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The Belgian Presidency of the European Union 2010: an outline

1. Rotating Presidencies: limited room for manoeuvre

What sort of impact do rotating presidencies have on the European agenda? They can bring a good deal to the European Union: the many different views on European development that are found in the 27 Member States; the varied approaches to deepening and widening the Union and different traditions in external relations. Some presidencies have left a definite mark on the history of the EU and they have not always been the larger states. Good examples are the 1993 Danish presidency and the adoption of the famous Copenhagen Criteria establishing accession criteria for new Member States; the 2000 Portuguese presidency and the launching of the Lisbon Strategy; and in the case of Belgium, the December 2001 Laeken Declaration that signalled an ambitious reform of the European Treaties with the aim of developing a constitution. Given its traditions as a founder member of the European (Economic) Community and its long standing support of European integration, one can expect the Belgian presidency, in this difficult time of global economic crisis, to implement measures already agreed and develop new ideas for the EU.

There are, however, three factors that increasingly limit the rotating presidency's room for manoeuvre. Research has shown that it can have an impact on only around 10 percent of the EU's agenda. What are these limiting factors?

- a) The European Council (composed of heads of state and government), the President of the European Commission and the various specialised ministerial councils all work to an agenda that is largely predetermined by previous agreements and the routine operation of the institutional machinery. Continuity is assured to a great extent by Member State diplomats, by the Permanent Representatives' Committee (COREPER) with its secretariat in the Justus Lipsius building in Brussels and by the services of the commission under President Barroso.
- b) For many years the European Council has used the 'trio' to ensure a greater level of coordination from one presidency to the next. Under this system, the acting, previous and subsequent presidencies cooperate. For the last two years the Belgian government has been working with the governments of Spain (previous presidency) and Hungary (following presidency) at diplomatic and expert level. The three governments jointly approved a programme covering the three presidencies that was made public in Brussels when Spain took over the presidential reins in January 2010. This programme provides the framework for the Belgian presidency just as it did for the Spanish and includes three key areas: i) the Lisbon Strategy to ensure that the EU keeps up with economic, technological, environmental and social developments; ii) neighbourhood and enlargement policy; iii) the EU's role in international organisations in a multi-polar world.

- c) The Treaty of Lisbon entered into force on 1 December 2009 and it provides the legal framework within which the Belgian presidency has to operate. It is composed of two treaties, the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union and it significantly limits the rotating presidency in favour of two new institutional figures:

1. The permanent president of the European Council is a full time post, guaranteeing continuity in the EU's principal political institution. The holder is elected by the European Council (using qualified majority voting) for a term of two and half years, renewable once, (Treaty on European Union TEU art. 15.5). The post cannot be held alongside any national mandate and replaces the role previously played by the head of government of the country holding the rotating presidency. The new treaties strengthen the European Council and the role of its president. He chairs and guides the work of the council, assuring preparation of the agenda, continuity and represents the Union on the international stage. The implications of this office being held by a former Belgian prime minister, Herman Van Rompuy, are examined later in this article.

2. The High Representative (HR) of the Union on Foreign Affairs and Security Policy (see TEU art. 27) helps elaborate and implement decisions adopted by the European Council, has international representational functions and is supported by a European External Action Service (EEAS). Following a vote in the European Council, confirmed by the European Parliament, Lady Ashton, former Commissioner for Trade, was appointed the HR and took up her duties on 1 December 2009. She is also a Vice President of the European Commission and "will ensure the consistency of the Union's external action" (TEU art. 18). Furthermore she presides over the new Foreign Affairs Council. The consequence of this is that neither foreign nor security policy in the strict sense falls within the remit of the rotating presidency. There are a number of ministerial councils that have an international relations dimension in their area of competence: for example Ecofin and the Council on Competitiveness. They all have to adhere to a common framework under the responsibility of the HR.

How much room for manoeuvre has the Belgian presidency?

As a result of these two innovations to put the leadership of the EU on a more permanent basis, the only tasks left to the rotating presidency are for its national ministers to preside individual council meetings such as:

- The General Affairs Council that ensures coordination across the other specialised councils, prepares the European Council and ensures follow up in cooperation with the President of the European Council and the Commission; it also elaborates the Union's external action on the basis of strategic guidelines laid down by the European Council (TEU 16.6). The General Affairs Council is currently chaired by Steven Vanackere, Minister of Foreign Affairs in the Yves Leterme caretaker government. One of his main collaborators is Olivier Chastel, Secretary of State for Foreign Affairs.
- The Ecofin Council, but when this meets as the Euro Council i.e. the 16 members of the euro zone, it is chaired by Prime Minister Juncker of Luxembourg.

