EU can provide concrete results for its citizens. But the context of a new European crisis does not help in creating a positive climate of negotiation in the Council, which would allow, for example, the recourse to qualified majority voting.

Within this difficult context, this article suggests three angles through which the French presidency can be analysed: is the rotating six-month presidency of the EU Council still relevant? What is the nature of the priorities of the French presidency

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and their potential for success? And what is the state of the relationship between France and its European partners and what impact will it have on the presidency?

### **Is a Six-month EU Council Presidency Still Relevant?**

Before one can start discussing the details of a presidency programme, it is important to recall what an EU Council presidency really is and how it is likely to develop in the future. It should be first stressed that it is not the presidency of the EU but the presidency of one of the EU institutions, namely the Council of Ministers. The French Ministers (for the different formations of the Council) and the French Head of State (for the European Council) will first play the role of a chairperson, responsible for listening to the views of the different member states and facilitating a compromise agreement between these 27 positions. This function requires leadership but above all a capacity for dialogue and the humility to put aside his or her national position to concentrate on what comes out as the European consensus.

Second, it should not be forgotten that a six-month period is increasingly seen as a short time span when it comes to the European legislative agenda. It is for this reason that for some time now the focus has rather been put on the work of three successive presidencies, that is on an eighteenth month agenda. In the spring of 2006, the member states decided to formalise the recognition of the role of this trio by the establishment of a common work programme. The first to be drafted on this

basis was the programme of the German, Portuguese and Slovene trio. The next 'Troika' is composed of France, the Czech Republic and Sweden. The importance of a closer collaboration between the Troika countries may be increased, if the Lisbon Treaty finally comes into force, by the need to coordinate the work of the rotating presidency of the Council of Ministers and that of the new permanent President of the European Council.

Finally, the function of a presidency is also to ensure the continuity of the work of European institutions. It inherits from the previous presidency and has to prepare the ground for the next. A lot of its work consists simply of pushing further the dossiers that are on the table, whether they need to be concluded or simply further debated. This is why the importance of presidency priorities needs to be relativised. Every single sectorial Council in the EU, whether in the fields of transport, health, culture or others, will register some progress even though they have not been identified as priority areas by the presidency programme. It may also even happen that for reasons of unexpected negotiation developments – sometimes linked to the fact that they have remained out of media attention – more is achieved in domains not put forward by the presidency than in those that have been designated as 'priorities'.

### **Four + Two Priorities of a Different Nature**

With these qualifications on the nature of a Council presidency today in mind, it is important to stress that not only have

some presidencies been more successful than others but also a presidency has some room for manoeuvre to influence the content and the pace of the EU agenda. It is generally considered that this room of manoeuvre accounts for 10 to 20 per cent of the EU agenda during the six-month period. This is why the definition of presidency priorities, beyond 'marketing' purposes, is important to understand where that presidency is likely to deploy more energy and identify the areas where there is a better chance for some results to be achieved.

After some communication confusion during the Slovene presidency, the French government has now announced the priority areas of its presidency. Climate and energy is generally the first mentioned followed by immigration, agriculture and defence. Social issues have been rather a latecomer and the Union for the Mediterranean remains an objective to be mentioned.

Climate is the 'consensual' priority of the French presidency and to a certain extent it has imposed itself on the agenda of the three presidencies – even though the Czechs are not as 100 per cent convinced of the urgency of the matter. The timing is very clear indeed: in December 2009 the Copenhagen Conference will be the last opportunity for the international community to agree on the post-Kyoto regime. This means that the EU has to quickly define its own programme to tackle the issue, especially in terms of reducing CO2 emissions and promoting renewable energies. Under the German presidency in March 2007, the 27 member states set quite

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ambitious objectives and it is now up to the French presidency to lead the Council into translating these objectives in concrete measure. The aim is clear: the French presidency has the mandate to conclude the negotiations on the climate-energy package presented by the Commission in January 2008. For that purpose, it needs to find a political agreement within the Council.

Immigration is put at the forefront of the French presidency agenda for different reasons than the necessary European contribution to international negotiations as in the case of climate. Clearly, it is a topic that is a priority of the present French government, which seizes the opportunity of its presidency of the EU to add a European dimension to its national policy. The ‘European Pact for Immigration’ is very much inspired by the right-wing French government view of immigration and is, not surprisingly, more contested by countries which are led by the Left, such as Spain. There is nothing wrong with that: it is now natural that in today’s EU, debates around more familiar ‘left-right’ cleavages – as was also noticeable in the discussions around the so-called ‘Bolkestein directive’ – appear more regularly. It is just important not to conceal these divisions and their resolution from the general public,

which has to understand what is at stake in the policy debates taking place at the European level.

