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and Peter Bursens

The 2010 Belgian Presidency:

Driving in the EU's Back Seat

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PREFACE

The Swedish Institute for European Policy Studies bi-annually publishes a report on the incumbent Presidency of the EU, focusing on the agenda, domestic factors and the country's specific relation to the European integration process.

The current Belgian EU Presidency has faced a number of tough challenges. These include reaching an agreement on the new initiatives about the EU's economic decision-making system as well as handling the continuous economic crisis. The Presidency has also had to focus on the effective implementation of the Lisbon Treaty and to deal with the associated institutional uncertainties. Furthermore, the Trio of Presidencies – consisting of Spain, Belgium and Hungary – has ambitious plans for increased coordination between the three consecutive presidencies. The role of the Trio has been important for the Belgian Presidency, especially during the preparations. The institutional changes introduced by the Lisbon Treaty, together with the new Trio presidency format, explain why Belgium opted for a rather moderate approach with a limited number of priorities. Still, the Belgian Presidency has consistently played an integrationist role and has been, as the authors put it, driving the EU from the back seat.

The domestic context of the Belgian Presidency has been very difficult, with the lack of a permanent government in office. However, the authors of this report claim that the impact of this should not be exaggerated, pointing at the role of the Lisbon Treaty, the Belgian experience of chairing the EU, the dominant role of diplomats and administration in the day-to-day work and the role of the federated entities in the management of the Presidency more generally.

Jörgen Hettne
Acting Director

SIEPS carries out multidisciplinary research in current European affairs. As an independent governmental agency, we connect academic analysis and policy-making at Swedish and European levels.

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ABBREVIATIONS

Belgian political parties

cdH	<i>centre démocrate Humaniste</i> (previously PSC), French-speaking Christian Democrats
CD&V	<i>Christen Democratisch & Vlaams</i> (previously CVP), Flemish Christian Democrats
ECOLO	French-speaking Greens
FN	<i>Front National</i> , French-speaking Radical Right Nationalists
Groen!	(previously AGALEV), Flemish Greens
LDD	<i>Lijst Dedecker</i> , Flemish Populist Right
MR	<i>Mouvement Réformateur</i> (previously PRL-FDF), French-speaking Liberals and Francophone Regionalists
N-VA	<i>Nieuw-Vlaamse Alliantie</i> (previously <i>Volksunie</i>), Flemish Regionalists
Open Vld	<i>Open Vlaamse Liberalen en Democraten</i> (previously PVV), Flemish Liberals
PS	<i>Parti Socialiste</i> , French-speaking Social Democrats Rossem, Flemish Populist Right
sp.a	<i>socialistische partij anders</i> (previously SP), Flemish Social Democrats
VB	<i>Vlaams Belang</i> (previously <i>Vlaams Blok</i>), Flemish Radical Right Nationalists

Belgian Regions and Communities

BRC	Brussels Capital Region (<i>Région de Bruxelles-Capitale</i> or <i>Brussels Hoofdstedelijk Gewest</i>)
FC	Flemish Community (<i>Vlaamse Gemeenschap</i> c.q. <i>Vlaams Gewest</i>)
FED	Federal level
FrC	French Community (<i>Communauté française de Belgique</i>)

GC	German-speaking Community (<i>Deutschsprachige Gemeinschaft</i>)
WR	Walloon Region (<i>Région wallonne</i>)

Other acronyms

ASEM	Asia-Europe Meeting
CC	Belgian Concertation Committee
CHESS	Chapel Hill Expert Survey Series
DEA	Directorate of European Affairs of the Belgian Foreign Affairs Ministry
ECOFIN	Economics and Finance Ministers Council
EEAS	European External Action Service
EES	European Employment Strategy
EMCO	Employment Committee
EPSCO	Employment, Social Policy, Health and Consumer Affairs Council
EU	European Union
FTT	Financial Transaction Tax
GAC	General Affairs Council
ICFP	Belgian Inter-Ministerial Conference for Foreign Policy
IGC	Intergovernmental Conference
IMF	International Monetary Fund
JHA	Justice and Home Affairs Council
QMV	Qualified Majority Voting
SME	Small and Medium-sized Enterprises
SGP	Stability and Growth Pact
TTE	Transport, Telecommunications and Energy Council
UN	United Nations
UNGA	United Nations General Assembly

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EXECUTIVE SUMMARY

In this report we focus on the parameters, domestic and European, that define the framework in which the Belgian Presidency has been operating, on the goals that the Belgian team has set for itself and on the realisations so far.

The European Union (EU) has come a long way since Belgium assumed the Presidency in 2001. It is thus rather ironic that the end point of that period has also been the starting point of the current one, with the role of the rotating Presidency being decapitated by one of the offspring of the famous ‘Laeken Declaration on the Future of the European Union’, i.e., the ‘Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community’, which was signed in Lisbon on 13 December 2007.

The institutional changes introduced by that document, together with the new Trio Presidency format, explain why Belgium opted for a rather moderate approach with a limited number of priorities. A closer look at the Belgian agenda reveals the following five priority axes, which have been established following a waterfall-based approach and echo the trio programme that was drafted together with Spain and Hungary: (1) socio-economic axis, aimed at re-establishing sustainable growth and competitiveness; (2) social axis, aimed at stimulating social progress; (3) environmental axis, aimed at transforming into a green economy; (4) internal security axis, aimed at deepening and finalising the European Freedom, Security and Justice Area and (5) external action axis, aimed at increasing the attractiveness of the EU as a global force for peace and security.

The full implementation of the Lisbon Treaty by the end of the term being the top priority, it should be no surprise that the Belgian Presidency did not drive in the EU’s front seat during the period covered by this report. However, it did not merely sit in the back seat either. Rather, in the past four months, it has been driving from that seat, eager to set a precedent by focusing on the full implementation of the Lisbon Treaty and the realization of legislative output. Living up to its reputation as an advocate of European integration, the Belgian Presidency has been aiming to lead by example and to set a precedent for its successors who are not only

less entangled with the community method, but also rather eager to leave their mark on the European integration process, being first-timers. It has been playing the communitarian card on an almost permanent basis, also by investing in strong relations with the European Commission and the European Parliament.

That card was an important precondition for success in the past. Indeed, the Belgian team has some very big shoes to fill, the previous mandates being evaluated as successful. The team has some important feathers on its hat already, ranging from a deal on financial supervision, over common positions for the biodiversity and climate change summits in Nagoya and Cancún, to an agreement on asking the Commission for an opinion on launching accession talks with Serbia. That being said, many dossiers are still in the works, with negotiations in working groups and trialogues reaching cruising speed. In the final weeks of 2010, we will not only see discussions being finalised, but also the focus move from mainly economic, financial and social questions to topics like the environment, climate change, the budget and EU enlargement. In consequence, our findings are only partial, giving a first impression of the way that Belgium has been approaching its mandate and the parameters defining its role.

When exploring those parameters, we also looked into the potential impact of the domestic crisis, which has been looming in the background from day one. For sure, Belgium is not the first Presidency to face domestic problems. Yet at the time of writing, it is well on its way to becoming the first Presidency to function with a caretaker government for the complete duration of its term. We demonstrated that the impact on the management of the Presidency should not be exaggerated, pointing at the impact of the Lisbon Treaty (which limited role of the rotating Presidency, especially in terms of external representation), the Belgian experience with holding the Presidency (including with domestic issues in the background), the dominant role of diplomats and administration in the day-to-day work, and the role of the federated entities in the management of the Presidency more generally.

The latter makes Belgium a rather unique case. No other federal system has granted its subnational entities such large foreign policy powers as Belgium. In all areas of external relations, Regions and Communities enjoy

full foreign policy powers for the competences they possess in the domestic realm. Also unique is Belgium's pro-EU consensus. Not only do all major political parties share the same very pro-integration position, also the public's position is one of 'permissive consensus'. The EU is hardly an issue among the larger public, the mass media seldom report on substantive EU issues, and political parties scarcely lay out their positions on the EU in party platforms, during electoral campaigns or through parliamentary activity.

Its meticulous preparation also explains the rather limited impact of the domestic problems on the functioning of the Belgian Presidency. That preparation, in particular the drafting of the list of priorities, had a strong top-down character because of the new Trio format. Alluding to that setting, Herman Van Rompuy visualised the 2010 Belgian Presidency with the haiku:

*Three waves rolling
together into the harbour
the trio is home.*

Our research reveals that the setting was especially useful in the preparatory stages, but did not transform the Presidency into a collective one. However, the Trio may be home indeed, because Belgium's reading of the role of the European institutions, both old and new, is not only more maximalist than Spain's, but also different from the one Hungary seems to have in mind.

1 INTRODUCTION: FROM LAEKEN TO LISBON (AND BACK)

The European Union (EU) has come a long way since Belgium assumed the EU Presidency in 2001. It is thus rather ironic that the end point of that period has also been the starting point of the current one, with the role of the rotating Presidency being decapitated by one of the offspring of the famous ‘Laeken Declaration on the Future of the European Union’.

That declaration was signed at the European Council of Laeken in December 2001 and suggested the adoption of a ‘constitutional text’.¹ It established a ‘Convention on the Future of Europe’ in order to pave the way for the next Intergovernmental Conference (IGC) ‘as broadly and openly as possible’. The Convention, launched in February 2002, had to reform the EU and prepare it for its biggest enlargement to date, filling the gaps left by the Nice Treaty.

The Convention’s outcome document would provide the starting point for the discussions in the IGC, which would take the final decisions. Whereas the Convention concluded its deliberations in July 2003, the Heads of State and Government only managed to adopt the ‘Treaty establishing a Constitution for Europe’ one year later, in June 2004. French and Dutch citizens would send them back to the drawing board in spring 2005, rejecting the document in national referenda.

The modified version was signed in Lisbon on 13 December 2007, becoming the ‘Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community’. However, the re-sit was not all smooth sailing either. The text encountered problems of ratification in Ireland, Germany, Poland and the Czech Republic. Only when the latter deposited its ratification instrument in Rome on 13 November 2009 could the Lisbon Treaty finally enter into force. On 1 December 2009, eight years after the Laeken Declaration had been adopted, the implementation of the EU’s institutional reform could finally start.

¹ European Council, ‘Annex I to the Presidency Conclusions’ (SN 300/1/01 REV 1), Laeken, 14–15 December 2001.

Belgium was only the twenty-second EU member state to ratify the Lisbon Treaty, but it has been living up to its reputation as advocate of European integration in recent months, trying to ensure full implementation by the end of its Presidency term. It aims to lead by example and to set a precedent for its successors, who are not only less entangled with the community method, but also rather eager to leave their mark on the European integration process, being first-timers.

In something of a twist of fate, that caretaker role is performed by a caretaker government. After just five months in power, the federal government led by Prime Minister Yves Leterme collapsed on 22 April 2010, after the Flemish Liberal party Open Vld walked out. The elections of 13 June 2010 were won by the New Flemish Alliance (N-VA) in the northern part of the country and by the Socialist Party (PS) in the southern part, obtaining 27 (+19) and 26 (+6) seats out of the 150 seats in the federal parliament respectively. As the winners have opposing views on the role of the Belgian state and its reform, with the N-VA aiming for a gradual evolution towards an independent Flanders and the PS being largely in favour of a *status quo*, the prospect of long and difficult coalition talks also raised concerns about Belgium's capacity to hold the Presidency, voiced especially by the international press.

Indeed, the outcome of elections has been testing the limits of creativity at the Royal Palace in Laeken. King Albert II organised various rounds of consultations and appointed several negotiators to test the waters, so far to no avail. For sure, Belgium is not the first Presidency with domestic problems looming in the background. Yet at the time of writing, it is well on its way to become the first Presidency ever with a caretaker government for the complete duration of its term.²

In this report we analyse the first four months of the 2010 Belgian Presidency of the Council of the EU, as the rotating Presidency of the Council of Ministers is now officially called. We argue that the impact of the domestic crisis on the management of the Presidency should be nuanced, pointing not only at the meticulous preparation, but also at the role of the

² This report covers the Belgian Presidency until 31 October 2010.

federal government being reduced by both the involvement of the federated entities and the institutional changes introduced by the Lisbon Treaty. Those changes, together with the new Trio Presidency format, also explain why Belgium opted for a rather moderate approach with only a limited number of priorities, unlike in 2001, when it was determined to show that a small country can also be big in EU politics, including by way of an ambitious list of priorities.³

Before analysing the formulation and the realisation of those priorities, this mid-term report first explores the broader context of the 2010 Belgian Presidency. It discusses the country's European orthodoxy, the position of its sub-national entities and the novelties that are introduced following the entry into force of the Lisbon Treaty. It concludes with a first evaluation of the Belgian mandate, examining the progress to date.

The list of achievements discussed is not intended to be exhaustive, but rather illustrative of the way Belgium has been approaching its first Presidency in the post-Lisbon context. At the time of writing, Belgium is only just over halfway through its term. Important discussions and negotiations will only reach their final stages in the coming months. Our conclusions can therefore only be provisional. Moreover, unexpected events may throw agendas and schedules into disarray. As is well known, Belgium learned an important lesson in that regard on 11 September 2001: a Presidency can be meticulously prepared, but never completely planned.

Our aim is not to predict the unpredictable, nor to list every possible action that the Belgian Presidency has taken since 1 July 2010. In this report we focus on the parameters, domestic and European, that define the framework in which the Belgian Presidency operates, on the goals that the Belgian team has set for itself and on the realisations so far. In our view, its value lies exactly in the overall picture that is presented, a picture in which the legacy of the 2010 Belgian Presidency can already be witnessed.

³ On the 2001 Presidency, see Kerremans, B. and Drieskens, E. (2002) 'The Belgian Presidencies of 2001', *Journal of Common Market Studies*, 40(3), pp. 49-51; and Kerremans, B. and Drieskens, E. (2003) 'The Belgian Presidency of 2001: Cautious Leadership as Trademark', in Elgström, O. (ed.) *European Union Council Presidencies. A Comparative Analysis* (London: Routledge), pp. 155-172.

2 CONTEXT OF THE BELGIAN PRESIDENCY

The way Belgium carries out the tasks of its Presidency during the first half of 2010 is to a large extent shaped by the domestic and European context. This section deals, firstly, with the positions of Belgian political elites and the organisation of EU policy-making in the Belgian federal state. It also describes the way public opinion thinks about Belgium's EU membership and, more generally, about European integration. We also deal, secondly, with the impact of the institutional changes on the role of the rotating Presidency introduced by the Treaty of Lisbon. Finally, we discuss whether and how the current Belgian political crisis influences the way Belgium takes care of the agenda of the Presidency.

2.1 Domestic Context

Belgium has an open economy and is highly dependent on international trade. As a small state, in isolation, Belgium is unlikely to make a mark on international politics. Hence, it relies on international cooperation to provide for its international security and economic prosperity. Belgium has therefore been at the forefront of European integration. The Benelux Treaty, which originates from 1944 and was renewed in 2008, can be even seen as a precursor of the process of European integration. Later, in the 1950s, Belgium was among the founding members of the European Communities. Today it is a 'full member' of the EU without invoking any opt-outs. In addition, it has been involved in *avant-garde* initiatives such as the Schengen framework for cooperation and the single currency. The Belgian pro-European attitude that became very manifest at the end of the sixties is still a reality today.

In this section, we present data from the political elites and public opinion to illustrate the broad support among political parties and population for the Belgian pro-European policy. We also discuss the highly peculiar way in which the Belgian federation organises its EU policy-making. Both features make Belgium an outlier in the EU.

2.1.1 A Lasting Permissive Consensus

This section explores the current position of Belgian political actors towards European integration. We take a look at both the political elites – political parties, the federal parliament and the federal government – and

the general public, because both sets of actors can potentially affect the way Belgium approaches the rotating Presidency.

Political Parties, Parliament and Government

Ever since the start of the integration process, Belgian political elites have been among the most pro-integration actors. In fact, there are two political elites, because the federal state of Belgium hosts two separate party systems. The Belgian party system changed dramatically between 1968 and 1978 because of the three traditional political parties splitting up on a linguistic basis: the Christian Democrats in 1968, the Liberals in 1971 and the Social Democrats in 1978. Latecomers such as the Greens followed the same organisational logic. The absence of federal political parties is unique for a federal state.⁴ The result is the co-existence of two party systems in one state, which is reflected in several features.⁵ One of the most remarkable is the divergent electoral success of the Flemish and French-speaking parties. Also the most recent federal elections of June 2010 resulted in a clear centre-left majority in Wallonia and an equally clear centre-right majority in Flanders, plus a manifest victory of the Liberals in Brussels. Even more remarkable, however, is that those differences do not seem to be relevant for the positioning of the parties with respect to European politics. All the major political parties, whether French-speaking or Flemish, share the same very pro-integration positions.

