

## Martin Westlake (Brussels)

# Why Presidencies Still Matter

*Eine der Neuerungen des Vertrages über eine Verfassung für Europa wäre die Schaffung einer permanenten Ratspräsidentschaft. Eine weniger beachtete Bestimmung des Vertrages betrifft die Fortführung der traditionell rotierenden Präsidentschaft für alle Ratsformationen mit Ausnahme des künftigen Rates für Äußere Angelegenheiten. In der Praxis sind die meisten Bestimmungen in diesem Zusammenhang bereits stillschweigend durch Änderungen der Geschäftsordnung des Rates implementiert worden. Dieser Beitrag untersucht, warum selbst in einer Union mit 27 oder mehr Mitgliedsstaaten die traditionelle Präsidentschaft, mit ihrer Rotation alle sechs Monate (gruppiert in 18-monatigen Partnerschaften), immer noch eine wichtige Rolle spielt. Er schließt Überlegungen an, warum die traditionelle Rolle der Präsidentschaft, insbesondere hinsichtlich ihrer Koordinationsfunktion, sogar noch an Bedeutung gewinnen würde, wenn eine permanente Ratspräsidentschaft eingeführt würde.*

*Keywords: Presidency, Council, Constitutional Treaty, European Council, General Affairs Council Ratspräsidentschaft, Rat der Europäischen Union, Vertrag über eine Verfassung für Europa, Europäischer Rat, Rat für Allgemeine Angelegenheiten*

### 1. Introduction

John Kerr, Secretary General of the European Convention, recently argued that, if the Constitutional Treaty were to be cherry-picked, one of the five most important ‘cherries’ would be a permanent presidency for the European Union. Another, he suggested, would be a single EU foreign affairs representative, straddling the Council and the Commission (Kerr 2007). It is indeed true that the Constitutional Treaty (European Union 2005) would have established such a permanent presidency and foreign affairs representative. In particular, Articles 22 and 24 provided for a president of the European Council and a Union minister for foreign affairs. Kerr went on to argue that, in a 27+ Union, it would take so long for a member state’s six month ‘turn’ at the Presidency to come around again that there would be little advantage to be had from continuing the practice. Curiously, however, the Constitutional Treaty did *not* do away with the rotating presidency – on the contrary; Article 24 effectively preserved a largely un-

changed version of it for all Council formations except the putative Foreign Affairs Council.

Indeed, some observers have criticised the Constitutional Treaty’s provisions on the Council Presidency for being an uncomfortable compromise between current practice and the desired efficiency.

John Kerr’s implicit argument would appear to be that, precisely because the Council presidency matters, the old rotating presidency should be done away with. But there is another way of looking at the particular provisions of Article 24. What the draftsmen of the Constitutional Treaty seemed to be declaring was that the rotating presidency mattered and should continue to matter, notwithstanding the Union’s continued expansion. Is this a convincing position? What is clear is that, whether the Constitutional Treaty is revived or not, some form of the presidency is likely to be with the Union for a long time to come. The rest of this article will test the arguments against and for the proposition that presidencies still matter. It will then consider the provisions on the presidency set

out in the Constitutional Treaty and the extent to which, in effect, some of these have already been implemented. The article will conclude with a consideration of some of the potential tensions that would be created by full implementation of the Constitutional Treaty's provisions.

## 2. Why presidencies don't matter (any more)

It could be argued that the Council will always require presidencies of one form or another and so, therefore, presidencies will always matter. However, this article will mostly focus more narrowly on a particular common understanding of the term 'presidency' in the Union context – that is, the six-monthly rotating presidencies taken in turns by the member states. So, taking this particular definition of the term, why don't presidencies matter any more?

In the first place, successive waves of enlargement have undermined many of the arguments about the benefits of the six-month rotating presidency. In a Community of six, a member state would wait only three years before its turn came again. In a Community of twenty-seven, the wait is some fourteen years. By the time a member state's turn comes again, many of the argued benefits of running a presidency – socialisation, familiarisation, and so on – will surely be diminished. Moreover, since all European Council meetings are now held in Brussels, what used to be a major perceived benefit of the Presidency – showcasing a European Council meeting in a major city – no longer applies. The same mostly goes for sectoral Council meetings – though informal ministerial meetings are another matter.