- The Competitiveness Council.
- Other specialist councils in line with the list mentioned in article 236 of the Treaty on the Functioning of the European Union.

What this amounts to is being responsible for chairing dozens of meetings involving diplomats, COREPER as well as hundreds of preparatory committees for experts etc. One must not forget coordination with the European Parliament (EP) for areas of co-decision and with the European Commission for the follow up. All this has to be done within the limits described earlier under points a, b and c.

2. The special circumstances of the Belgian presidency 2010

The Belgian presidency is confronted with three special circumstances that will directly or indirectly affect the course of events:

- The current political crisis in Belgium that began last spring and the length of time required to form a new federal government after the national elections in June 2010;
 - The fact that the first permanent President of the European Council (elected by the European Council post entry into force of the Lisbon treaty) is former Belgian Prime Minister, van Rompuy;
 - The unexpected depth of the economic and financial crisis that first broke in 2007/8 and its impact on the euro zone in 2010
- a. The first factor that could cause potential weakness is that the Leterme caretaker government is in no position to make new proposals nor give impetus to the EU. This weakness, however, must not be overstated as it has in fact proposed a number of stabilising elements for the European agenda, independent of the swings in national politics. Paradoxically, the problems of the Czech presidency in 2009 with its governmental crisis and the active role played by its Europhobe president, only served to demonstrate that the institutional strength of the EU is such that it is not seriously affected by the political weakness of the country holding the presidency. On the contrary, it is the EU that provides a centripetal force able to stabilise domestic politics against extremism.

Belgium's diplomats are highly experienced and the national administration, in collaboration with the ministers of Yves Leterme's caretaker government, is perfectly able to deal with the large number of meetings that the presidency calendar demands.

It is also worth noting that all Belgian political parties (Christian Democrats, Liberals, Socialists or Greens) Francophone or Flemish, unlike the political parties in the Czech parliament, have all been pro-European for decades, despite their differing interests and priorities. Until now, the winning Flemish NVA party led by Bart De Wever that came out ahead in the June election has

not adopted any explicitly anti-European position. Its dislike of the Belgian federal state has not resulted in any aversion to the EU; on the contrary, its strong regional nationalism is somewhat reminiscent of certain political movements from 1960-70 that wanted the national state to be divested of powers by Europe on the one hand and the regions on the other. In contrast to this rather simplistic approach, the process of European construction has seen strengthened and transformed nation states that are in no way empty structures.

How can the current weak caretaker government influence the EU? It can wield influence in some of the specialist councils, especially in relation to the economic crisis and reviving European global competitiveness. This could be done by implementing the Europe 2020 strategy, launched by the European Commission in March 2010 and approved by the European Council in June 2010. This programme is a reworking of the Lisbon Strategy (2000-2010) and is in urgent need of the sort of strong and stable leadership that should be provided by the trio of presidencies, the commission, the specialist councils, particularly those dealing with competitiveness, research, environment and social policy and not least the permanent President of the European Council.

- b. The fact that the permanent presidency of the council is the responsibility for the next two and half years of a former Belgian Prime Minister (Flemish Christian democrat Herman Van Rompuy) is to the advantage of the European Union.

When Van Rompuy was elected to this position at the end of 2009 some elements of the international media described him as “Mr Nobody” and declared themselves disappointed. This was and is a twofold mistake. The Lisbon treaty does not imply a US style president for the simple reason that the EU is not a federal state. The treaty does not foster a media friendly charismatic personality but encourages a chair able to build consensus in the European Council.

Even if it is true that Van Rompuy is still unfamiliar to the general public in 26 of the Member States, he is nevertheless a personality of great value. He has demonstrated his mediation skills in the multinational environment of Belgium that the historian Henri Pirenne has described as a microcosm of the EU. He is a convinced European and has demonstrated in the past that he is able to recognise what is at stake both at the European and global levels.¹ In