One way of illustrating the pro-European consensus among political parties over time is to present the results of the Chapel Hill Expert Survey Series (CHESS). Data from expert surveys clearly reveal a manifest and enduring Euro-enthusiasm. Figure 1 shows the appreciation of the Belgian political parties since 1994: Liberals and Christian Democrats are the most outspoken supporters of European integration; Social Democrats and Greens are somewhat less enthusiastic, especially over the last ten years,

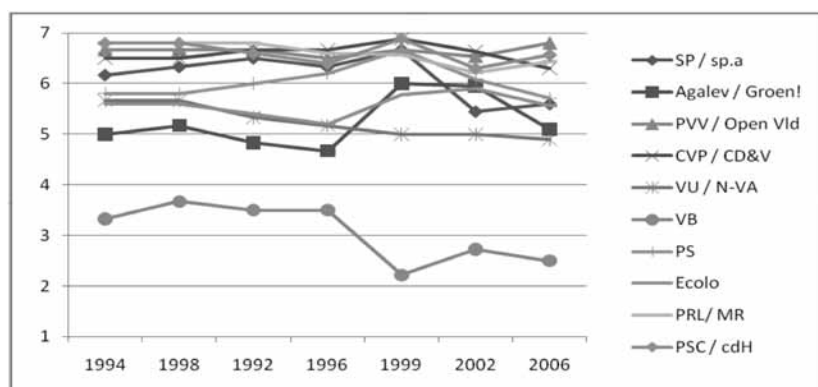
⁴ Swenden, W. (2005) 'What - if anything - can the European Union Learn from Belgian Federalism and Vice Versa?', *Regional and Federal Studies*, 15(2), pp. 187-204; Deschouwer, K. (2009) *The Politics of Belgium. Governing a Divided Society* (London: Palgrave).

⁵ De Winter, L. (2006) 'Multi-level Party Competition and Coordination in Belgium', in Hough, D. and Jeffery, C. (eds.) *Devolution and Electoral Politics* (Manchester: Manchester University Press), pp. 76-95.

but they are still very much pro-integration. Only the radical right-wing party *Vlaams Belang* is perceived as opposed to European integration, although the literature does not qualify it as a die-hard Eurosceptic party.⁶

The experts' perception is confirmed by a recent analysis of the electoral programmes of the Belgian political parties for the 2009 elections to the European Parliament (EP).⁷ With the exception of *Vlaams Belang*, and also the recently established but tiny right-wing liberal party LDD (not yet incorporated in CHESS), the parties' positions can be classified as federalist, both with respect to institutional issues and with respect to policy domains.⁸

Figure 1: Overall orientation of party leadership towards European integration (1994–2006) (combined data from CHESS)
(1 = strongly opposed; 7 = strongly in favour)



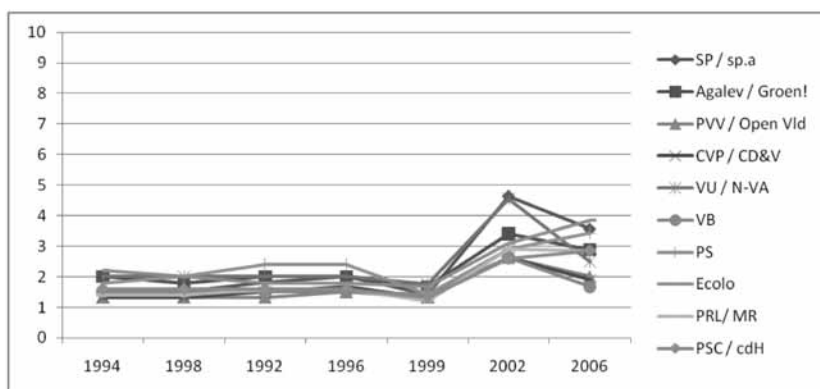
⁶ Bursens, P. and Mudde, C. (2005) 'Euroscepticism in België', in Vollaard, H. and Boer, B. (eds.) *Euroscepticism in Nederland* (Utrecht: Lemma), pp. 71-88.

⁷ Vileyn, M. (2009) *Opinies van Belgische Politieke Partijen over de EU*, Unpublished paper, Universiteit Antwerpen.

⁸ Steenbergen, M. and Marks, G. (2007) 'Evaluating Expert Surveys', *European Journal of Political Research*, 46(3), pp. 347-366; Leonard, R. (1999) 'Measuring Party Orientations Toward European Integration: Results from an Expert Survey', *European Journal of Political Research*, 36(2), pp. 283-306.

In addition, Figure 2 makes it clear that, although slightly on the rise in the last few years, there is very little intra-party dissent. During the 1990s, the pro-European position of the Belgian political parties was supported almost unanimously. Since 2002, internal dissent has somewhat increased. Especially within the left-wing parties, more discussion with respect to European policies has emerged. Overall, however, the pro-European position is still supported by a large majority within all parties.

Figure 2: Dissent in party leadership on European integration (1994–2006) (combined data from CHES) (0 = completely united; 10 = completely divided)



Importantly, the pro-EU positions are also translated into political action. Table 1 presents the voting behaviour of the Belgian political parties in the Chamber of Representatives of the Federal Parliament on the occasion of EU Treaty ratifications. Ever since the Single European Act was ratified in 1987, an overwhelming majority of parties has voted in favour.⁹ Very few dissident votes were cast and only the right-wing nationalist parties have voted systematically against ratification. All the traditional political families (Christian Democrats, Social Democrats and Liberals) in both parts of the country have supported the consecutive treaty changes. The

⁹ Deschouwer, K. and Van Assche, M. (2002) *Why there is no Euroscepticism in Belgium?*, Paper prepared for presentation at the ECPR Joint Sessions of Workshops (Workshop on Opposing Europe: Euroscepticism and Political Parties), Turin, 22-27 March 2002.

only exception in that regard is the French-speaking Christian Democratic party, which voted against the Treaty of Nice, arguing that the new treaty did not go far enough.

The Green parties have been changing their voting behaviour over time. They voted against the Treaties of Maastricht and Amsterdam while being in opposition, approved the Treaty of Nice while being in government, and supported the Lisbon Treaty while again in the opposition. However, beneath their voting behaviour, the Green parties display a consistent pro-European position. From the parliamentary debates, it is also clear that the consecutive Treaties have been criticised by the Greens for having too modest integration ambitions. In consequence, the domestic position of being in or out of government seems to have inspired their voting behaviour.

Explaining their negative votes, the regionalists and the moderate Flemish nationalists of *Volksunie* and N-VA have also stated that the documents did not go far enough, particularly as regards serving their long-term goal of a 'Europe of the regions'.

Table 1: Political parties' positions with respect to EU Treaties¹⁰

	In favour	Against	Abstention
SEA	CVP – PSC, SP – PS, PVV – PRL-FDF, Agalev – Ecolo, Volksunie		
Maastricht	CVP – PSC, SP – PS, PVV – PRL-FDF	Agalev – Ecolo, Volksunie, Vlaams Blok	Rossem, Front National
Amsterdam	CVP – PSC, PS – SP, VLD – PRL-FDF	Agalev – Ecolo, Volksunie, Vlaams Blok, Front National, (1 PRL-FDF, 1 PS)	
Nice	CVP, PS – SP, VLD – PRL- FDF, Agalev – Ecolo	PSC, Vlaams Blok, Front National, (1 PS)	N-VA, (2 PSC, 2 CVP)
Constitutional Treaty	CD&V – cdH, VLD – MR, sp.a-spirit – PS, Groen! – Ecolo, N-VA	Vlaams Belang	(1 Ecolo)
Lisbon	CD&V – cdH, Open Vld – MR, sp.a-spirit – PS, Groen! – Ecolo, N-VA	Vlaams Belang, Front National	LDD, (2 Ecolo)

¹⁰ Table compiled on the basis of data available on the website of the Belgian Federal Parliament (<http://www.fed-parl.be/ukindex.html>).

Belgian political parties, whether Flemish Dutch-speaking or French-speaking, are thus rather *unisono* in favour of European integration. Hence, regardless of the federal and regional governments in power, pro-integration politicians are always in the driver's seat. While some annotations have to be made with respect to the early years of integration, it is clear that from the 1970s all consecutive Belgian governments have been pleading for a more supranational Europe.¹¹ A closer look at the latest coalition agreement and policy declaration of the current (caretaker) federal government illustrates that reality. Even if the short section on foreign policy contains only a few sentences related to the EU, the pro-European attitude is very manifest: '(...) a strong EU is the best response to future challenges. (...) A stronger Europe needs a deepening and politically integrating EU (...)'.¹²

Furthermore, the government expresses its support for various EU policies, including climate, social-economic and foreign security policies. In other words, for Belgium, there is no doubt that those policies should be dealt with at the EU level. The text also shows a (conditional) consent with regard to further enlargement and pleads for a larger EU budget. It also explicitly mentions that the 2010 Presidency will be an opportunity to develop the European project further. Also when current Prime Minister Yves Leterme took office in November 2009, he emphasised that Belgium wants to make sure that the implementation of the Lisbon Treaty will take place in a supranational instead of an intergovernmental way.¹³

Public Opinion

The political elites are not the only groups favouring integration in Belgium. Eurobarometer data reveals that the Belgian population also has expressed continuous support for its country's membership of the EU. In fact, Belgian public opinion is among the most pro-EU of any of the member states.

¹¹ Franck, C. (1998) 'La politique européenne de la Belgique. Les années 1970-1996: entre orthodoxie et pragmatisme', *Res Publica* 40(2): pp. 197-212.

¹² Authors' translation from 'Regeerakkoord gesloten door de onderhandelaars van CD&V, MR, PS, Open Vld en cdH', 18 March 2008, p. 38.

¹³ 'Regeringsverklaring van Eerste Minister Yves Leterme/Déclaration gouvernementale du Premier Ministre Yves Leterme', 25 November 2009.

Table 2: Belgian public opinion on EU membership: ‘Generally speaking, do you think that [your country]’s membership of the EU is a good thing?’ (Percentage and ranking of Belgian public opinion)¹⁴

	% Yes vote	Rank
EB 57 (Spring 02 – EU 15)	58	9
EB 63 (Spring 05 – EU 25)	67	4
EB 66 (Autumn 06 – EU 25)	69	4
EB 69 (Spring 08 – EU 27)	66	4
EB 73 (Spring 10 – EU 27)	64	5

Recent Eurobarometer data also reveals some more detailed aspects of the Belgian public’s attitudes towards the EU. Indeed, 50% of the respondents stated that the EU has a positive image (48% for EU 27), while only 14% thought negatively of the EU (15% for EU 27). Also with respect to specific policy domains, and even more so with respect to the European institutions, the Belgian population scores somewhat higher than average. The only exception is support for further enlargement, which is clearly below the average. Table 3 summarises some of those findings, again based on Eurobarometer surveys.

¹⁴ The Eurobarometer surveys are available at the website of the European Commission (http://ec.europa.eu/public_opinion/index_en.htm).

Table 3: Belgian public opinion on EU policies and institutions¹⁵

	Belgium	EU average	Belgium – EU gap
The EU is the most appropriate level to tackle economic issues	73	57	+ 16
The EU is the most appropriate level to tackle migration issues	68	63	+ 5
The EU is the most appropriate level to tackle unemployment issues	48	44	+ 4
The EU is the most appropriate level to tackle environmental issues	73	70	+ 3
Support for the euro	79	60	+ 19
Support for enlargement	42	46	- 4
Trust in the European Commission	58	46	+ 12
Trust in the European Parliament	52	41	+ 11
Trust in the European Central Bank	55	44	+ 11
Trust in the EU	57	48	+ 9

It is important to underline that there still seems to exist some kind of ‘permissive consensus’ in Belgium. The EU is hardly an issue among the larger public, the mass media seldom report on substantive EU issues, and political parties scarcely lay out their positions on the EU in party platforms, during electoral campaigns or through parliamentary activity. Taking all that into account, it is doubtful whether the public has any (positive or negative) impact on how the authorities deal with the 2010 Presidency. The hands of Belgian political elites are not tied by the domestic electorate when it comes to the organisation of the term.

¹⁵ European Commission (2010) *Eurobaromètre Standard 72* (Brussels: European Commission).

2.1.2 EU Policy-Making in a Peculiar Federation

The relevance for studying the Belgian 2010 Presidency stems not only from the rather unique constellation of political elites and public opinion attitudes, and from the new post-Lisbon institutional environment. The specific features of the Belgian federation are also relevant and worth discussing. The following section elaborates upon the institutional set-up of Belgian foreign and EU policies, both in general and with respect to the Council of Ministers, as those domestic features potentially affect the way Belgium is running its Presidency today.

Domestic Organisation of EU Policy-Making

The Belgian federation is a very special one, not least with respect to the organisation of its foreign relations. The underlying theme of Belgian federalism seems to be a tension between the constitutional provisions on the one hand and the practical organisation of (foreign) policy-making on the other hand. In what follows, we highlight some of the Belgian peculiarities against the background of that tension between theory and practice.

Belgium evolved from a unitary state into a full-fledged federal state within the space of about thirty years (1960–1993). However, while the federal Constitution of 1993 marked an important point in time, the dynamics of the federalisation process mean that the Belgian population witnesses an ongoing and fierce debate with respect to further refinements of the federal architecture. Also the ongoing political crisis (which started in 2007) can be explained by diverging views regarding the future scope of the federal level.

However, in order to understand how the Belgian federation organises its foreign and EU policies, we need to go back to 1993 and the implementation of the revised Constitution. Article 1 of the Constitution stipulates that ‘Belgium is a federal State composed of Communities and Regions’. According to Articles 2 and 3, those entities are the French Community (*Communauté française de Belgique*); the Flemish Community (*Vlaamse Gemeenschap*); the German-speaking Community (*Deutschsprachige Gemeinschaft*); the Walloon Region (*Région wallonne*); the Flemish Region

(*Vlaams Gewest*); and the Capital Region of Brussels (*Région de Bruxelles-Capitale or Brussels Hoofdstedelijk Gewest*).¹⁶

Consequently, Belgium has a double federal structure composed of two types of constituent units resulting from the divergent Walloon and Flemish concerns, as is visualised in Figure 3. Regions, created for economic reasons because of demands by Wallonia, were granted competences tied directly to territorial space. Those competences include transport, road works, employment policy, industrial policy (economic development), trade, environmental policy, spatial and structural planning, agriculture and housing policy (*'les matières économiques et territoriales'*). Communities, demanded by Flanders mainly for linguistic and cultural reasons, are responsible for education, personalised services, preventive health care, culture, media and use of language (*'les matières personnalisables'*).

Those two types of regional entities each manage their own sphere of competences and coexist on the same territory. In addition, Communities do not have a fixed territorial base, meaning that Community authorities have jurisdiction in more than one region. An obvious example is the organisation and financing of Dutch-speaking initiatives by Flanders in the Capital Region of Brussels. Importantly, in the Flemish part of the country, Community and Region were fused in 1988. According to Article 137 of the 1993 Constitution, the Flemish region's competences are today exercised by the council (later called parliament) and the government of the Flemish Community. In 2010 the federal level remains in charge of social security, justice, law and order, external security and defence policies.¹⁷

¹⁶ Belgian House of Representatives, 'The Belgian Constitution', January 2009, p.5.

¹⁷ For a comprehensive overview of the Belgian federal system, see Deschouwer, K. (2005) 'Kingdom of Belgium', in Kincaid, J. and Tarr, A. (eds.) *Constitutional Origins, Structure and Change in Federal Countries* (Montreal: McGill-Queen's University Press), pp. 10-12; and Dumont H., Lagasse, N., Van Der Hulst, M. and Van Droogenbroeck, S. (2006) 'Kingdom of Belgium', in Watts, M. and Brown, D. (eds.) *Distribution of Powers and Responsibilities in Federal Countries* (Montreal: McGill-Queen's University Press), pp. 66-69.