Agriculture is obviously again another story. What needs to be concluded during the French presidency is the process that has been described as the ‘health check’ of the Common Agriculture Policy (CAP), which is ‘only’ a mid-term review before the tougher negotiations that should take place later on in order to prepare the post-2013 financial perspectives. To a certain extent, one could conclude that the stakes are not as high as for the other priorities. But the opposite could also be true, to the extent that the next six months might be a real window of opportunity. Indeed, France has always been a key country in negotiations on agriculture at the European level, rather as a conservative element wanting to preserve the *acquis*. Today, the French position seems to have changed, Sarkozy having declared that France was ready for a re-foundation of the CAP. The international context of rising food prices also transforms the terms of the debate. The French Agriculture Minister, Michel Barnier, previously an EU Commissioner, is also someone who understands the European culture of compromise very well. His ambition is to use the French presidency to address the issue of agricul-

ture globally, away from the restrictive angle of financial considerations. One can only welcome a debate on the objectives of this policy before opening the budget issue.

Defence might be the French presidency’s priority that suffers most from the difficult context the EU finds itself after the Irish referendum. Defence is a sensitive issue for Ireland. At the same time, Sarkozy’s approach on defence seems to be, above all, pragmatic and could therefore be more easily adapted to the new context. While most of the French proposals concentrate on reinforcing the EU’s military capabilities, Sarkozy has indeed announced that France was ready to completely reintegrate into NATO provided there is some progress in European Security and Defence Policy. It has been ten years since the Saint Malo summit tried to give a push to European Defence and Security Policy and France considers that time is ripe for another step to be taken. While the UK is looking positively at France’s move towards NATO, it is not, however, supporting the proposal of a new operational planning centre. Germany, on the other hand, is cautious on every issue that relates to the European budget.

Although the French Minister for Social Affairs, Xavier Bertrand, has always presented social issues as an important part of the French presidency, it must be acknowledged that it has been brought to the fore more forcefully since the Irish ‘no’ to the Lisbon Treaty. Bringing back memories – perhaps too hastily buried – of the 2005 French ‘no’, the crisis seems to have prompted French

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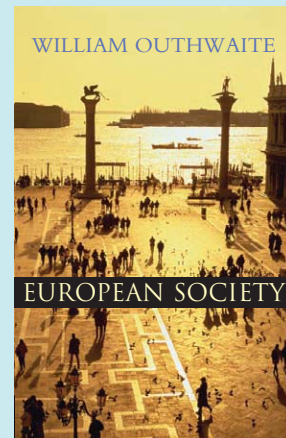
WILLIAM OUTHWAITE, *University of Newcastle*

Does it make sense to speak of a European society, above and beyond its component states and regions? In this major new book William Outhwaite argues that it does. He goes beyond the study of individual states and specific regions of Europe to examine the changing contours of the continent as a whole, at a time when Europe is beginning to look and act more like a single entity.

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politicians to suddenly remember that one of the lessons drawn from the French rejection to the Constitutional Treaty was that France should be more proactive in defending a vision of European integration that would balance economic and social commitments. Good for them: the European Commission has just come up with a new social agenda which will be discussed during the French presidency.

Finally, the 'Union for the Mediterranean' project is of another kind when compared to all of the priorities mentioned above. First, there is the way it has come up onto the European agenda: in a chaotic way to say the least. Announced by Sarkozy on the day of his election, the Mediterranean Union idea has suffered some severe

blows, being firstly rejected by the Germans and received with suspicion by other member states and some Mediterranean partners. Secondly, there is the form that it has finally taken: the Union for the Mediterranean has shrunk down into an improvement of the Barcelona process by the setting up of a Heads of States and Ministerial Conference. The nature of this French initiative which will mainly materialise in a first meeting of this Conference on 13 July 2008 is therefore only political. But if it succeeds in bringing some new political dynamism to the Barcelona process, it can already be seen as a form of achievement.

### **France and Europe: a Remaining Ambiguity**

To a certain extent, the French

government motto 'France is back in Europe and Europe back in France' is a reality. Sarkozy fought hard to save part of the Constitutional Treaty after the French and Dutch 'nos'. Jean-Pierre Jouyet, the very competent Secretary of State for European affairs, has also tried to demonstrate it by spending most of his time outside France listening to his European counterparts or Members of the European Parliament. The way Ministers such as Brice Hortefeux or Jean-Louis Borloo have anticipated the French presidency by consulting their European partners to prepare the ground in the field of immigration or environment also shows that there is, at the political level, a realisation that things will not get done just because France so wishes.

But the relationship between France and its European partners remains as always ambiguous. France is stating that it will lead a humble presidency while at the same time presenting a series of very ambitious priorities and starting its presidency by criticising the Commission or some of its members as well the European Central Bank. On the other side of the coin, the EU is looking at France with the great expectations one can have about a major founding country and at the same time feeling the fear of a dominating attitude that will not respect the European tendency to compromise. But it is of course no use trying to establish a clear assessment of a presidency at the very beginning of it. The exercise of a presidency is a wonderful learning experience for the country holding it. Let us hope that France will come out of its presidency with the desire to finally anchor Europe in national political speeches, attitudes and actions. It is a democratic requirement of an urgent nature.

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