¹ As professor of international relations at the ULB I am personally able to vouch for the scientific research skills of Van Rompuy, an economics graduate of the Catholic University of Louvain. From 2002-3 he chaired a parliamentary commission enquiring into the effects of globalisation. He asked a small group of experts (including the author) to spend six months compiling a report on the subject. This report was discussed by Van Rompuy's Commission and then approved, without amendment, by the Belgian Chamber of Representatives. The report avoided two errors; fear of globalisation and uncritical acceptance. It recommended Belgium took steps to counteract the economic, social and environmental impacts of globalisation and strengthen its governance and regulation by international institutions in order to profit from the opportunities it presented whilst protecting its citizens from some of the more unwelcome aspects

short, he will not make major errors of the kind committed by high profile figures such as former prime ministers of the larger Member States. One can quickly see the difference between the Spanish and Belgian presidencies. The Spanish presidency was seen as a transition period because of the uncertainty as to when the Lisbon Treaty would enter into force (due to the second Irish referendum and the opposition of the Czech president). The Spanish government under Zapatero prepared a traditional presidency programme as foreseen in the Nice treaty, dealing with some of the areas that the new treaty has now given to the permanent president. This overlapping created confusion and caused a number of problems, the most serious of which was the cancellation of the EU-US bilateral meeting. These blunders did nothing to contribute to the success of a 2010 Spanish presidency that will go down in history as one of its least successful efforts.

The opposite will be the case for the Belgians. The caretaker government, the diplomatic service, the political parties and their leaders (such as Elio di Rupo, President of the francophone Socialist Party) likely to form the federal government during the second half of 2010 have all clearly announced that their major priority will be the implementation of the institutional changes foreseen by the Lisbon treaty, particularly the permanent presidency of the European Council. With Van Rompuy President of the European Council and Belgium holding the rotating presidency this is a good opportunity for this new post to flourish as the Lisbon treaty is put into practice: the president fulfilling his chairmanship function, forging consensus among the 27 Member States, acting as an intelligent and diplomatic coordinator to strengthen the role of the European Council that he has presented as a potential economic government for the European Union.

It would most certainly be a mistake to expect the permanent president to be a media-friendly figure bearing no relation to the spirit and text of the treaties and the personality of Van Rompuy. But what needs to become clear to sceptical public opinion in the Member States is the wisdom of the Lisbon treaty in strengthening the institutions of the Union with a full time, permanent president that allows for leadership protected from the vagaries of national politics.

3. Programme Priorities

The global crisis and the need for economic, environmental and social modernisation

Combating the euro crisis and the role of the EU in the G20 post Toronto

The problem the EU will face in the coming months is to stabilise budgets as required by the European Central Bank (ECB) and fight the culture of excessive deficits as defined by the Maastricht treaty while trying to stimulate domestic demand. Orthodox thinkers have no doubt that reducing deficits will automatically reflate the economy. But a decline in consumption and weak investment demonstrate that squaring this circle is not quite so simple. The US administration has gone in another

direction – that of stimulating economic growth by means of public expenditure (a fact that explains the Obama-Merkel split at Toronto). President Van Rompuy, himself an economist, has made this difficult subject the European Council's number one priority. He would like to transform the European Council into the EU's economic government but this is against the wishes of the German coalition government and the doubts that the French have raised over the EU controlling Member State budgets before presentation to national parliaments (a sensitive proposal from the European Commission that has been criticised by the left on democratic grounds and by the right as an attack on national sovereignty). Belgium's role is to give active support to Van Rompuy. Belgium, sometimes called the Greece of the north on account of its public debt, cannot afford to ignore the culture of stability. On the other hand, the French socialists led by Di Rupo have made social security and employment policy the basis of their political platform. In coalition with the conservatives they will have to deal with the demands of budget cuts. The midpoint between these two opposing groups is the Van Rompuy line that aims to balance the Franco-German view (if it still exists) with the more conservative demands of the UK and the pressure from other Member States for public debt. The establishment of a €750 billion stability fund is one of the major features of this interim strategy.

2. Structural Reform and the EU 2020 Agenda

The economic crisis risks pushing structural reform into second place, even though it is the only thing that will allow the EU properly to overcome the current difficult situation and return to sustainable growth. This is why it is essential that crisis measures need to consider both short and long-term factors. In concrete terms, structural reform means completing the EU's internal market, including social legislation (see Monti Report 2010), establishing Scandinavian style employment policies and more use of technology that protects the environment such as German style energy saving measures. A modernised environmental policy will have implications for the EU's bilateral and multilateral negotiations, a factor that receives far more attention in the EU2020 paper than in the previous Lisbon Strategy. The EU's social and economic model has no hope of survival in a world that is not prepared to share even some of its rules and values. Internal political choices have never before been so clearly connected to the EU's external relations.