Figure 3: Communities and Regions of the Belgian Federal State¹⁸



While other EU member states are also organised in a federal (Germany, Austria), quasi-federal (Spain, Italy) or devolved (UK) way, the Belgian federal system has some unique features that substantially affect its foreign and EU policy-making, and hence also the way in which it tackles the rotating Presidency.

Firstly, Belgian federalism is a variant of legislative federalism, meaning that the level with legislative authority over a policy domain also has administrative authority. The Belgian federal constitution provides no hierarchy of norms: federal and regional laws stand on equal footing. The absence of hierarchy of norms has major implications for the way the Belgian federation complies with internationally binding agreements and regulations: each level has to prepare and implement those international policies that fall within its powers.

Following from the absence of norm hierarchy, the Constitution gives all levels the powers to conduct foreign policy with respect to all competen-

¹⁸ Maps taken from Federal Portal Belgium (<http://www.belgium.be>).

cies they have been granted to manage domestically (the *in foro interno, in foro externo* principle). Setting aside the international context, the management of autonomous foreign policies by whatsoever level would not raise too many problems in the case of exclusive powers. Foreign aspects of education policy, for instance, are separately managed by the three Communities, both in terms of foreign representation (*ius legationis*) and of concluding treaties (*ius tractati*).

The Belgian Constitution, however, divides many policies into slices, making different levels of government responsible for different aspects of one single policy. European horizontal environmental directives, for instance, touch upon the powers of three Regions and the federal level at the same time. Those mixed competencies provide a first important contextual factor for the practical organisation of foreign relations within the Belgian federation.

The second determining factor is the international context. While the number and type of activities of regional entities on the international scene is growing on a daily basis, (unitary) states and multilateral organisations and regimes still tend to base their policies and organisation on the longstanding principle of unitary nation states. The extensive foreign relations powers of the Belgian Regions and Communities not only raise questions with foreign partners, but sometimes they even provoke rather conservative reactions, with partners seeing the Belgian federal level as their first interlocutor. The international environment (in all its guises) is thus a second important contextual factor for the way foreign policy competencies are organised.

As has been mentioned above, the constitutional reform of 1988 had introduced the *in foro interno in foro externo* principle for Community competences. That principle gave the Communities the power to conduct foreign policy for the competences they have been granted by the Constitution. The 1993 constitutional reform expanded the principle to the competences of the Regions, creating the full alignment between internal and external competences. According to Article 167 of the 1993 Constitution, the King (i.e. the federal government) conducts Belgium's international relations 'notwithstanding the competency of Communities and Regions to regulate international cooperation, including the concluding of

treaties, for those matters that fall within their competences in pursuance of or by virtue of the Constitution'. The same article also stipulates that 'the Community and Regional governments described in Article 121 conclude, each one in so far as it is concerned, treaties regarding matters that fall within the competence of their Parliament'.¹⁹ The federal government thus lost the privilege of exclusively representing constituent units abroad with respect to a substantial number of policy fields. Consequently, unlike most federal governments in other countries, the Belgian federal government cannot always play the role of gatekeeper between domestic and international political arenas: the federal government cannot intrude in competences that belong to the constituent units. On the contrary, the Belgian constituent units enjoy full legitimate and legal direct access to the international stage.

At the same time, however, Article 167 is accompanied by a series of mechanisms providing for information, cooperation, and substitution in order to ensure the coherence of Belgium's overall foreign policy. Those measures are of major importance because most competences (and therefore also their external dimension) are shared by the constituent units and the federal government: most EU policies in the Belgian federation fall under both federal and regional jurisdiction.²⁰ As a result, the strong foreign policy powers of the Belgian federated entities reveal themselves above all with regard to Belgian European policy making.

In 1994, the Regions, the Communities and the central government concluded a Cooperation Agreement on EU policymaking which outlines (1) the internal arrangement for the coordination of common positions and

¹⁹ Belgian House of Representatives, 'The Belgian Constitution', January 2009, p. 51.

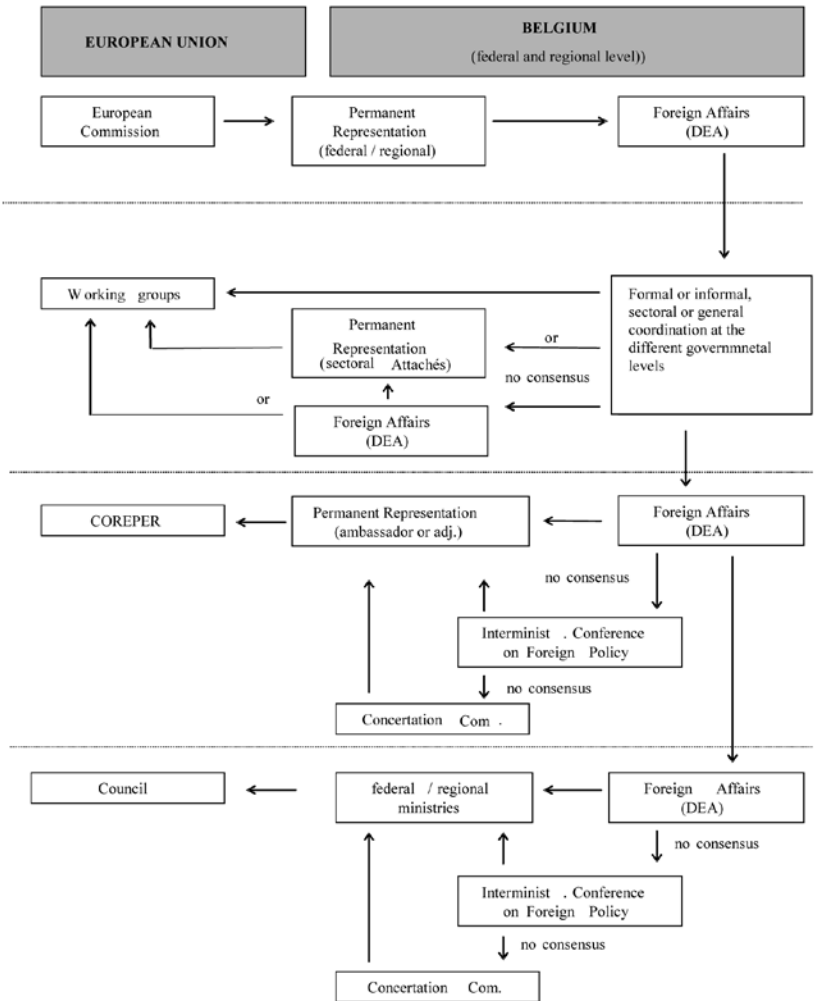
²⁰ Massart-Piérard, F. and Bursens, P. (2007) 'Belgian Federalism and Foreign Relations', in Blindenbacher, R. and Pasma, C. (eds.) *Dialogues on Foreign Relations in Federal Countries* (Ottawa: Forum of Federations), pp 18-20.

²¹ 'Samenwerkingsakkoord tussen de Federale Staat, de Gemeenschappen en de Gewesten, met betrekking tot de vertegenwoordiging van het Koninkrijk België in de ministerraad van de Europese Unie', 8 March 1994.

(2) the Belgian representation at the EU level.²¹ In what follows, we summarise its main features, building upon the notions of coordination and representation (see Figure 4).²²

²² For more details regarding the organization of Belgium's EU policy, see Beyers, J., Bursens, P. and Kerremans, B. (2001) 'Belgium, the Netherlands and Luxembourg: Diversity among the Benelux Countries', in Zeff, E. and Pirro, E. (eds.) *The EU and the Member States: Co-operation, Co-ordination and Compromise* (Boulder CO: Lynne Rienner), pp. 59-88; Beyers, J., Delreux, T. and Steensels, C. (2004) 'The Europeanisation of Intergovernmental Cooperation and Conflict Resolution in Belgium', *Perspectives on European Politics and Society*, 5(1), pp.103-134; Beyers, J. and Bursens, P. (2006) *Europa is geen buitenland* (Leuven: Acco); and Bursens, P. and Geeraerts, K. (2006) 'EU Environmental Policy-making in Belgium. Who Keeps the Gate?', *Journal of European Integration*, 28(2), pp. 159-179.

Figure 4: The organisation of Belgium's EU policy²³



²³ Flowchart taken from Beyers, J. and Bursens, P. (2006b) 'The European Rescue of the Federal State. How Europeanization Shapes the Belgian State', *West European Politics*, 29(5), pp. 1057-1078.

Coordination. The most important body in the coordination process is the Directorate of European Affairs (DEA) of the Federal Public Service (Ministry) for Foreign Affairs. That body organises coordination meetings with representatives from a wide range of federal and regional executive agencies. It is crucial to note that it needs to reach consensus to back specific negotiation positions for the Council. If no consensus is reached, a similar exercise is conducted at the level of the Inter-Ministerial Conference for Foreign Policy (ICFP) and eventually at the level of the Concertation Committee (CC).

In practice, consensus is nearly always reached at the DEA level; only a handful of cases are discussed in inter-ministerial meetings and almost no cases are discussed at the highest political level of the Concertation Committee. In addition, the 1994 Cooperation Agreement makes the Federal Public Service for Foreign Affairs a crucial player, because it hosts the coordination meetings. On top of that, meetings are prepared and chaired by federal administrative and political officials.

Despite the *in foro interno in foro externo* principle, the role of the federal level thus remains more than substantial. At the same time, however, the nature of the DEA has changed considerably. By incorporating representatives from other governmental levels and by granting these the same voting rights as the federal level, the DEA is no longer an exclusive federal body: it has become a cooperative inter-federal agency within a constitutionally defined dual federal logic.

Representation. Once a common position is defined within the coordination mechanism, the Cooperation Agreement provides for a system that determines who will represent that position at the European level.²⁴ The agreement was updated in 2003, following the latest state reform of 2001, which transferred another set of competencies from the federal to the regional level. The system of representation is now based on six cat-

²⁴ 'Samenwerkingsakkoord tussen de Federale Staat, de Gemeenschappen en de Gewesten tot wijziging van het samenwerkingsakkoord van 8 maart 1994 tussen de Federale Staat, de Gemeenschappen en de Gewesten met betrekking tot de vertegenwoordiging van het Koninkrijk België in de Ministerraad van de Europese Unie', 13 February 2003.

egories of competences (see Figure 5) and functions following a two-step procedure. First, the issues on the agendas of the Council meetings are compared with the domestic division of competencies. Next, the delegation leaders and assessors are determined, with rotation when necessary (i.e. where Community or Regional representatives are involved). For most policies, the Community (Flemish, French or German-speaking) or Regional (Flemish, Walloon or Brussels Capital) representatives rotate on a six-monthly basis.

Figure 5: Rotation of representation in the Council of Ministers²⁵

Cat.	Internal division of competencies	European Council Configurations	Rotation	Representation in the Council of Ministers	
				Delegation Leader	Assessor
I	Dominantly federal	General affairs, ECOFIN, Budget, Justice, Telecom, Consumer affairs, Development and Civil Defence	-	Federal	-
II	Shared, but more federal	Internal Market, Health, Energy, Transport and Social Policy	Yes (assessor)	Federal	Regions/Communities
III	Shared, but more regional	Industry, Research and Environment	Yes (leader)	Regions	Federal
IV	Dominantly regional	Education, Youth, Culture, Tourism, Housing and Spatial Planning	Yes	Communities	-
V	Exclusively regional	Fisheries	No	Flemish Region	-
VI	Dominantly regional	Agriculture	No	Federal	Walloon Region and Flemish Region

²⁵ Table taken from Beyers, J. and Bursens, P. (2006b) 'The European Rescue of the Federal State. How Europeanization Shapes the Belgian State', *West European Politics*, 29(5), pp. 1057-1078. Note that the 1994 Cooperation Agreement uses the Council Configurations as they existed before its number was reduced from fifteen to nine in 2002.

The principles of the 1994/2003 Cooperation Agreement are continuously operationalised by the appointment of delegations and, in the half year of the Presidency, also of chairs in the Council meetings. By way of example we zoom in on Category III, IV, V and VI. Tables 4 to 7 show which regional entity represents Belgium in the Council from 2010 to 2012 and reveal which special arrangements have been made for holding the Presidency.²⁶

Firstly, Category III entails Council figurations for which normally the regional level leads the delegation, assisted by a federal representative. For instance, Belgium is represented in the Environmental Council by the Flemish Community (FC) in 2010 and the first half of 2011 and by the Brussels Capital Region (BCR) in the second half of 2011 and the first half of 2012. During the 2010 Presidency, however, Belgium needs to fill both the national seat and the Presidency chair. In the case of environment, that results in the Flemish Community taking up the Presidency chair and the federal level representing Belgian interests.

Table 4: Belgian Category III delegation 2010–2012

Category III	I/2010	II/2010	I/2011	II/2011	I/2012	II/2012
Industry	WR	*	WR	FC	FC	BCR
Research	BCR	*	BCR	WR/ FC-GC	WR/ FC-GC	FC
Environment	FC	*	FC	BCR	BCR	WR

FC=Flemish Community, FrC=French Community, GC=German-Speaking Community, WR=Walloon Region, BCR=Brussels Capital Region, FED =Federal level

²⁶ ‘Samenwerkingsakkoord tussen de Federale Staat, de Gemeenschappen en de Gewesten tot wijziging van het samenwerkingsakkoord van 8 maart 1994 tussen de Federale Staat, de Gemeenschappen en de Gewesten met betrekking tot de vertegenwoordiging van het Koninkrijk België in de Ministerraad van de Europese Unie’, 13 February 2003.

Table 5: Belgian Category III Presidency chair and delegation during the 2010 Presidency

Category III * II/2010	Chair	Belgian delegation
Industry	WR	FED
Research	BCR	FED
Environment	FC	FED

Secondly, Category IV deals with *quasi* exclusive regional competencies. A system similar to Category III has been implemented. Taking Culture/ Audiovisual Policy as an example, Table 6 makes clear that between 2010 and 2012 the Belgian delegation is headed by the French Community (FrC), the Flemish Community (FC) and the German-speaking Community (GC), respectively. During the first half of 2010, the French Community will sit in the Presidency chair, while Belgium is represented by the Flemish Community.

Table 6: Belgian Category IV delegation 2010–2012

Category IV	I/2010	II/2010	I/2011	II/2011	I/2012	II2012
Culture/AV	FrC	*	FrC	FC	FC	GC
Education	FC	*	FC	FrC	FrC	FC
Youth/Sport	FC	*	FC	GC	GC	FrC
Tourism	GC	*	GC	FC	FC	FrC
Spatial Planning/ Housing	WR	*	WR	FC	FC	BRC

Table 7: Belgian Category IV Presidency chair and delegation during the 2010 Presidency

Category IV * II/2010	Chair	Belgian delegation
Culture / AV	FrC	FC
Education	FC	FrC
Youth / Sport	FC	GC
Tourism	GC	WR
Spatial Planning/Housing	WR	BCR

Thirdly, Category V, which only contains fisheries policies, is a special case as the Flemish Community will both chair the Council meetings and speak on behalf of the Belgian delegation. As fisheries is only relevant for Flanders, there is no Walloon/Brussels expertise or a Walloon/Brussels minister to take up a role in the Belgian delegation.

Finally, the Agriculture Council will see yet another type of division of labour. In non-Presidency semesters the Belgian delegation is composed of a federal delegation leader, assisted by both the Flemish and the Walloon agriculture ministers. During the Presidency, the Federal Ministers will preside over the meetings, while the Belgian delegation will be led by a federal representative for COREPER matters (as the financial aspects of the Common Agricultural Policy are a federal competency) and by a regional representative of one of the Regions for issues related to the Special Committee for Agriculture (as other issues – market and rural development aspects – are regional competencies).

Importantly, the strict rotation principle of the Cooperation Agreement is not respected during the Presidency. The rationale is of course to ensure some continuity (of expertise) during the Trio Presidency of Spain, Belgium and Hungary (2010–first half 2011). However, that does not mean that the chairs were appointed following the logic of the long-term rotation agreement. Rather, the agreement was fixed years before the trio format was introduced, with an eye on the upcoming Presidency: Regions, Communities and the federal level have been able to select the Presidency chairs

according to the domains in which they want maximum visibility and impact: industry and audio-visual policy for the Walloon Region/French Community, tourism for the German-speaking Community, education and environmental policy for the Flemish Community. The latter implies, for instance, that the Flemish Minister for Environment will lead the EU delegation in Cancún.