In the second place, the increasing complexity of the presidency and its sheer onerousness (particularly for smaller, less well-resourced member states) has led to a diminution in the presidency's 'pure' responsibilities. A number of Council preparatory bodies have elected chairmen. The Council secretariat's role in chairing certain working parties has been consoli-

dated, as has the practice whereby succeeding presidencies take on chairing responsibilities during the preceding presidency. A number of developments have compounded this dilution in the 'purity' of presidency responsibilities. An increasing number of policy processes (co-decision legislative procedures, for example), if not the majority of them, go beyond any six-month period and, in any case, the Council's new multi-annual planning mechanisms, combined with the Commission's ever-tighter legislative planning, greatly reduce the scope for presidency initiatives. A variation on this argument is that there is nothing new. For example, John Wyles, a seasoned 'Brussels' observer, recently pointed out that '(e)very presidency's agenda is largely dictated by the near permanence of many challenges (economic modernisation, energy policy, etc.)' (Wyles 2007).

In the third place, in the specific field of foreign policy, there has been growing recognition of the need for something more permanent than a six-month flit across the world stage. (And implicitly, an understanding that the EU's foreign policy has to be represented with more weight than a micro-state – a Malta, a Luxembourg, or a Cyprus – could possibly provide, no matter how weighty its intentions and expertise, though the example of Jean-Claude Juncker and Luxembourg more generally demonstrate that even micro-states can punch above their weight.)

Two other arguments are traditionally advanced against the rotating presidency. A first is against the principle of rotation itself, on the grounds that this is unnecessarily disruptive and undermines continuity and consistency. The second concerns the six-month period, which is considered to be simply too short.

## 3. Testing the arguments

It is undeniably true that fourteen or more years is a long time to wait for a brief period in the sun, but how strong is this argument as a reason for doing away with the rotating presidency altogether? After all, we know intuitively that the presidency mattered enough to the 25

then signatory states of the constitutional treaty for them to enshrine it in the new treaty's provisions. Perhaps the strongest counter-argument is bound up in the basic ethos of an equitable Union of sovereign states. Fulfilment of presidential duty will always remain a badge of responsibility and honour. Moreover, it redounds to the good image of a member state – both its self-image and external reputation – both as a Union 'player' and as a mature European Union nation state, to acquit its presidential duties well. These arguments carry particular weight with new member states and even greater symbolic value for recent democracies; exercising the presidency represents a subliminally important consolidation of their new status and authority. (See *The Economist*, 18 November 2006, for an analysis of Slovenia's forthcoming presidency, for example.) The rotating presidency, with its implicit equality among the member states, is also a powerful symbolic assertion of what has come to be called the 'community method'.

A second strong counter-argument is that the presidency remains a club, and one where all members have the same status – both in terms of benefits, challenges and membership charges. No matter how distant the prospect, the club's members all know that one day, and if only for a limited period, they will have to put the common good before their own narrower interests. The future prospect necessarily affects their current behaviour, on a variation of the theme that 'there, but for the grace of God, go I'. Moreover, there is mutual understanding among the club's members about the costs, as well as those fabled benefits, of managing a modern presidency. As Confederate General Robert E. Lee said, 'It is well that war is terrible, or we should grow too fond of it.' In the same way, a dose of the presidency experience could, it might be argued, last for fifteen years just as easily as three! In the same context, it could be argued that a longer wait before assuming the presidency brings hidden advantages: there is a lesser burden on the exchequers of individual member states (presidencies are a very expensive indulgence!) and maybe the remoteness of the

prospect will help to concentrate minds and ambitions.