3. The preparation of the Cancun summit (December 2010) on global warming

Commissioner Hedegaard has confirmed that the Member States will respect the financial engagements made at the Copenhagen summit in December 2009. The Belgian presidency will have to strengthen the political will of the council of ministers to approve a binding global agreement at Cancun. On the one hand it will be necessary to strengthen the EU's credibility as a leader in the fight against global warming by ensuring implementation of national measures agreed at Kyoto and Bali (not yet met in some Member States in the east and south of the EU and in Belgium) and continuing to provide aid to developing countries (7.2 billion euros that translates into 2.4 billion per year) without sacrificing other development budgets for health and education. On the other hand, the EU must avoid becoming isolated by making use of all communication channels and all summits during the Belgian presidency to persuade its international partners (the USA, where legislation is being considered in

Congress, China and India) of the need for a new joint effort to tackle climate change and environmental damage. If it proves impossible to reach a global agreement, then there should at least be partial accords to cover regions or sectors.

This campaign needs to be run by the Belgian presidency (with the European Commission) and must not ignore public opinion within the EU that is currently confused in the wake of adverse publicity about global warming coming from scientists and intergovernmental environment agencies. This criticism was propelled on the back of a campaign based on the theories of former French minister Allègre and did much to influence Belgian French speaking intellectuals. It is therefore quite possible that there will be a waning in public support for environmental protection both in Belgium and throughout the EU. Because Belgium has made up some of its lost ground on the environment, mostly thanks to Minister Paul Magnette, we can perhaps hope for significant Belgian action in the second half of 2010. Belgium needs to give new impulse to the council of ministers especially as to how recalcitrant countries can adopt realistic policies such as using public funding to promote energy saving.

Neighbourhood and enlargement policy

Turkey and the Middle East post Obama's speech in favour of Turkish membership of EU and the crisis in Gaza

In an interview with *Corriere della Sera*, 8 July, President Obama said that Turkish membership of the EU was a matter of urgency in the framework of the search for peace in the Middle East. Despite this external pressure from the US, however, there is no simple solution to the question of Turkish EU membership. Belgium is well placed to understand the far-sighted nature of the geo-strategic aim of including a democratic Muslim country but is in no position to broker a consensus among the 27 Member States given the nature of public opinion especially in France and Germany. The Belgian presidency will need to find a middle way for getting negotiations with Turkey out of their present rut. It will also have to strengthen and make more assertive the EU's role in Gaza by means of clearer and more visible humanitarian policies that Turkey can subscribe to. While these two areas are related, they need to be kept separate.

The Balkans

During the Belgian presidency, negotiations first with Croatia and then with other Balkan candidate countries are on the agenda, not least because it will lower the tensions that have once more arisen as the result of nationalist sentiment in the region. The new Hungarian nationality law runs the risk of exacerbating relations with Slovakia and Romania thus damaging the smooth running of the next presidency that will be Hungary's first. Belgian advice is therefore needed both as a mediator and as a good example as to how different linguistic groups can live together peacefully despite their differences.

The EU in the world: relations with East Asia

In addition to G20 economic tasks, the Belgian presidency will have to support

Herman Van Rompuy and Lady Ashton with their various summits with the US and the BRICs (Brazil, Russia, India and China). One especially important event will be the 8th ASEM Summit (Asia-Europe Meeting first launched in Bangkok in 1996 that meets every two years, alternately in Asia and Europe). This meeting will, for the first time, take place in Brussels on 4-5 October and involves detailed preparation at ambassadorial and expert level. This 2010 ASEM conference is important for a number of reasons. First of all it opens up an opportunity for Europe to strengthen economic cooperation at a time when there is evidence to suggest there is an asymmetric exit from the global crisis that is advantageous to East Asian economies. The EU should do more to demonstrate that its new orientation towards bilateral trade agreements, including with ASEAN as a trade bloc, is in the interests of both Europeans and Asians and not incompatible with WTO rules. Secondly, the EU is expected to show that its strategic partnerships with the Asian great powers (China, Japan, and India) are not in conflict with interregional relations with the East-Asian area, notably with its support to strengthen the idea of an East-Asian community. Thirdly, the EU would like to increase political dialogue with relevant parties on major issues. For example discussions on the situation on the Korean peninsula that go beyond the current crisis and include denuclearization and security building. Finally, the Brussels ASEM event will provide the EU with an opportunity to improve convergence ahead of the Cancun Summit on climate change. The traditional interest that Belgium has in supporting regional cooperation and its commitment to political dialogue and environmental protection will ensure that Belgium can be a driving force for better cooperation with and within Asia.

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