The interface between the international and the Belgian level is of substantial importance for Belgian politics. One could argue that both the domestic characteristics of Belgian federalism and the international practices soften the constitutional principles of Belgium's foreign relations, boiling down to an evolution from a dual competitive form of federalism towards a variant of cooperative federalism with a large dose of pragmatism. Cooperation among the Regions and Communities and between the federated levels and the federal level is absolutely necessary in the case of mixed competencies and multilateral organisations. Especially with respect to the EU, which covers a large variety of policy fields, extensive coordination mechanisms have been established to ensure that one single negotiator defends one single position in international fora.

At the same time, it must be stressed that, although the coordination mechanisms sometimes function along very detailed rules of procedure, pragmatic behaviour remains an essential feature of Belgian foreign policies. That pragmatism is inspired by the fact that federalism has been introduced in Belgium to make sure that the interests of all partners are taken care of. In order to realise that ambition, however, all the partners have learned to approach foreign relations in a pragmatic way. Successful representation of international interests requires that the competent level is at play when appropriate. But it also means that, whenever the international partners or multilateral organisations demand a single Belgian position (or representative), all domestic partners must understand that a flexible approach in terms of compromise-seeking and mandate-giving generates the most fruitful output.

To summarise, no other federal system has granted its subnational entities such large foreign policy powers as Belgium. In all areas of external relations, Regions and Communities enjoy full foreign policy powers for the competences they possess in the domestic realm. That becomes very vis-

ible in Belgium's EU policy-making, above all during the rotating Presidency. The full participation of Regions and Communities was introduced during the previous Belgian Presidency in 2001 and is again implemented during the 2010 Presidency.²⁷

2.2 Treaty of Lisbon

The Treaty of Lisbon that entered into force on 1 December 2009 contains the most far-reaching reform of the rotating Presidency ever. Given the fairly frequent treaty reviews it is a surprise that the rotating Presidency has never been the object of change, be it minor or major. During the Convention on the Future of Europe (2002-2003; see above) the rotating Presidency was discussed at length, often with large countries (favouring efficiency) opposing smaller ones (favouring proximity). The final compromise of the negotiations between member states is rather ambivalent: the rotating Presidency is decapitated, but at the same time strengthened in some of its functions. It is clear, however, that we have to deal with a new type of rotating Presidency, one that politically can no longer be seen to be called the 'Presidency of the EU' but only the 'Presidency of the Council of Ministers of the EU – except for the Foreign Affairs Council'.

The Lisbon Treaty changes the rotating Presidency in various ways, both directly and indirectly, as illustrated by Table 8.

²⁷ On the role of federated entities during the 2001 Presidency, see Kerremans, B. and Drieskens, E. (2002) 'The Belgian Presidencies of 2001', *Journal of Common Market Studies*, 40(3), pp. 49-51; and Kerremans, B. and Drieskens, E. (2003) 'The Belgian Presidency of 2001: Cautious Leadership as Trademark', Elgström, O. (ed.), *European Union Council Presidencies. A Comparative Analysis* (London: Routledge), pp. 155-172.

Table 8: Changes to the rotating Presidency due to the Lisbon Treaty

Direct factors	<p>Introduction of permanent President of the European Council</p> <p><i>Impact:</i> <i>Head of State or Government of rotating Presidency no longer presides over European Council; permanent President does so and invites, sets agenda, chairs meeting, ensures follow-up and represents the European Council internally and the externally at the level of heads of state and government.</i></p> <p><i>Role of Head of State or Government of rotating Presidency is limited to presenting the priorities at European Parliament.</i></p>
	<p>Introduction of High Representative for Foreign Affairs and Security Policy</p> <p><i>Impact:</i> <i>Foreign Minister of rotating Presidency no longer chairs the Foreign Affairs Council but High Representative does so and conducts the EU's common foreign and security policy, ensuring also consistency in the EU's external relations.</i></p> <p><i>Permanent Representative of rotating Presidency continues to chair COREPER II when dealing with the EU's foreign policy.</i></p>
Indirect factors	<p>New definition of Qualified Majority Voting (as of 2014)</p> <p>Co-decision as standard legislative procedure</p> <p>New competences for European Parliament</p> <p>Supranationalisation of police and justice cooperation</p> <p>Formalisation of European Council</p> <p>...</p>

Probably most visible has been the introduction of a permanent President of the European Council, a full-time position for two and a half years (renewable for another two and a half years), ending the period in which the head of state or government of the rotating Presidency presided over the European Council. It is now the permanent President, Herman Van Rompuy, who convenes the European Council (whether regular or extraordinary), sets the agenda, chairs the meetings, takes care of the follow-up, represents the European Council *vis-à-vis* the other EU institutions (for instance, debriefing the European Parliament after each European Council meeting, even the one that marks the end of each six-month Presidency) and represents the EU at the level of heads of state and government with third countries, including at multilateral summits. There is thus hardly any role to play for the prime minister or head of state of the country holding the rotating Presidency, except for presenting the priorities to the European Parliament.

The introduction of the permanent President of the European Council was already very visible during the Spanish Presidency in the first half of 2010: the Spanish press came close to asking where Spanish Prime Minister Zapatero was hiding.²⁸ Belgian Prime Minister Leterme seems also to have disappeared into the background of European affairs since the start of the Presidency. He presented the Belgian priorities to the European press and defended the Belgian programme in the European Parliament, but seems to have distanced himself from day-to-day EU decision-making. Apart from playing the host during high-level bilateral and multilateral conferences, he seems banished to the background, taking care of behind-the-scenes (but still high-level) coordination work with the President of the European Parliament, the President of the European Commission and the President of the European Council.

Secondly, together with the introduction of the permanent President, the position of High Representative for Common Foreign and Security Policy is upgraded. It is now called 'High Representative for Foreign Affairs and Security Policy' and the person holding that position, Catherine Ashton, is also Vice-President of the European Commission and permanent Chair

²⁸ Holman, O. (2010) 'Spanje en het Europees Voorzitterschap nieuwe stijl in crisistijd', *Internationale Spectator*, 64(9), pp. 441-444.

of the Foreign Affairs Council. She is not obliged to rely on the General Secretariat and the diplomatic network of the rotating Presidency, but will have a new diplomatic service at her disposal – the European External Action Service (EEAS). The only position within the rotating Presidency that escapes those reforms (or has been forgotten in the treaty) is the Permanent Representative of the country holding the rotating Presidency, as he or she continues to chair COREPER II when dealing with the foreign policy of the EU, unlike the national minister and the working groups.

There is thus little surprise that the foreign affairs minister of the country holding the Presidency is also deeply affected by the implementation of the Lisbon Treaty. Unlike Prime Minister Leterme, however, Belgian Foreign Affairs Minister Vanackere still has responsibilities in the Presidency as chair of the General Affairs Council (GAC). Vanackere himself reports a triple workload for the new style chair of the GAC: (1) coordinating the legislative work of the other Councils' formations and monitoring the implementation of the Councils' output, (2) mediating between the European Parliament and the Council in legislative conciliation procedures and between the European Council, the High Representative and the Commission when it comes to external policies and (3) managing the Council agenda with respect to foreign issues that are not attributed to the High Representative: the Common Commercial Policy and the enlargement dossier.²⁹ It is clear from the day-to-day practice that the Belgian diplomatic corps is putting itself fully at the service of both Van Rompuy and Ashton. As noted above, by doing so, Belgium not only wants to ensure the smooth implementation of the Lisbon treaty, but also hopes to introduce practices that will be followed by future rotating Presidencies, thus setting the right precedent.

A number of indirect changes will also affect the rotating Presidency.³⁰ First, from 2014 onwards, a new definition of Qualified Majority Voting (QMV) will be applied in the Council of Ministers. Second, co-decision is

²⁹ Steven Vanackere, 'La Présidence Belge de l'Union Européenne, Un premier bilan a mi-parcours', Université Catholique de Louvain, Louvain-la-Neuve, 6 October 2010.

³⁰ On the introduction of the Trio Presidency, see 3.1.1.

the post-Lisbon standard (ordinary) legislative procedure, and unanimity the exception – leading to a greater involvement of the European Parliament in the drafting of EU legislation. In addition to the legislative procedure, a number of policy domains have also been added to the competences of the European Parliament, the budget being probably the most important one. Finally, the remaining third pillar issues (police and justice cooperation in criminal matters) have been supranationalised, granting the European Commission and the European Parliament more involvement and power and hence redefining the balance between Commission, Parliament and Council, including its chairmanship. As a result of those reforms, the Council will have to alter its behaviour and dedicate more time for negotiations with the Parliament and the Commission. Already during the first months of the Belgian Presidency that resulted in increased contacts between the Belgian Secretary of State for European Affairs, Olivier Chastel, and various delegations from the European Parliament.

The formalisation of the European Council into a separate EU institution may also affect the agenda-setting role of the rotating Presidency. It is expected that the leading role of the European Council will grow to the detriment of both the European Commission (which formally keeps its exclusive right of initiative) and of the different Council formations. Long-term and horizontal policy agendas such as ‘Europe 2020’ severely decrease the scope of the Council of Ministers, reducing the meetings to executing decisions taken by the European Council. For sure, those direct and indirect changes as well as the *status quo* in many other areas will increase the cost of coordination. The way in which Belgium will handle those coordination efforts is crucial, since it assumes the rotating Presidency so recently after the entry into force of the Lisbon Treaty, thus setting the course to be followed by successive rotating Presidencies in the years to come.

Herman van Rompuy can be seen as a potential competitor for the Belgian Presidency. Yet the Belgian Presidency also benefits from Van Rompuy’s Belgian roots. One should not forget that Van Rompuy was responsible for the preparation of the Belgian stint, including for the presentation of the Trio programme, being Prime Minister of Belgium between December 2008 and November 2009. Not only does Van Rompuy speak the languages of the rotating Presidency, he is also familiar with those in charge. Prime Minister Leterme and Foreign Minister Vanackere are even party

fellows.³¹ In fact, whereas the last one is a close political ally of Van Rompuy, the first one would not have been Prime Minister without Van Rompuy becoming President of the European Council. Coordination costs are thus low, as is the threshold for informal contacts. And, as noted, unlike the Spanish Presidency, the Belgian Presidency has repeatedly presented itself as a facilitator of Van Rompuy's new job.³²

2.3 Current Political Crisis

Few will have failed to notice that Belgium's Council Presidency coincides with a severe domestic political crisis. As noted, the federal government was forced to resign in April 2010 and the subsequent elections of June 2010 for the federal parliament have brought a substantial power shift. Hence, the Presidency operates under a Belgian caretaker government. Whether it will also end without a regular government depends on the pace of the negotiations that should lead to a new coalition government.

In the Spring of 2010 political parties were warning that a crisis of the federal government had to be avoided by all means in order not to jeopardise the Belgian Presidency. Since the same parties eventually did not prevent such a crisis, politicians and journalists have been discussing the negative impact of the domestic situation on the performance of the Belgian Presidency, claiming that the situation considerably limits the scope for manoeuvre. Halfway through the Belgian Presidency, however, such worries have proven to be wrong. Even more, the Belgian performance has been applauded by some of its more fierce critics.³³ As we will discuss in part 4, the Belgian Presidency so far has not suffered from the domestic situation and will most probably be able to manage many of its priorities in a successful way. Several factors explain this.

³¹ In addition, Van Rompuy's head of cabinet, Frans van Daele, is one of the most senior Belgian diplomats. He was Permanent Representative of Belgium to the EU during the 2001 Belgian Presidency.

³² Commentators noted in that regard that Van Rompuy's new role would help 'sell the idea of a low-key Presidency to ordinary Belgians'; See 'New Belgian government could hamper EU Presidency' (www.euobserver.com), 29 June 2010.

³³ Joshua Sofkin on the Brussels blog of the Financial Times, 20 September 2010 (<http://blogs.ft.com>).

First of all, as noted, the Lisbon Treaty has decapitated the rotating Presidency. The introduction of a permanent President of the European Council abolished the rotation at the level of heads of state and government. The member holding the Presidency no longer chairs the European Council. The same is true for the Foreign Affairs Council which is presided over by the High Representative for Foreign Affairs and Security Policy. Belgium's Prime Minister and – to a lesser extent – Foreign Affairs Minister have less European work to do, especially in comparison with their counterparts in 2001. Thanks to the Lisbon Treaty, they can afford to devote time to domestic issues, which not only include the duties of the caretaker government (including the approval of the 2011 budget), but also the support for their party in the negotiations for a new federal government.

Above all, a rotating Presidency needs to run the shop for six months. Priorities may be established carefully, but the rolling agenda dominates the issues that are discussed by the Council. It is true that unexpected – often international – events can disturb the agenda. In the post-Lisbon regime however, such events will be tackled by other actors: security threats will have to be countered by Ashton, while Van Rompuy will coordinate the response to economic and financial challenges. In EU policy areas such as environment, agriculture, and the single market, the rotating Presidency is still very much in charge, however. Particularly in those domains, Belgian functionaries, diplomats and politicians prepared themselves intensively for more than two years. They have been trained to chair meetings and forge compromises. The implementation during the Presidency follows quite automatically without much need for intervention by the federal government. Also, because of the constitutional position of the Belgian regions in EU policy-making and the substantial competencies they have, only a minority of meetings are chaired by the Belgian federal level. Most of the work will be done by the regional representatives whose governments continue to be in office.³⁴

Moreover, Belgium is a member state with substantial experience. It has held the Presidency eleven times before and has quite often been confronted

³⁴ Some even argue that the regions will take the opportunity to prove that they are up to the job of presiding over EU meetings, much more than their colleagues at the federal level.

with challenging events, as in 2001. Every time it has been applauded for its creative and effective work. The Belgian Presidency was able to force breakthroughs and to manage severe crises. It seems to be a tradition that Belgium, as a small and pro-integration member state, chooses to serve European goals rather than to defend its own interests. That might be even more the case with a caretaker government in charge domestically. Indeed, a fierce defence of national interests presumes a clear definition of those interests. As Belgian politicians will be mainly dealing with domestic issues, there will not be much time left to define those interests. In any case, as has been stated above, Belgium has no tradition of pushing hard for its own interests, but opts instead for supporting the common European interest.

Also, a Presidency is mostly run by functionaries and diplomats, and much less by politicians. The latter may attract the media spotlight, but the bulk of the work is carried out by experts behind the scenes. One could even argue that the administrators will have more chances to succeed without interference from the political level. Of course, with respect to sensitive and highly political dossiers, the political level becomes very much involved. In Belgium that means that the *cabinets* (the personal, politically appointed staff) of the ministers become the spiders in the Presidency web. In that respect the Belgian Presidency may even benefit from the domestic deadlock. The start of a new government during the six months of the Presidency would mean that the expertise of the incumbent *cabinets* is lost as experts would be replaced by new political appointees without much knowledge of the ongoing agenda. Moreover, the diplomatic and administrative experience of N-VA, a party that is very likely to be part of the new government, is very limited.

That being said, whatever political parties will eventually take part in the new federal government, the Belgian European position will not change. As has been argued above, the pro-European consensus is still very stable and not only includes traditional parties but also the regionalist N-VA, the party that won the elections in Flanders. It is no coincidence that the N-VA organised an international press conference in which a European flag was shown very prominently. Also on the election night the party celebrated its victory with almost as many European flags as there were Flemish ones.

In conclusion, there are many reasons to expect that the second half of the Presidency will also run rather smoothly: there seems to be no reason to expect a profound negative impact of the current domestic turmoil on the performance of the Belgian team. The same goes for recent rumours and talks about new elections: if correct, those elections would only be organised in early 2011, in order not to damage the Presidency. Whether the image of Belgium in Europe (including that of a builder of compromises) is being harmed because of the current political crisis is, of course, another question.

3 PRIORITIES OF THE BELGIAN PRESIDENCY

This third section deals with how the Belgian priorities are defined on paper. It first explores the waterfall-based approach that has been used for drafting those priorities, looking into the impact of the Trio formula. The second part of this section provides not only a more detailed picture of the five priority axes that have been defined, but also of how Belgium has been conceptualising its role in that regard.