It is similarly undeniable that the modern day presidency is a vast and complex affair. Indeed, a modern presidency performs a veritable galaxy of tasks, some set out in the treaty, some set out in the Council's rules of procedure, some set out in European Council conclusions and many others the cumulative result of customary practice. A modern presidency is at one and the same time manager, promoter, package-broker, honest broker, representative to and from the other Community institutions, spokesman for the Council and the Union and an international actor. For smaller member states in particular the work load would simply be overwhelming, but the member states' response has not been to do away with the presidency but, rather, to devise ways of sharing the load and helping one another – a response which logically follows from the basic ethos described above.

Few would deny that presidencies are far less autonomous than was the case fifteen or twenty years ago but, again, such a diminution in 'pure' responsibilities is not necessarily a reason for doing away with the presidency altogether. On the contrary, the fact that successive presidencies now tread onto a well-oiled conveyor belt of legislative and procedural planning undermines the argument that presidencies can no longer cope. The same reasoning applies to lengthy legislative procedures (conciliation) or multi-presidency preparatory processes, as it does to the rise in the importance of the Council's secretariat (which does not imply a diminution in the importance of the presidency).

What, then, about the arguments that there is nothing new in the Union and that there is little space for fresh initiatives? There is manifest truth in the proposition that many of the challenges facing the Union are long term or cyclical. On the other hand, even where this is the case fresh approaches or new lines of attack can be championed by a presidency. The 2000 Portuguese presidency and the establishment of the Lisbon Strategy is a good example. An indicative example is provided by a recent academic assessment of the Finnish Presidency in

the second half of 2006 (Tiilikainen 2007). One page was devoted to external relations challenges but, equally, one page was devoted to ‘widening and deepening’, another to the European Union’s legislative agenda, and another to the presidency’s relations with the other institutions. A much more recent illustration was the German presidency’s focus, at the March 2007 European Council meeting, on the issue of climate change. Presidencies can also bring their own administrative style and concerns to the role. Here, a good recent example was provided by the 2006 Finnish presidency’s proposal to cut 2000 administrative posts from the European Union’s overall administration. A brief perusal of each successive presidency’s record will inevitably reveal examples of this kind. Lastly, a presidency is always prey to the unexpected (‘Events, dear boy!’ as Harold Macmillan apocryphally replied when asked what could upset a government’s programme.) – and not necessarily in the field of diplomacy alone.

As to arguments against the principle of rotation, a strong additional counter-argument is that the rotation is itself a valuable part of the exercise. Like a team in a relay race, practising passing the baton is a vital part of training; a presidency is also judged by how well it picks up and passes on processes and procedures. A good current example concerns the future of the Constitutional Treaty, where the German, Portuguese and Slovenian presidencies have concerted their planned efforts in such a way that matters should reach their head towards the end of the 2009 French presidency, which will coincide with the next round of elections to the European Parliament. More modest examples are constantly occurring, particularly in the legislative field, where successive presidencies till the soil, sew the seeds and reap the harvest in a sort of collective legislative husbandry.

The duration of the presidency was, meanwhile, the focus of some debate during the inter-governmental conference preceding the signing of the Constitutional Treaty. Interestingly, the period remained unchanged in the European Council decision drafted in anticipation of the treaty’s ratification (see below). Put simply, six

months may not be a lot – particularly in the second half of the year – but anything else would be either too short or too long. (In a sort of perverted version of Churchill’s famous comment on democracy, it could be argued that six months is the worst length for a presidency – except all the other lengths.)

#### 4. The presidency still matters

Not only does the presidency still matter but it could be argued that it is of increasing importance. Certainly, in the legislative sphere, the Presidency has become increasingly important because of the trend towards finding agreement at the first reading stage of the co-decision procedure. These first reading agreements are brokered, at the preparatory level, between the chair of the Council working party and Parliament’s rapporteur and, at Coreper level by the President of Coreper I. On more significant and important legislative proposals, the brokerage can be shared between successive Presidencies. Clearly, the secretariats of the Council, the Parliament and the Commission play important support roles in such negotiations, but the working party chairman and the parliamentary rapporteur’s roles are key, since they must then ‘sell’ the result of their informal negotiations back, respectively, to their Council working party or their parliamentary committee. (It is a moot point as to how far such practices enhance the transparency of the Union’s legislative processes, but that is another matter.) A very good example of the presidency’s role in this context was recently provided by *Agence Europe* (*Bulletin Quotidien Europe* 9392, 23 March 2007):