3.1 The Trio as a Useful, but Complicating Factor

Belgium started its preparations rather early, in December 2008, not only because of the ratification problems the Lisbon Treaty was facing or because of internal coordination issues, but also because of the Trio Presidency format that was introduced. The main goal of the Trio Presidency was to strengthen the continuity between the successive Presidencies.³⁵

Considering it ‘appropriate’ to streamline the programming of its activities, the Council adapted its Rules of Procedure on 15 September 2006 by suggesting ‘a new system based on an 18-month programme to be submitted for endorsement to the Council by the three Presidencies due to hold office during that given period’.³⁶ Every 18 months, the three Presidencies due to hold office ‘shall prepare, in close cooperation with the Commission, and after appropriate consultations, a draft programme of Council activities for that period’.³⁷ That programme has to include ‘a general introductory section setting the programme in the context of the EU’s longer term strategic orientations’. To ensure that long-term perspective, the three countries in charge have to ‘consult with the three subsequent Presidencies’.

In a similar vein, ‘Declaration 9 on Article 16(9) of the Treaty on European Union concerning the European Council decision on the exercise of

³⁵ Belgische Senaat en Kamer van Volksvertegenwoordigers, ‘Voorbereiding van het Belgisch voorzitterschap van de Europese Unie in 2010. Verslag namens het Federaal Adviescomité voor de Europese Aangelegenheden uitgebracht door Mevrouw Delvaux (S) en de Heer De Croo (K)’ (4-986/1 Senaat – 52 1676/1 Kamer), 9 December 2008, p. 2.

³⁶ Council of the European, ‘Council Decision of 15 December 2006 adopting the Council’s Rules of Procedure’ (2006/683/EC, Eurom), preambular paragraphs.

³⁷ Council of the European Union, ‘Council Decision of 15 December 2006 adopting the Council’s Rules of Procedure’ (2006/683/EC, Eurom), Article 2(4)).

the Presidency of the Council', which is attached to the Lisbon Treaty, stipulates that the Presidency (with the exception of the Foreign Affairs configuration) shall be held 'by pre-established groups of three Member States for a period of 18 months'. Those groups 'shall be made up on a basis of equal rotation among the Member States, taking into account their diversity and geographical balance within the Union'. Each member 'shall in turn chair for a six-month period all configurations of the Council, with the exception of the Foreign Affairs configuration'. The other members 'shall assist the Chair in all its responsibilities on the basis of a common programme. Members of the team may decide alternative arrangements among themselves.'

The drafting of the Trio programme started in December 2008, with Spain taking the lead. The process resulted in a detailed document in June 2009, which was sent to the Council Secretariat for redrafting and reformulation over the summer. The General Affairs Council adopted the final programme on 7 December 2009, following a final round of consultations involving also Herman Van Rompuy, the new President of the European Council. The resulting document, as required by the Rules of Procedure of the Council, is divided into two parts; a strategic framework and an operational programme.

Following consultation with the incoming Polish, Danish and Cypriot Presidencies, the strategic framework puts the Trio's priorities in perspective, specifying the longer-term objectives. The *tour d'horizon* resulted in the following six objectives: (1) the revision of the Lisbon Strategy to build a Europe capable of mastering the financial crisis and promoting sustainable growth and employment, innovation and competitiveness; (2) better regulation and supervision of financial markets; (3) a broader social agenda, paying special attention to the young, to gender equality and the fight against poverty; (4) implementation and possible review of the energy and climate package in the light of the results of the Copenhagen Summit; (5) effective implementation of the Stockholm programme; and (6) increasing the effectiveness, coherence and visibility of the EU's external action and promoting human rights and fundamental freedoms.³⁸

³⁸ As mentioned on the website of the Spanish Presidency (www.eutrio.es).

Those objectives were then translated into the following ten priority fields (1) institutional reform; (2) Lisbon Strategy; (3) social agenda; (4) post-The Hague programme on justice and home affairs; (5) post-Kyoto programme on climate and energy; (6) enlargement; (7) neighbourhood policy; (8) external relations; (9) financial framework; and (10) financial questions.³⁹ Operationalising those themes, the operational programme specifies the issues that are on the agenda for the 18 months during which Spain, Belgium and Hungary hold the Presidency in succession.

Showing how Belgium's ambitions regarding climate change echo the strategic and operational programmes that were commonly drafted with Spain and Hungary, Text Box 1 not only illustrates the waterfall-based approach that was used for establishing the Belgian list of priorities, but also that the Trio framework has strengthened the top-down character of the drafting process of the priorities of a Council Presidency

Text Box 1: Defining priorities using a waterfall-based approach

Eighteen-month programme drawn by the future Spanish, Belgian and Hungarian Presidencies⁴⁰

Strategic framework:

'The fight against climate change requires the transformation of the present development model into one of low carbon emissions, creating a reduction in dependence on fossil fuels. This will in-

³⁹ Belgische Senaat en Kamer van Volksvertegenwoordigers, 'Vorbereitung van het Belgisch voorzitterschap van de Europese Unie in 2010. Verslag namens het Federaal Adviescomité voor de Europese Aangelegenheden uitgebracht door Mevrouw Delvaux (S) en de Heer De Croo (K)' (4-986/1 Senaat – 52 1676/1 Kamer), 9 December 2008, pp. 8-10.

⁴⁰ Council of the European Union, 'Draft 18 month programme of the Council' (16771/09), Brussels, 27 November 2009.

crease energy security and contribute to strengthening new areas of economic activity. The necessary mitigation of greenhouse gas emissions and adaptation to climate change are mutually inclusive, and bearing this in mind it is vital to design an appropriate action plan that is coordinated and effective. In this way, actions to cope with climate change present an opportunity to strengthen the sustainable dimension of sectoral policies, of which the most important are Energy Policy, Transport Policy, Research & Development & Innovation Policy, Cohesion Policy, Common Agricultural Policy (CAP) and Common Fisheries Policy (CFP), as well as migration policy and the resulting financial implications. The EU should also continue its active role in strengthening international cooperation.

The three Presidencies will devote their utmost attention to the follow-up to the Copenhagen Conference.’ (page 16)

Operational programme:

‘The three Presidencies will pay continued attention to the implementation of the Climate and Energy Package (including some important decisions to be taken under comitology) and will, in this context, take work forward on the Regulation on CO₂ emissions labelling for vehicles, the Regulation on CO₂ emissions reduction from light commercial vehicles and the forthcoming communication on CO₂ emissions from shipping. The issue of passing to a EU 30% of green-house gas emissions reduction will be examined in the light of the outcome of the Copenhagen Conference.

The three Presidencies will start paving the way for the implementation of the 2013 EU Adaptation Strategy and address the measures already needed ahead of this strategy.

At multilateral level, the three Presidencies will ensure the follow-up to the outcome of the COP 15 of the UNFCCC. The preparation of the COP-UNFCCC 16 will be a priority.’ (page 48)

Six-month programme drawn up by the Belgian Presidency⁴¹

Strategic framework:

'The Belgian Presidency will work together with the Commission to ensure that the European Union's voice is heard in international negotiations on the follow-up to the Copenhagen Conference. The goal that has been set is to achieve tangible progress and results to be brought to the table at the Framework Convention on Climate Change meeting to be held in Cancún in November 2010. The international community must set ambitious objectives for reducing greenhouse gas emissions and must make firm commitments in support of developing countries. The European Union must put all its weight behind these debates and remain the driving force for change.' (page 7)

Operational programme:

'The Presidency will assume its role in coordinating the position of the Member States within the Council within the framework of international negotiations on climate change. The priority will be the implementation of the Copenhagen Treaty, with a view to the 16th Conference of Parties to the Convention on Climate Change, scheduled to be held in Cancún from 29 November to 10 December 2010.' (page 40)

⁴¹ 'Six-month Programme drawn up by the Belgian Presidency of the Council of the EU', Belgian Presidency (downloadable at the website of the Belgian Presidency: www.eutrio.be).

Interviews with Belgian policy officials reveal that the cooperation of the Trio has been useful in the programming stage, but that its effect should not be overestimated in the operational one, thus when actually holding the Presidency. For the Belgian team, The trio framework had an added value in the preparatory stage, acting as a wake-up call and encouraging preparations at a very early stage. Horizons were broadened and networks established. Whereas those networks have remained useful during the Presidency, the format did not transform the Presidency into a collective one. Spain, Belgium and Hungary may share their agenda, but holding the Presidency has not become a shared responsibility. Besides the common agenda, the Trio cooperation remains somewhat limited to more symbolic actions like a common logo and website.⁴²

While certainly useful in the programming stage, the format was also referred to a time-consuming and even complicating factor. Other complicating factors were, besides the uncertain fate of the Lisbon Treaty, the European Parliament being newly elected (in June 2009) and the European Commission being newly established (in February 2010). By contrast, the domestic problems did not seem to have affected the preparations that much, as they were in the finalising stage when the federal government fell in April 2010. As has been mentioned above, not only the pro-European consensus between the political parties, but also the fact that Belgium is rather experienced in holding the Presidency, including with domestic problems looming in the background, may explain this.

Indeed, Belgium has already assumed the Presidency a dozen times and only did so twice without domestic problems, in 1973 and 1983 respectively.⁴³ In fact, when presenting the Belgian priorities to the European Parliament on 7 July 2010, Prime Minister Yves Leterme even saw the Belgian cloud as having a silver lining: ‘(..) one of the advantages of the

⁴² Belgische Senaat en Kamer van Volksvertegenwoordigers, ‘Voorbereiding van het Belgisch voorzitterschap van de Europese Unie in 2010. Verslag namens het Federaal Adviescomité voor de Europese Aangelegenheden uitgebracht door Mevrouw Delvaux (S) en de Heer De Croo (K)’ (4-986/1 Senaat – 52 1676/1 Kamer), 9 December 2008, pp. 10-11.

⁴³ Franck quoted in Werts, J. (2010) ‘Stuurloos België stuurt chaotische EU met acht voorzitters: Europese Raad en Europees Parlement nemen via ‘Lissabon’ de macht over’, *Internationale Spectator*, 64(6), pp. 315-319.

current political situation in my country is that we can devote almost all our time to the EU rotating Presidency, including during the coming holiday period'.⁴⁴ That being said, our interviewees noted that positions, in the absence of a political level that can take full responsibility, were sometimes expressed in a more cautious way because of the domestic context or that some discussions were shelved.

3.2 On Shepherds and Sheepdogs

When presenting the priorities for the 2010 Belgian Presidency to the press, Foreign Minister Steven Vanackere stressed that the time has passed when a Presidency could promise '20 priorities and 30 objectives' and asked to be judged on 'concrete realisations', not by 'pre-set expectations'.⁴⁵ The Belgian role would be that of 'honest broker', aimed at 'reaching consensus among the EU Member States' and 'concrete progress in moving closer to Europe by all countries involved'.

A few days later, he summarised the Belgian role as follows in a radio interview: 'Belgium is no longer the shepherd, but a sheepdog whose task is to ensure that the herd moves forward together'.⁴⁶ Critical questions about Belgium lacking ambition have been countered with the answer that 'Belgium's ambitions for the EU are high'. After all, it would maximise the role of the EU's new representatives, facilitating the implementation of the Lisbon Treaty. Leading Belgian officials, for example, would take a 'back-seat' in presenting the EU externally, leaving the front seats for Herman Van Rompuy and Catherine Ashton.⁴⁷ To create the right precedents, Belgium would exercise the Presidency 'with full respect for both the letter and the spirit of the Treaty'.⁴⁸

⁴⁴ Yves Leterme, 'Werkprogramma van het Belgische voorzitterschap', European Parliament, Strasbourg, 7 July 2010.

⁴⁵ Steven Vanackere, 'Belgian Presidency of the Council of the European Union – Press conference 25 June 2010', Justus Lipsius Building, Brussels, 25 June 2010.

⁴⁶ Steven Vanackere interviewed in *De Ochtend* (www.radio1.be), 'België voorzitter van de Europese Unie', 1 July 2010.

⁴⁷ Olivier Chastel interviewed by EurActiv (www.euractiv.com), 'The Belgian Presidency', 25 June 2010.

⁴⁸ Yves Leterme, 'Werkprogramma van het Belgische voorzitterschap', European Parliament, Strasbourg, 7 July 2010.

Taking a low profile, Belgium has been trying to leave its mark on the process of European integration by ensuring full implementation of the Lisbon Treaty (the mantra being: ‘the Lisbon Treaty, the whole Lisbon Treaty and nothing but the Lisbon Treaty’⁴⁹) and by obtaining concrete legislative results (‘less promises, more results’⁵⁰). Ironically, whereas the Lisbon Treaty has diminished the importance of the rotating Presidency on paper, such a substance-based approach may demonstrate its ‘enduring added value’ in practice.⁵¹

Whereas the full implementation of the Lisbon Treaty is thus at the top of Belgium’s list of priorities, a closer look at that list reveals the following five axes:

- socio-economic axis, aimed at re-establishing sustainable growth and competitiveness;
- social axis, aimed at stimulating social progress;
- environmental axis, aimed at transforming into a green economy;
- internal security axis, aimed at deepening and finalising the European Freedom, Security and Justice Area;
- external action axis, aimed at increasing the attractiveness of the EU as a global force for peace and security.

Text Box 2 gives an overview of the main steps that the Belgian Presidency intends to take in order to realise those objectives. The overview is adapted from the summary that the Belgian Presidency circulated on 16 June 2010, following the formal adoption of the final programme.⁵² It should be noted that seeing the wood for the trees is not that easy when it comes to the Belgian priorities: various lists (of axes, challenges and

⁴⁹ Olivier Chastel interviewed by EurActiv (www.euractiv.com), ‘The Belgian Presidency’, 25 June 2010.

⁵⁰ Yves Leterme, ‘Werkprogramma van het Belgische voorzitterschap’, European Parliament, Strasbourg, 7 July 2010.

⁵¹ Oladiran Bello quoted by EurActiv (www.euractiv.com), ‘The Belgian Presidency’, 25 June 2010.

⁵² ‘Belgisch voorzitterschap-programma. Samenvatting – versie 16 juni 2010’, summary distributed by the Belgian Presidency, 16 June 2010.

themes) are available or have been circulating and oral presentations have given different nuances.⁵³

Belgium not only hopes to produce concrete results on the objectives formulated above, it also aims to play a role in bringing the EU closer to the citizens. In order to involve civil society in the preparatory stages, a Task Force was established. The executive committee of that task force, a follow-up group and a budgetary group were entrusted with the preparations as such.

Text Box 2: The five axes of the 2010 Belgian Presidency

Priority axis 1: Socio-economic focus

Aim: re-establishing sustainable growth and competitiveness

- Developing a competitive and green knowledge economy, implementing the Europe 2020 Strategy;
- Consolidation of the Stability Pact and economic governance (task force) and establishing a regulatory framework for the financial sector;
- Promoting innovation (e.g. European patent) and completion of the internal market, building upon the Monti report;
- Encouraging employment by way of guidelines, green and white jobs;
- Focusing on industrial policy and infrastructures.

⁵³ For instance, the special issue of the Belgian Presidency of the newsletter 'Belgium Unlimited', which is distributed by the Foreign Affairs Ministry, mentions the following five 'theme clusters' around which the main lines of the Presidency have been developed: (1) combating the economic crisis and promoting economic and financial modernisation; (2) combating global warming and the environmental aspects in the broader sense; (3) expansion of the EU; (4) further strengthening of the social dimension in the EU; and (5) implementation of the Stockholm Programme's action plan for justice and home affairs, asylum and migration. See FPS Foreign Affairs, Foreign Trade and Development Cooperation (2010) *Belgium Unlimited. Special issue Belgian Presidency of the Council of the European Union*, Brussels, 2010.

Priority axis 2: Social focus

Aim: promoting social cohesion

- Seeking social convergence on higher standards, on the basis of objectives and monitoring indicators;
- Striving for concrete progress in the discussions about social services of general interest;
- Concluding the European Year for Combating Poverty and Social Exclusion by strengthening the social protection during the whole life cycle;
- Stressing the added value of the EU in the areas of health and ageing (including as regards the question of pensions);
- Continuing attention on violence against women.

Priority axis 3: Environmental focus

Aim: transformation into a green economy

- Formulating, together with the international community, concrete but ambitious objectives in Cancún (COP16);
- Strengthening the link with new European policy objectives on energy, transport and emissions, for instance, by way of adjusting taxation;
- Preparing the 10th Conference of the Parties of the Convention on Biodiversity (COP10);
- Improving the legislative instruments relating to the environment.

Priority axis 4: Internal security focus

Aim: deepening and finalising the European Freedom, Security and Justice Area

- Developing a uniform asylum procedure and a uniform international protection status;
- Developing a coherent policy as to combat terrorism, organised crime, illegal migration and human trafficking;
- Enhancing mutual recognition of final decisions in criminal matters.

Priority axis 5: External action focus

Aim: increasing the attractiveness of the EU as a global force for peace and security

- Setting up the European External Action Service;
- Continuing the enlargement negotiations on the basis of the merits of the candidate countries;
- Fighting protectionism by focusing on the conclusion of the Doha round, bilateral and regional agreements;
- Safeguarding and promoting human rights;
- Chairing the EU-ASEM and EU-Africa Summits.

The overall starting point for those preparations, including drafting the list(s) of priorities, was that the Lisbon Treaty would be in force at the beginning of the Belgian Presidency, thus on 1 July 2010. Nonetheless, to be on the safe side, the Belgian team decided to prepare itself for a Presidency in the classic sense, with its budget also covering the costs of representing the EU externally.⁵⁴

⁵⁴ Belgische Senaat en Kamer van Volksvertegenwoordigers, 'Voorbereiding van het Belgisch voorzitterschap van de Europese Unie in 2010. Verslag namens het Federaal Adviescomité voor de Europese Aangelegenheden uitgebracht door Mevrouw Delvaux (S) en de Heer De Croo (K)' (4-986/1 Senaat – 52 1676/1 Kamer), 9 December 2008, pp. 3-5.

4. MID-TERM RESULTS OF THE BELGIAN PRESIDENCY

Turning to policy practice, this fourth section highlights the realisations of the Belgian Presidency. It does not discuss every single dossier that has been tackled in every single meeting, but looks into the five axes that were defined in the previous part. The overview is thus not exhaustive, but illustrative, and intends to give a first impression of how Belgium has approached its first Presidency in the post-Lisbon era. It shows that the Belgian Presidency has been occupied mainly with legislative issues in different stages of drafting: finding political agreements within the Council, starting trialogues with the European Parliament or trying to reach final compromises. The overview also demonstrates that the Belgian approach is output-oriented and inspired by a clear deadline: getting as much as possible done before 31 December 2010, when the Presidency comes to an end. And whereas achievements can be reported already, important and difficult dossiers are still on the table, including the EU patent and the 2011 budget.

4.1 Economic and Financial Issues⁵⁵

Economic and financial issues have been at the top of the EU's agenda since the start of the 2009–2014 legislature. Not only did the Commission put 'tackling the crisis and sustaining Europe's social market economy' first in its 2010 work programme, but all European Council meetings that were organised in the first half of 2010 were devoted to issues related to the economic and financial crisis.⁵⁶ It was thus no surprise that the incoming Belgian Presidency also acted in line and placed 'socio-economic priorities' first in its strategic framework of June 2010.⁵⁷ A large number of dossiers are covered, but the three most salient ones are: (1) the im-

⁵⁵ Note that almost all dossiers within the 'socio-economic axis' have cross-references to other dossiers in this area. However, for the sake of clarity we will discuss the main issues one after the other.

⁵⁶ European Commission, 'Work Programme 2010. Time to Act' (COM(2010) 135 final), Brussels, 31 March 2010. The conclusions of the European Council meetings are posted on its website (www.european-council.europa.eu).

⁵⁷ 'Six-month Programme drawn up by the Belgian Presidency of the Council of the EU', Belgian Presidency (downloadable at the website of the Belgian Presidency: www.eutrio.be).

plementation of the Europe 2020 strategy for employment and growth, (2) the reform of the Stability and Growth Pact (SGP) and (3) the improvement of the economic governance of the EU, and the establishment of a new regulatory and supervisory structure for the financial sector. In that respect, Chairman Didier Reynders, the Federal Finance Minister and Deputy Prime Minister, presented his ECOFIN colleagues with a detailed programme at the start of the Belgian term.⁵⁸

Europe 2020 Strategy

At its June 2010 meeting the European Council finally agreed on what the Europe 2020 strategy would look like. The following objectives were set: improving the conditions for innovation, research and development; meeting the 2008 climate change and energy objectives; improving education levels; and promoting social inclusion in particular through the reduction of poverty. The member states were asked to implement that strategy, under the guidance of the European Commission. Introducing the concept of ‘the European semester’⁵⁹, the Commission outlined what the member states should do and how it is facilitating the implementation.⁶⁰

At its first formal meeting under the Belgian Presidency, the ECOFIN Council adopted ‘a recommendation establishing new broad guidelines for economic policies of the Member States and the Union’.⁶¹ Combined with the guidelines for employment policies (which are adopted by the EPSCO Council) those guidelines establish the ‘integrated guidelines’ for structural reforms that have to be carried out by the member states.⁶² Indeed, those six ‘integrated guidelines’ will be the backbone of the national reform programmes the member states will have to submit to the European

⁵⁸ Council of the European Union, ‘Programme of the Belgian Presidency of the Council of the EU – Economic and Financial Affairs’ (11767/1/10 REV(1) (en)), Brussels, 6 July 2010.

⁵⁹ That notion refers to a cycle of policy coordination and surveillance with fixed calendar deadlines to prevent economic and fiscal derailments.

⁶⁰ European Commission, ‘Governance, Tools and Policy Cycle of Europe 2020’ (version 15 July 2010).

⁶¹ Council of the European Union, ‘Europe 2020 strategy for jobs and growth: the Council adopts broad economic policy guidelines’ (12082/10 PRESSE 22), Brussels, 13 July 2010.

⁶² Council of the European Union, ‘Council conclusions on the Governance of the European Employment Strategy in the context of Europe 2020 and the European Semester’, Luxembourg, 21 October 2010.

Commission, similar to what has become common practice since the introduction of the Lisbon Agenda. No further action of the ECOFIN and EPSCO Councils is expected during the Belgian Presidency, because member states now need to prepare for reform in order to (1) ensure the quality and the sustainability of public finances; (2) address macroeconomic imbalances; (3) reduce imbalances within the Eurozone; (4) optimise support for R&D and innovation, strengthening the knowledge triangle and unleashing the potential of the digital economy; (5) improve resource efficiency and reduce greenhouse gases; and (6) improve the business and consumer environment, and modernise and develop the industrial base in order to ensure the full functioning of the internal market. The list reads as an impressive reform programme, but, as with the Lisbon Agenda, its true value, including the significance of the decision of the ECOFIN Council of 13 July 2010 and the EPSCO Council of 21 October, lies in its realisation.

Stability and Growth Pact/Economic Governance

Closely related with the Europe 2020 strategy, the reform of the SGP came on top of the EU agenda following the Greek Euro crisis in the spring of 2010. The reform – dubbed ‘Economic Governance’ (a taboo word in Brussels circles for a long time) – was led by Van Rompuy who was asked by the heads of state and government of the Eurozone to establish a task force with the involvement of, among many other actors, ‘the rotating Presidency’.⁶³ However, there has been no specific role for the Belgian Presidency: the meetings are chaired by Van Rompuy and member states are represented by their finance ministers, turning the task force into something like an ‘ECOFIN Council +’ meeting, with the Belgian Finance Minister participating as an ordinary member instead of sitting in the driver’s seat.

So far, the most contentious issue dealt with by the task force has been the question of sanctioning: in which way and, perhaps even more important, by whom were member states with excessive budget deficits (acting against the rules of the SGP) to be penalised? Secondly: what would those sanctions look like? An agreement was reached at the task force meeting

⁶³ ‘Statement by the Heads of State and Government of the Euro Area’, Brussels, 25 March 2010.

of 27 September. Sanctions will be introduced ‘at an earlier stage, be more progressive and rely on a wider spectrum of enforcement measures than under the EU’s existing rules for fiscal responsibility, which essentially failed in the run-up to the debt crisis’.⁶⁴ Furthermore, sanctions would include suspension of EU funds, not losing voting rights in the Council of Ministers (as some member states proposed) and would be quasi-automatic. That means that not the Commission but the ECOFIN Council, deciding by qualified majority voting (QMV), will have the last word, giving a role to the rotating Presidency eventually. Despite severe critique on the so-called ‘Deauville compromise’ (in which France and Germany set aside their disagreements about the ways in which economic governance should take shape in the EU), the European Council unanimously backed the proposal for a treaty change ‘to deliver tighter fiscal discipline and allow for the creation of a permanent bail-out fund for members of the eurozone’.⁶⁵ Again, it is up to Van Rompuy, not to the rotating Presidency, to come up with a proposal at the European Council meeting in December 2010.

Financial Sector Reforms

At its first meeting under by the Belgian Presidency, the ECOFIN Council adopted a political guideline for its negotiations with the European Parliament on the reform of financial supervision in Europe.⁶⁶ Politically speaking, that part of the legacy of the financial crisis is even more difficult than the reform of the SGP since non-Eurozone members (like the UK) also have to agree. Being a package of EU legislation on financial supervision proposed by the Commission at the end of 2009 and subject to the ordinary legislative procedure, it leaves room, however, for a compromise that will satisfy all partners involved. The negotiation mandate of the Belgian Presidency was preceded by a deferral of the final vote in the European Parliament (which was scheduled for 5 July), allowing for an agreement to be reached at the first reading. The Belgian Presidency was

⁶⁴ ‘Taskforce agrees economic governance reforms’, European Voice (www.europeanvoice.com), 28 September 2010.

⁶⁵ ‘Small, small, small EU treaty change to deliver quantum leap’, EUobserver (www.euobserver.com), 29 October 2010.

⁶⁶ Council of the European Union, ‘Europe 2020 strategy for jobs and growth: the Council adopts broad economic policy guidelines’ (12082/10 PRESSE 202), Brussels, 13 July 2010.

successful in avoiding a clash with the European Parliament and a lengthy second reading.

Triologue discussions were organised during the summer in order to narrow down the differences between the positions taken by the Council (in favour of the various national regulators) and the Parliament (favouring a more integrated, European approach). Finally, a compromise was reached on 2 September. That compromise was officially passed by the ECOFIN Council on 7 September and by the European Parliament on 22 September. The agreement creates three new European supervisory authorities (the European Banking Authority, the European Securities Authority and the European Insurance and Occupational Pensions Authority), starting in January 2011 and co-ordinating national supervisors in the area of banking, pensions and financial markets. Additionally, a European Systemic Risk Board, to be integrated in the ECB, will monitor the risks in the overall financial system of the EU. Chairman Didier Reynders referred to the agreement as ‘a historic watershed moment’.⁶⁷ Even if it remains to be seen whether the new bodies will do a better job once a new crisis occurs, it is clear that the agreement will be one of the main achievements of the Belgian Presidency.

The Belgian Presidency has set itself also the goal of having an agreement on a financial transaction tax (FTT) by the end of the Presidency.⁶⁸ That plea has been repeated regularly, including by Prime Minister Yves Leterme in his speech at the UN Millenium Goals Summit in mid-September 2010.⁶⁹ However, the EU member states are divided between those who favour the introduction *sito presto* and those who argue that the negative side-effects of an FTT are too costly without having an agreement at the global level, particularly within the context of the G-20. Belgium was not be present at the G-20 Seoul Summit in November, however, and, as the Commission has picked up the issue in the context of the debate about

⁶⁷ ‘Europe seals deal on financial supervision’, EUobserver (www.euobserver.com), 22 September 2010.

⁶⁸ ‘Belgian EU Presidency to push for bank tax deal’, EurActiv (www.euractiv.com), 5 July 2010.

⁶⁹ Yves Leterme, ‘High Level Plenary meeting on the MDGs, statement by H.E. Mr Yves Leterme’, United Nations, New York, 20 September 2010.

the EU's own resources, it is quite unlikely that it will see its goal being realised.⁷⁰

Finally, at its meeting of 19 October 2010, the ECOFIN Council reached an agreement on new regulations on private equity and hedge funds.⁷¹ After France and the UK set aside their opposing views on the new markets watchdog, a compromise could be forged.⁷² On the basis of that position, the Belgian Presidency started a trialogue with the European Parliament to amend the Alternative Investment Fund Managers (AIFM) Directive. A compromise was found on 26 October. The vote is scheduled for November. According to the EU Commissioner for the Internal Market, Michel Barnier, Belgium has already won one important battle: 'Today member states passed a fundamental stage towards an agreement on this important directive, an agreement which would not have been possible without the commitment and determination of the Belgian Presidency'.⁷³

Internal Market

The Monti Report brought the (unfinished) internal market into the spotlight again in May 2010.⁷⁴ On one of contentious issues (especially for SMEs), the amendment of the late payments directive, the Belgian Presidency managed to find an agreement with the Parliament.⁷⁵ Much more salient, and probably the longest pending dossier on the Belgian table, however, is the EU patent. Success is not guaranteed as many rotating Presidencies have failed to reach an agreement, including the Belgian one

⁷⁰ 'Commission breaks taboo on "own resources"', EUobserver (www.euobserver.com), 20 October 2010.

⁷¹ Council of the European Union, 'Press Release Economic and Financial Affairs' (15061/10 PRESSE 278), Luxembourg, 19 October 2010.

⁷² The UK agreed to postpone 'the start of this new licensing scheme for foreign-based funds until around 2015' while France accepted that 'registration under one regime will be sufficient to win a passport for the rest of the bloc'; See 'EU reaches deal in long-running hedge fund battle', EUobserver (www.euobserver.com), 20 October 2010.

⁷³ 'Ministers resolve row on hedge fund regulation', EurActiv (www.euractiv.com), 20 October 2010.

⁷⁴ 'A New Strategy for the Single Market at the Service of Europe's Economy and Society', Report to the President of the European Commission by Mario Monti, 9 May 2010.

⁷⁵ 'Belgian Presidency introduces maximum term of payment of 60 days', Press release by the Belgian Presidency (www.eutrio.be), 12 October 2010. The amendment was approved by the Parliament's vote on 20 October.

in 2001.⁷⁶ The issue was officially on the agenda of the Competitiveness Council of 30 September and discussed at the informal Council of 10-11 October 2010. It is, however, too early for a final round of negotiations since the Belgian Presidency assigned itself the task of touring the delegations that oppose a language regime limited to English, French and German (i.e. Spain, Italy and Poland). It is anything but certain whether those bilateral talks will have a significant success, but the Belgian minister in charge of this dossier, Chairman Vincent Van Quickenborne, remains confident: 'I'm determined to reach a consensus before the end of the Belgian Presidency'.⁷⁷ An extraordinary Competitiveness Council was scheduled for 10 November 2010. At that meeting an agreement was blocked by Italy and Spain. Minister Van Quickenborne was clearly pessimistic about future negotiations: "There will never be unanimity on a European patent."⁷⁸ It remains to be seen whether enhanced cooperation will save the Belgian compromise.

4.2 Social Issues

The broad policy field of social affairs is the responsibility of the EPSCO Council, which covers the issues of employment, social policy, health and consumer affairs. As in most member states, those issues are divided over several ministerial departments, therefore also involving a whole range of ministers. The picture is even more blurred in the Belgian case, as several of these issues are the responsibility of the federal level, the level of the Regions, the level of the Communities, or several of those levels at the same time. As a result, the meetings during the Belgian Presidency are chaired by several ministers from different Belgian government levels.

Health

The informal Health Council meeting of 5-6 July, chaired by Laurette Onkelinx, Belgian Deputy Prime Minister and Minister of Public Health, discussed the fight against cancer, health security and the management of

⁷⁶ Surprisingly, some have presented it as the jewel of the crown of the Belgian Presidency (if a compromise can be found, *bien entendu*).

⁷⁷ 'Presidency aims for consensus regarding EU patent', Press release by the Belgian Presidency (www.eutrio.be), 30 September 2010.

⁷⁸ 'Press conference Extraordinary meeting (EU patent system)', Press conference by the Belgian Presidency (www.eutrio.be), 10 November 2010.

the A/H1N1 flu pandemic.⁷⁹ With respect to the latter, the ministers agreed upon a list of priorities to be elaborated upon by the Commission to make the EU better prepared for future crises.