Great progress has been made in recent weeks in Council talks on the draft directive on payment services. On Wednesday, 21 March, EU member states’ representatives saw that a qualified majority of states already agree on a draft compromise formulated by the German Presidency but the details still have to be examined in the member states in question. As we went to press, the representatives were mandating the German Presidency to negotiate with the European Parliament and the European Commission

in three-way interinstitutional dialogue. The outcome of the three-way talks will determine whether the new directive can be adopted in first reading...

In a Union of 27, leadership is surely more necessary than in a Community of six, nine or twelve. Moreover, because of the very nature of this particular form of leadership, the presidency engenders trust among peers and this, in turn, enables the Council to manage extremely complex processes such as budgetary discussions or calculations on qualified majorities. Perhaps the strongest argument in favour of the presidency, however, is that there is no obvious alternative. Were the presidency to be done away with, what would or could replace it? This is not to say that the principle of rotation is set in stone; at the moment, for example, eight of the Council's preparatory bodies have elected chairs and seven are chaired by the Secretariat General. Nevertheless, the presidency is the preferred default option, and the absence of the presidency would generate significant inefficiencies (which could be defined as the absence of its advantages) and probably also significant additional costs for the Council's, and hence the Union's, budget.

Lastly, it is instructive to ask whether the presidency is somehow 'broken'. Is there, it might be asked, a growing literature about failures and breakdowns in the Council's machinery due to the presidency? Has there been a recent run of catastrophically-chaired Council meetings? The answer to these rhetorical questions is clearly 'no'. (Indeed, a number of observers and actors, including, perhaps most conspicuously, Günter Verheugen, argued strongly that the success of the 8-9 March 2007 European Council provided graphic illustration of the fact that the Presidency is still working well, even in a Union of 27.)

Once they had dealt with the specific and vital questions of the presidency of the European Council and the foreign minister, the signatories to the Constitutional Treaty came to much the same conclusion. Their response was not to abandon the presidency but, rather, to consolidate its functioning through the creation of

an eighteen-month partnership between successive presidencies. *En attendant* the Constitutional Treaty, the message seems clear: the presidency ain't broke; tinker, by all means, but there's nothing essential to fix!

## 5. A cherry picked?

However, with regard to the rotating presidencies and the eighteen-month partnership, is there, in fact any reason to *attendre*? Declaration (number 4) attached to the Treaty establishing a Constitution for Europe on Article I-24 (7) concerning the European Council decision on the exercise of the Presidency of the Council declared that

the Council shall begin preparing the European decision establishing the measures for applying the European decision of the European Council on the exercise of the Presidency of the Council as soon as the Treaty establishing a Constitution for Europe is signed and should give its political approval within six months. A draft European decision of the European Council, which will be adopted on the date of entry into force of the said Treaty, is set out below...

Clearly, the European Council decision to create this mechanism, as provided for by article I-24 (7), theoretically remains in limbo, like the Constitutional Treaty itself. However, with regard to enhancements to the rotating presidency, the Council's rules of procedure effectively already implement much of the content of the draft decision. Consider first the concept of the eighteen-month presidency. The two paragraphs of Article 1 of the draft European Council decision provided that

1. The Presidency of the Council, 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. The groups shall be made up on the basis of equal rotation among the Member States, taking into account their diversity and geographical balance within the Union.
2. Each member of the group 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 of the group 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.

Consider now that the second preamble to the decision amending the rules of procedure, adopted on 15<sup>th</sup> September 2006 (Council of the European Union 2006), states that '(i)t is also appropriate to streamline the programming of the activities of the Council. Accordingly, 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 should be introduced and replace the previous system.' Article 2.4 further provides that

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. The three Presidencies shall jointly submit the draft programme no later than one month before the relevant period, with a view to its endorsement by the General Affairs and External Relations Council...