Employment

The informal Council of European Employment and Social Affairs Ministers (8-9 July), chaired by Belgian Deputy Prime Minister and Employment Minister, Joëlle Milquet, focused primarily on the place of employment in the new Europe 2020 Strategy.⁸⁰ The Presidency pleaded for a bigger role of the EPSCO Council, as well as of the Employment Committee and the Social Protection Committee in the Europe 2020 economic governance strategy. In that respect, the ministers presented EPSCO recommendations to the President of the European Council, who was present at the EPSCO Council. The Council session of October adopted conclusions in that respect, related to the adaptation of the European Employment Strategy (EES) to the new Europe 2020 Strategy. They mandated the Employment Committee (EMCO) to finalise its proposal for the December 2010 Council and clarified how the EPSCO Council will contribute to the work of the European Council, in particular with respect to the spring session.⁸¹ The approval of those conclusions marks the Belgian objective of putting employment and social affairs in the centre of the Europe 2020 Strategy and the related work of the European Council, making sure that the social dimension is taken into account next to the economic and environmental dimensions.

On 21 October the EPSCO Council adopted the guidelines for the employment policies of the member states, which form one part of the integrated guidelines, the other part being the broad guidelines for the economic pol-

⁷⁹ 'Informal Meeting of the EPSCO Council regarding Public Health', Press release by the Belgian Presidency (www.eutrio.be), 6 July 2010.

⁸⁰ 'Informal Council of Employment Ministers: Ministers agree that employment policies and the EPSCO Council should occupy a central position in the new economic governance and new concrete proposals to achieve this objective', Press release by the Belgian Presidency (www.eutrio.be), 8 July 2010.

⁸¹ Council of the European Union, 'Council conclusions on the Governance of the European Employment Strategy in the context of Europe 2020 and the European Semester', Luxembourg, 21 October 2010.

icies of the member states (already adopted by the Council in July 2010).⁸² The headline target on labour market seeks to increase the labour market participation for women and men aged 20–64 up to 75% by 2020 through, *inter alia*, greater participation of youth, older workers and low-skilled workers and the better integration of legal migrants. The headline target on social inclusion and combating poverty aims to lift at least 20 million people out of the risk of poverty and exclusion.⁸³ The discussion on the Employment Guidelines gave the Belgian Presidency the opportunity to put one of its overarching objectives into practice, which is the improvement of the cooperation with other institutions. The text of the October Council included some of the amendments of the European Parliament, which were not taken into account during the Council deliberations under the Spanish Presidency earlier in 2010.

The Presidency also informed the Council of the preparations of the Tripartite Social Summit to take place on the eve of the European Council in October 2010. The task of the Tripartite Social Summit is to ensure that there is a continuous social dialogue between the Council, the Commission and the social partners at the highest level. The meeting brings together the troika of heads of state and government of the current rotating Presidency and the following two (thus Belgium, Hungary and Poland), accompanied by the respective Employment ministers, the President of the European Commission and the Employment Commissioner, the President of the European Council and the presidents/general secretaries of the principal European employers' and trade union organisations.⁸⁴

⁸² See 4.1. for the Europe 2020 Strategy.

⁸³ Council of the European Union, 'Europe 2020 strategy for jobs and growth: the Council adopts guidelines for the member states' employment policies' (15184/10 PRESSE 283), Luxembourg, 21 October 2010; and Council of the European Union, 'Employment, Social Policy, Health and Consumer Affairs' (15172/10 PRESSE 282), Luxembourg, 21 October 2010.

⁸⁴ Council of the European Union, 'Employment, Social Policy, Health and Consumer Affairs' (15172/10 PRESSE 282), Luxembourg, 21 October 2010.

Social Policy

The July Informal Council, chaired by Minister for Social Affairs Laurette Onkelinx, was also partly dedicated to the broad field of social affairs. On the agenda were discussions on the place of social policies in the EU 2020 strategy, on social inclusion and pensions. The Belgian Presidency runs parallel with the second part of the European Year for Combating Poverty and Social Exclusion. In that respect the Belgian Presidency is preparing for a high profile declaration to be adopted during the EPSCO Council in December. The October EPSCO Council came too early for major decisions regarding social affairs as a range of dossiers (e.g. cross-border patient rights in health care) are still under discussion, either at Council working group level or in Council-European Parliament-Commission dialogues. Finally, on 20 October, the European Parliament voted in favour of extended maternity leave. It is now up to the Belgian Presidency to initiate the discussion of that text within the Council and to draw up a clear mandate to begin dialogue talks with the Commission and the Parliament.

Other issues

The importance of the broad social policy field for the Belgian Presidency is reflected by the numerous workshops, high-level meetings and ministerial seminars and conferences, organised during the second half of 2010, and perhaps even more so by the regular attendance of Belgian federal and regional ministers. Examples include employment, gender equality, the fight against poverty, pension schemes, environment and health, green jobs, and ‘flexicurity’. At one of these conferences even the Belgian King and Queen were present.⁸⁵

4.3 Environmental Issues

During the Belgian Presidency, the Environmental Council is presided over by the Flemish Minister for Environment, Joke Schauvliege. She presented the Belgian programme during the Environmental Council of June 2010, when she took over from her Spanish colleague. In addition to the rolling (legislative) agenda, four priorities were put on the agenda: (1)

⁸⁵ The royal couple attended the Ninth Round Table on Poverty and Social Exclusion on 18 October 2010.

sustainable materials management; (2) the COP 10 meeting of the Convention on Biological Diversity (CDB) in Nagoya; (3) the COP 16 meeting of the UN Framework Convention on Climate Change (UNFCCC) in Cancún; and (4) a rethinking of the current EU environmental policy instruments.⁸⁶

Sustainable Materials Management

Sustainable materials management boils down to the implementation of an integrated policy approach to reduce the environmental impacts of the use of materials and to conserve natural resources throughout the life-cycle. The issue was on the agenda of the informal meeting of the Environment Ministers in Ghent on 12-13 July. The Presidency's summary presents an overview of the discussions, listing possible concrete policy steps and inviting the Commission to start working on indicators.⁸⁷ As sustainable materials management is closely related to climate change, the twenty-seven Environment Ministers discussed the issue with European Commissioner for Climate Action, Connie Hedegaard, taking the opportunity to prepare the formal Council of 13-14 October.

Biodiversity

The *pièce de résistance* so far has been the formal meeting in Luxembourg on 14 October 2010. The meeting was chaired by Flemish Minister Joke Schauvliege and attended by the Federal Minister for Climate and Energy, Paul Magnette, as leader of the Belgian delegation. With two major multi-lateral conferences coming up, in Nagoya and Cancún, Belgium faced the difficult challenge of agreeing on common EU positions. They succeeded in both cases. The Environmental Council was able to adopt conclusions on the COP 10 meeting of the Convention on Biological Diversity in Nagoya (18–29 October 2010), thereby determining the broad position to be taken by

⁸⁶ 'Six-month Programme drawn up by the Belgian Presidency of the Council of the EU', Belgian Presidency (downloadable at the website of the Belgian Presidency: www.eutrio.be)Presidency.

⁸⁷ 'Necessity of using materials in a sustainable way', Press release by the Belgian Presidency (www.eutrio.be), 13 July 2010.

the EU in Nagoya.⁸⁸ The Council basically reaffirmed the EU's commitment (as already expressed at previous Council and even European Council meetings) to halt the loss of biodiversity within the EU and to increase its contribution on the global scale. More specifically, the Belgian Presidency secured a negotiating mandate for a protocol on access to genetic resources and benefit-sharing. A remarkable initiative in that respect is the weblog fed by the Belgian delegation during the Nagoya Conference.⁸⁹

Climate Change

The October Environmental Council also adopted conclusions on the EU position for the COP 16 meeting of the UN Framework Convention on Climate Change in Cancún (29 November-10 December 2010).⁹⁰ Not expecting that the meeting will deliver substantial results, the EU stated that the December meeting should develop concrete steps in the direction of a single legally binding instrument, to be adopted at the meeting in South Africa in 2011 (COP 17). Awaiting a new agreement, the Council confirmed that the EU is meanwhile willing to consider a second commitment period under the Kyoto Protocol. Reflecting one of the overarching objectives of the Belgian Presidency, the Secretary of State for European Affairs, Olivier Chastel, noted in that respect that the Belgian Presidency aims at a full implementation of the Treaty of Lisbon with respect to the coordination and representation of the EU's external action.⁹¹ With respect to climate change, the Environment Council somehow acted as a preparatory body for the October European Council meeting, leaving it to heads of state and government to determine the final EU mandate for Cancún.

⁸⁸ Council of the European Union, 'Preparation of the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity (Nagoya, Japan, 18–29 October 2010) – Council conclusions', Luxembourg, 14 October 2010.

⁸⁹ See <http://cop10.biodiv.be>

⁹⁰ Council of the European Union, 'Preparation for the 16th Conference of the Parties to the UN Framework Convention on Climate Change (Cancún, 29 November to 10 December 2010) – Council conclusions', Luxembourg, 14 October 2010.

⁹¹ Olivier Chastel, 'Conférence des Présidents des Commissions du Parlement européen', European Parliament, Strasbourg, 19 October 2010.

Other issues

During its session in October 2010, the Environmental Council discussed a whole range of items, including a discussion on the red sludge spill in Hungary. The Environment Ministers engaged in a preliminary discussion on Commission proposals allowing member states to restrict the cultivation of genetically modified organisms on their territory. They furthermore touched upon several issues brought forward by several member states (e.g. from Sweden concerning the policy on mercury) and took note of Commission briefings concerning the developments in a number of legislative drafts (e.g. on end-of-waste criteria for iron and steel scrap). No progress was reported on the issue of rethinking the EU environmental policy instruments. Although no environmental legislation was adopted during the October Council meeting, the Presidency nevertheless reported progress with regard to legislative proposals related to hazardous substances from electrical and electronic equipment and biocides. Related to environmental policy, the Transport, Telecommunications and Energy Council (TTE) reached a long-awaited political agreement on the so-called Euro-vignette, a draft directive on road-use charges for heavy goods vehicles, which allows the levying of tolls that factor in the cost of air and noise pollution and take account of road congestion.⁹²

Finally, the Presidency presented an overview of all environment and climate related events during its six months at the helm of the Council. Several exhibitions, academic workshops and conferences were listed. One is worth mentioning as it typically reflects the Belgian approach of granting visibility to the regional level. It concerns a conference of European Regions calling for more regional participation in EU strategies such as the European Strategy of Sustainable Development and establishing a regional knowledge network.⁹³

⁹² Council of the European Union, 14826/10 PRESSE 277, Luxembourg, 15 October 2010: http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/trans/117113.pdf.

⁹³ 'Regions want to compare sustainability', Press release by the Belgian Presidency (www.eutrio.be), 8 October 2010.

4.4 Internal Security Issues

While decisions have been taken, much of the work that has been done so far on the internal security axis can be labelled as ‘work in progress’, aimed at adopting decisions by the end of the term. That being said, the justice and home affairs dimension of the European integration process became very visible in September 2010, when the European Commission announced the launch of an infringement procedure against France for improper transposition of EU law on the freedom of movement, reacting to a decision of the French government to focus on the Roma when dismantling illegal camps.

Roma

Whereas the incoming Hungarian Presidency has already moved the integration of the Roma to the top of its priorities list, the Belgian Presidency decided to maintain a low profile, arguing that not the EU member states but the Commission has the power to take legal action against member states that do not respect their obligations. For the Belgian Presidency, the Roma issue has been one of integration, not of migration.⁹⁴ However, the row between France and the Commission resulted in various animated debates, even if not officially on the agenda, including during the extraordinary European Council meeting of 16 September.

Stockholm Programme

Importantly, the Roma are explicitly mentioned in the Stockholm Programme, which takes a prominent place on the Belgian list of priorities.⁹⁵ That programme was adopted in December 2009, with the aim of strengthening the area of freedom, security and justice. It is implemented on the basis of a Commission Action Plan that was adopted a few months later,

⁹⁴ Olivier Chastel, ‘La situation des ROMS en Europe’, Council of Europe, Strasbourg, 7 September 2010. See also ‘EU-Commissie moet de ruimte krijgen om actie te ondernemen’, *De Morgen*, 15 September 2010.

⁹⁵ ‘The EU and the Member States must make a concerted effort to fully integrate vulnerable groups, in particular the Roma community, into society by promoting their inclusion in the education system and labour market and by taking action to prevent violence against them’, See Council of the European Union, ‘The Stockholm Programme – An open and secure Europe serving and protecting the citizens’ (17024/09), Brussels, 2 December 2009, p. 16.

in April 2010. At its informal meeting of 15 July, the Justice and Home Affairs Council (JHA) supported the Presidency's decision to emphasise its work on the following four instruments: (1) the qualification directive, (2) the Dublin regulation, (3) the Eurodac regulation, and (3) the long-term resident directive. At the same meeting, the Council agreed upon having an operational plan for the new Internal Security Strategy in place by 2014.

Asylum

Realising that the Common European Asylum Policy has to be agreed upon by the end of 2012, the Belgian Presidency hosted a European Ministerial Conference on 'Quality and Efficiency in the Asylum Process' on 13 and 14 September.⁹⁶ Likewise, at an informal ministerial meeting in Paris in early September (a meeting that was intended to discuss the Roma issue, but was renamed a workshop)⁹⁷, it called for the harmonisation of European asylum policies and expressed their intention to focus on the development of a common policy based on responsibility and solidarity.

Other issues

Asylum was also high on the Council's agenda in early October, together with the Schengen Information System II, combating sexual abuse, sexual exploitation of children and child pornography, intra-corporate transferees and seasonal workers, fair trial rights in the EU, legal certainty for international couples wishing to divorce and the European Protection Order. The most visible achievements of that meeting are a decision on the negotiation mandates for concluding Passenger Name Record agreements with Australia, the United States of America and Canada; some conclusions concerning the development of the Schengen Information System II; a directive on the right to interpretation and translation in criminal proceedings; a decision on the conclusion of a readmission agreement with Pakistan; two agreements with Brazil concerning visa-free travel; an agreement with Japan on mutual legal assistance in criminal matters; and a

⁹⁶ '2012 is almost tomorrow', Press release by the Belgian Presidency (www.eutrio.be), 14 September 2010.

⁹⁷ 'Commission and France to have bilateral meeting to discuss Roma issue', Bulletin Quotidien Europe, 28 August 2010.

regulation aimed at enabling the member states to step up their efforts in combating fraud with regard to value-added taxation.⁹⁸

4.5 External Action Issues

The Belgian Presidency has been determined to be the last rotating Presidency with a role in the management of the EU's external relations. In consequence, it seems logical to conclude that a successful Belgian Presidency is an invisible one. However, its external representation role has been reduced, not yet completely abolished, because the launch of the EEAS is scheduled for 1 December. The Belgian Presidency has not only been chairing working groups in Brussels, but also co-chaired the informal meeting of the Foreign Ministers on 10 and 11 September.⁹⁹ In addition, it has represented the EU externally, replacing Ashton when she had other engagements or when she was not allowed to represent the EU, including at the UN General Assembly (UNGA).

EEAS

A political agreement on the EEAS decision was made on 21 June, under the Spanish Presidency, following weeks of intense negotiations in which the European Parliament challenged the borders of its consulting role, pushing for a more communitarian design. Using its new privileges, on 21 September, the Parliament announced its intention to call six of the senior appointees for a public hearing to test their knowledge. The result was a serious dispute with Ashton, who has been arguing that the hearings should be organised behind closed doors. It was thus quite a relief that the Parliament adopted the budgetary and staff regulations for the EEAS on 20 October, even if many questions remain, especially in areas of mixed competence.

It is worth mentioning as well that, at their informal meeting in Ghent on 23 and 24 September, the Defence Ministers of the EU gave Ashton the additional task of making tangible proposals on the sharing and pooling of EU capabilities, to prepare for their meeting in December.¹⁰⁰

⁹⁸ Council of the European Union, 'Justice and Home Affairs' (14423/10 PRESSE 262 PR CO 22), Luxembourg, 7-8 October, 2010.

⁹⁹ Steven Vanackere, 'La Présidence Belge de l'Union Européenne, Un premier bilan a mi-parcours', Université Catholique de Louvain, Louvain-la-Neuve, 6 October 2010.

¹⁰⁰ 'Informal meeting devoted to development of crisis management capability', Bulletin Quotidien Europe, 24 September 2010.

UN

In the past few months, the EU has not only been preparing itself for the launch of the EEAS, but also hoping for external validation of its new foreign policy status. However, the UN membership decided to shelve the EU's request for additional rights in the UNGA on 14 September 2010. Unsurprisingly (because probably more symbolically), the principal demand was the right to participate in the general debate, allowing the EU to speak in an early stage.¹⁰¹

The Belgian Presidency tried to force a breakthrough by introducing amendments to the resolution that the EU member states had tabled, opening the door for similar rights and privileges for other regional organisations once they had reached a level of integration that would enable them to speak with one voice. Much to EU's surprise, the majority of the UN membership was not willing to respond positively to the EU's request for an enhanced (observer) status. In fact, a majority supported the motion that was introduced by the Caribbean Community (CARICOM), asking for an adjournment of the debate. Diplomats explain the course of events by referring not only to the last-minute introduction of amendments, but also to the limited national support for the outreach campaign that was undertaken.

Whereas the Belgian Foreign Minister had stepped in for Ashton on 19 August, when the UNGA had organised a plenary meeting on the humanitarian situation in Pakistan, he did not address the general debate on behalf of the EU in mid-September. Remarkably, the EU did not speak at all (not even as an observer), but merely distributed a statement. While seen as a form of silent protest, the official explanation is that the efforts at enhancing the EU's status would have been in vain otherwise.

IMF and ASEM

The Belgian Presidency faced similar questions about the EU's international representation at the Annual Meeting of the International Monetary

¹⁰¹ Other rights included the right to reply, to circulate documents, to make proposals, to submit amendments, to raise points of order as well as adequate seating arrangements. See United Nations General Assembly, 'Participation of the European Union in the work of the United Nations' (A/64/L.67), New York, 31 August 2010.

Fund (IMF) and the World Bank, which took place in Washington (8–10 October). Anticipating likely questions, the issue had been discussed at the informal ECOFIN meeting that was organised one week earlier. At the meeting, the EU member states agreed to give up two of their eight seats on the board of the IMF. That position was confirmed at the preparatory meeting of the G-20 in Gyeongju (21–23 October).

Unsurprisingly, the question about the EU's representation in international contexts had also popped up at the eighth Asia-Europe Meeting (ASEM), which was organised at the Royal Palace in Brussels (4-5 October) and chaired by Van Rompuy. With no less than forty-six leaders participating, 'ASEM8' is certainly the largest international event hosted by the Belgian Presidency, not least from a logistical point of view.¹⁰²

By way of the 'Brussels Declaration', which called for more effective global economic governance, the ASEM leaders expressed their support for 'the implementation of the IMF quota reform (...) as to adequately reflect the relative weight and responsibilities of the IMF members in the world economy' and for 'a representative and inclusive size of the IMF's Executive Board'.¹⁰³

Importantly as well, in the margins of the summit, the Council (i.e. the Belgian Presidency) and the Commission also signed a free trade agreement with South Korea. A six-month delay of implementation led Italy to lift its veto on 16 September.¹⁰⁴

Enlargement

In terms of enlargement, the Belgian Presidency aims to continue the accession negotiations under way in accordance with the merits of the candidates. With most of the work being done in preparation for the Gen-

¹⁰² FPS Foreign Affairs, Foreign Trade and Development Cooperation (2010) *Belgium Unlimited. Special Issue Belgian Presidency of the Council of the European Union*, Brussels, 2010.

¹⁰³ 'Brussels Declaration on More Effective Global Economic Governance', ASEM8, Brussels, 5 October 2010.

¹⁰⁴ 'Italy lifts veto and Council approves signing of free trade agreement with South Korea', Bulletin Quotidien Europe, 17 September 2010.

eral Affairs Council of December, we just point out the most important achievements to date, i.e., the formal opening of the accession negotiations with Iceland on 27 July, the European Parliament deciding to waive visa requirements for citizens of Bosnia-Herzegovina and Albania on 7 October and the invitation to the Commission on 25 October to submit a report on the application for accession by Serbia, putting Serbia on the (long and highly conditional) road to EU membership.¹⁰⁵ This last, especially, is a significant achievement, as previous Presidencies have tried their best to avoid the issue.

4.6 Institutional Issues

Although ‘institutional issues’ are not formally part of the Belgian priorities, at least not in terms of public relations, the implementation of the Lisbon Treaty is probably the strongest *leitmotiv* of the Belgian Presidency.¹⁰⁶ Previous sections of this report have already elaborated upon Belgium favouring the communitarian method and facilitating the roles of Ashton and Van Rompuy, but other initiatives should be mentioned as well. For instance, for the Citizens’ Initiative, also one of the novelties of the Lisbon Treaty, an informal trialogue has taken place between the Belgian Presidency and representatives from the European Parliament and the European Commission.¹⁰⁷ The framework is set, but disagreement continues to exist about implementation. As is the case with many other dossiers, the Belgian team would like to make a deal before the end of the Presidency.

Generally speaking, the Belgian Presidency invests a lot in its relations with the European Parliament and the European Commission. Much more than previous Presidencies it has to, since the ‘ordinary legislative procedure’ is now the ‘default option’ and quite some new competences are subject to it. In some areas, legislation is being made rather rapidly, with a clear preference for early agreements, i.e., controlling and if possible finishing the legislative procedure within the six-month term. In other areas, such

¹⁰⁵ Council of the European Union, ‘Conclusions on Serbia’, Brussels, 25 October 2010.

¹⁰⁶ See 3.2.

¹⁰⁷ ‘Olivier Chastel: Informal trialogue on citizens’ initiative’, Press release by the Belgian Presidency (www.eutrio.be), 6 October 2010.

as the conclusion of the annual budget, it is clear that the institutions need time to adapt to the new situation, especially the Council *vis-à-vis* the European Parliament. By written procedure the Council adopted its position in early August, but agreement with the Parliament has been made to date.¹⁰⁸ Also the negotiations on delegated acts/implementing acts (formerly known as comitology) have not yet come to a positive end.

On 20 October 2010, the European Parliament and the European Commission signed a Framework Agreement governing their working relations, in accordance with the changes introduced by the Lisbon Treaty. By signing the document, the Commission accepted the principle of equal treatment of the Parliament and the Council of Ministers in legislative and budgetary matters. The Council seems to have missed the opportunity to join the inter-institutional agreement. Feeling overruled, the Council has been blaming the Commission and the Parliament for acting beyond the legal provisions of the Lisbon Treaty, fearing that the Framework Agreement will bring the inter-institutional set-up out of balance. In particular, the fact that the Parliament would be represented in the Commission's international negotiation delegations (a long time prerogative of the Council) is a thorn in the eye for many member states. A few days before this report was finalised, the Council even threatened to take the Commission and the Parliament to the European Court of Justice.¹⁰⁹

Finally, the Belgian Presidency is also dealing with treaty changes. The Spanish Presidency initiated an IGC for dealing with the members of the European Parliament that were elected in June 2009 but lost their seats because of the coming of into force of the Lisbon Treaty. A treaty change is needed to increase the number of seats from 736 to 754. The 'ordinary revision procedure', including ratification in the twenty-seven member

¹⁰⁸ Council of the European Union, 'Council adopts its position on the EU draft budget 2011' (12464/10 PRESSE 212), Brussels, 12 August 2010.

¹⁰⁹ In a draft letter to the President of the European Parliament, the GAC Chairman writes that: 'The Council expects the European Parliament and the Commission to take these legitimate concerns into account and to refrain from any application of the provisions of the Framework Agreement not in accordance with the spirit and the letter of the Treaties'. See Council of the European Union, 'Framework Agreement on relations between the European Parliament and the Commission' (15018/10), Brussels, 18 October 2010.

states, should be completed by 1 December 2010. As noted above, a new treaty revision on economic governance also seems to be on its way, but not before the December European Council summit. It is rather likely that the ‘simplified revision procedure’ will be chosen in that regard, leaving no specific role for the rotating Presidency.¹¹⁰

¹¹⁰ Kaczynski, P. and ó Broin, P. (2010), *From Lisbon to Deauville: Practicalities of the Lisbon Treaty Revision(s)* (Brussels: CEPS). (CEPS Policy Brief, No. 216/October 2010).

5 CONCLUSIONS: DRIVING IN THE EU'S BACK SEAT

During the period covered by this mid-term report, the Belgian Presidency did not drive in the EU's front seat. However, it did not merely sit in the back seat either. Rather, in the past four months it has been driving from that seat, eager to set a precedent by focusing on the full implementation of the Lisbon Treaty and the realisation of legislative output. Living up to its reputation of best pupil in the European class, it has been playing the communitarian card on an almost permanent basis, also by investing in strong relations with the European Commission and the European Parliament.

That card was an important precondition for success in the past. Indeed, the Belgian team has some very big shoes to fill, the previous mandates being evaluated as successful. The team has some important feathers on its hat already, but many dossiers are still in the works, with negotiations in working groups and trialogues reaching cruising speed. In the final weeks of the Belgian Presidency, we will not only see discussions being finalised, but also the focus move from mainly economic, financial and social questions to topics like the environment, climate change, the budget and EU enlargement. In consequence, our findings are only partial, giving a first impression of the way that Belgium has been approaching its mandate and the parameters defining its role.

When exploring those parameters, we also looked into the potential impact of the domestic crisis, which has been looming in the background from day one. Foreign newspapers and news agencies have been questioning the impact of the domestic problems on the management of the Presidency. We demonstrated that the impact should not be exaggerated, pointing at the impact of the Lisbon Treaty (which decapitated the role of the rotating Presidency, especially in terms of external representation), the Belgian experience of holding the Presidency (including with domestic issues in the background), the dominant role of diplomats and administration in the day-to-day work and the role of the federated entities in the management of the Presidency more generally. As discussed, the latter, like the pro-European consensus, makes Belgium a rather unique case.

Its meticulous preparation explains the rather limited impact of the domestic problems on the functioning of the Belgian Presidency. That prepara-

tion, in particular the drafting of the list of priorities, had a strong top-down character because of the new Trio format. Alluding to that setting, Herman Van Rompuy visualised the 2010 Belgian Presidency with the haiku:

*Three waves rolling
together into the harbour
the Trio is home.*

Our research reveals that the setting was especially useful in the preparatory stages, but did not transform the Presidency into a collective one. The Trio may be home indeed, however, because Belgium's reading of the role of the European institutions, both old and new, is not only more maximalist than Spain's, but also different from the one Hungary seems to have in mind.

SAMMANFATTNING PÅ SVENSKA

I föreliggande rapport koncentrerar vi oss på de parametrar, inhemska såväl som europeiska, som definierar de ramar inom vilket det belgiska ordförandeskapet har verkat, de mål man har satt upp och i vilken mån de hittills har uppnåtts.

Europeiska unionen (EU) har genomgått en betydande utveckling sedan Belgiens ordförandeskap 2001. Det är därför något ironiskt att slutet på det ordförandeskapet har utgjort starten för det nu pågående, med den kraftigt avskalade roll för det roterande ordförandeskapet som återfinns i en av efterföljarna till den berömda ”Laeken-deklarationen om Europeiska Unionens framtid”, det vill säga ”Lissabonfördraget om ändring av fördraget om Europeiska unionen och fördraget om upprättandet av Europeiska gemenskapen” som undertecknades i Lissabon den 13 december 2007.

De institutionella förändringar som introduceras med det fördraget – samt den nya modellen med trioordförandeskap – förklarar varför Belgien har valt en ganska försiktig hållning med ett begränsat antal prioriteringar. En närmare titt på den belgiska dagordningen visar de fem prioritetsområden som lades fast i enlighet med det trioprogram man utarbetade tillsammans med Spanien och Ungern: (1) det socio-ekonomiska, för hållbar tillväxt och konkurrenskraft; (2) det sociala, för att stimulera social utveckling; (3) miljön, för en grön ekonomi; (4) säkerhet, för att fördjupa och färdigställa införandet av ett område med frihet, säkerhet och rättvisa och (5) utrikestjänsten, för att öka EU:s förmåga som global kraft för fred och säkerhet.

Med det fulla genomförandet av Lissabonfördraget i slutet av perioden som främsta prioritet, är det knappast förvånande att det belgiska ordförandeskapet inte befann sig på EU:s förarplats under den period som behandlas i den här rapporten. Å andra sidan satt man heller inte alldeles still i baksätet. De senaste fyra månaderna har man snarare försökt köra från baksätet, angelägen om att föregå med gott exempel genom att koncentrera sig på genomförandet av Lissabonfördraget samt lagstiftning. För att leva upp till sitt rykte som förespråkare för europeisk integration, har det belgiska ordförandeskapet inriktat sig på att leda genom det goda exemplet och vara ett föredöme för de efterföljare som inte bara är mindre hemmastadda i gemenskapsmetoden, utan som nykomlingar också an-

gelägna om att sätta egna avtryck i den europeiska integrationsprocessen. Man har faktiskt nästan genomgående satsat på gemenskapskortet, inte minst genom att sträva efter goda relationer med EU-kommissionen och Europaparlamentet.

Det kortet var en viktig anledning till tidigare framgångar och därigenom har det nuvarande belgiska ordförandeskapet också haft en väldigt stor kostym att fylla, eftersom landets tidigare ordförandeperioder har bedömts vara framgångsrika. Man kan också redan nu berömma sig för en del gjorda framsteg: från överenskommelsen om finansiell övervakning, via en gemensam EU-position när det gäller biologisk mångfald och klimatförändringar inför toppmötena i Nagoya och Cancún, till överenskommelsen om att uppmana Kommissionen att inleda anslutningsförhandlingar med Serbien. Med det sagt, är det dock en rad frågor som återstår, med segdragna förhandlingar i arbetsgrupper och triloger. Under årets sista veckor kommer vi också att få bevittna inte bara att diskussioner avslutas, utan också hur tyngdpunkten förflyttas från huvudsakligen ekonomiska, finansiella och sociala frågor till områden som miljö, klimatförändringarna, budgeten och EU:s fortsatta utvidgning. Av uppenbara skäl är vår rapport därför en ofullständig genomgång, och utgör bara ett första intryck av hur Belgien har förvaltat sitt uppdrag och utnyttjat de ramar som definierar uppdraget.

När vi har granskat dessa ramar har vi samtidigt letat efter potentiella effekter av den inrikespolitiska kris som från första dagen har funnits med i bakgrunden. Belgien är visserligen inte det första ordförandeskapet som drabbas av inrikespolitiska problem, men i skrivande stund är det på god väg att bli det första ordförandeskapet som under hela perioden sköts av en expeditonsminister. Vi menar att krisens påverkan inte ska överdrivas, eftersom Lissabonfördraget gör att det roterande ordförandeskapets betydelse minskar (särskilt inom utrikespolitiken). Belgien har också tidigare erfarenheter av att förvalta ordförandeskap (även med inrikespolitiska problem i bakgrunden) och dessutom har såväl diplomater och statstjänstemän som de federala enheterna en dominerande roll i ordförandeskapets dagliga arbete.

Det senare är något för Belgien unikt. Inte i något annat federalt system har de självstyrande enheterna så stor utrikespolitisk makt som i Belgien.

Inom samtliga utrikespolitiska områden har regionerna och de enskilda kommunerna samma befogenheter som man har när det gäller inrikespolitiken. Unikt för Belgien är också samstämmigheten när det gäller stödet för EU. Förutom att samtliga politiska partier av betydelse är positiva till den europeiska integrationen, kännetecknas också allmänhetens hållning av vad vi kan kalla "tillåtande konsensus". EU är helt enkelt inte en fråga som engagerar den breda allmänheten. Medierna rapporterar sällan om EU-frågor av betydelse och de politiska partierna nämner sällan EU i partiprogram, valkampanjer eller i parlamentet.

De rätt begränsade effekter de inrikespolitiska problemen har haft på det belgiska ordförandeskapet kan också tillskrivas de noggranna förberedelserna. Inte minst arbetet med att ta fram av listan över prioriteringar präglades av ett ovanifrånperspektiv och är ett resultat av det nya triosamarbetet. Med anspelning på det, har Herman Van Rompuy försökt åskådliggöra det belgiska ordförandeskapet i följande haiku:

*Vågorna rullar
tillsammans in i hamnen
trion är hemma*

Vår granskning visar också att sammansättningen var särskilt fruktbar under den förberedande delen, men att den däremot inte har gjort ordförandeskapet till en verkligt kollektiv angelägenhet. Triosamarbetet kan dock mycket väl vara "hemma", i bemärkelsen här för att stanna, eftersom Belgiens syn på de europeiska institutionernas roll, såväl gamla som nya, inte bara är mer maximalistisk än Spaniens, utan också verkar skilja sig från Ungerns.

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