Article 2.5 elaborates further on this provision, and references to the 18-month period are sprinkled throughout the rules (for example, Article 3.1 on agenda setting). The first of those eighteen-month partnerships, involving Germany, Portugal and Slovenia, is currently underway; the next, involving France, the Czech Republic and Sweden, will get under way in the second half of 2008.

Article 20.2 further provides for the succeeding presidency to assist the incumbent one, and an annex to the rules (annex V) sets out a series of provisions designed to facilitate the presidency's work in an enlarged Council. In conclusion, there is little left for the putative European Council decision.

One other important consideration in the Intergovernmental Conference's thinking about the eighteen-month presidency partnerships concerned the large number of new member states expected to join in 2004. Clearly, it would have been undesirable for several new member states to hold the presidency consecutively, and so the

idea was that the new member states would be teamed up with (or 'doughnuted' by) older and more experienced member states. In the meantime, Bulgaria and Romania have now joined the Union, giving a grand total of twelve new member states, including several smaller member states. This was a consideration that could not await the outcome of the protracted ratification procedure for the Constitutional Treaty and so, on 1 January 2007 (coinciding with the accession of Bulgaria and Romania), the Council decision establishing the order of future presidencies was amended (Council Decision of 1 January 2007) and the desired 'doughnutting' achieved: for example, Slovenia's presidency comes between that of Portugal and that of France; the Czech Republic comes between France and Sweden; and so on. Bulgaria and Romania will not have to manage their first presidencies until 2018 and 2019 respectively.

The clear conclusion is that, with regard to the Constitutional Treaty's provisions on the rotating presidency, this is a cherry that has already been well and truly picked.

## 6. A little light heresy

When even the high priest of the Convention starts to advise on which cherries to pick from the Constitutional Treaty, then it is probably fair to imagine that the current draft is unlikely to survive as it is and that merer mortals may dabble briefly in a little light heresy. Whatever, it seems a fairly safe bet to imagine that the provisions on the European Council permanent presidency and the foreign affairs minister will survive, and so it is instructive to examine how those provisions would inter-relate with the rotating presidency. Participants in both the Convention and the Intergovernmental Conference were very much aware of the potential tensions between the different presidencies that would be brought into being.

The European Council President's role and tasks are set out in Article I-22. The European Council would elect its President by qualified majority for a two-and-a-half year term, renew-

able once (how, the question arises, might this five-year term be synchronised or staggered with European Parliament elections and the term of office of the European Commission?). The President would chair the European Council and ‘drive forward’ its work. It would ensure the preparation and continuity of the European Council’s work, in cooperation with the President of the Commission and on the basis of the work of the General Affairs Council. It would endeavour to facilitate ‘cohesion and consensus’ with the European Council and would report to the European Parliament after each European Council meeting. Finally

The President of the European Council shall, at his or her level and in that capacity, ensure the external representation of the Union on issues concerning its common foreign and security policy without prejudice to the powers of the Union Minister for Foreign Affairs.

Who might the first President of the European Council have been? Some of the names tossed into the speculative hat, including Jean-Claude Juncker and Tony Blair, give an idea of the appropriate level. Nothing more nor less than a former head of government would do: big beasts, in other words, but not the only ones...

Under the provisions of the Constitutional Treaty, the candidate for the President of the European Commission would be proposed to the European Parliament by the European Council by qualified majority, after ‘taking into account the elections to the European Parliament’, and would subsequently have to be approved by an absolute majority of the European Parliament’s members. The Council would then, in common accord with the President-elect, adopt a list of ‘the other persons whom it proposes for appointment as members of the Commission.’ And the thus-established college would then be subject to a vote of consent by the European Parliament. The Commission President would thus enjoy a double legitimacy and, depending on the outcome in European Parliament elections, could enjoy a powerful platform from which to launch initiatives. Presumably, the now well-established convention of putting forward

as candidates only former members of the European Council would continue.

The Union Minister for Foreign Affairs would be appointed by the European Council by qualified majority but would be subject, together with the other members of the Commission college, to a vote of consent by the European Parliament. The thus appointed Union Minister for Foreign Affairs would preside over the Foreign Affairs Council but also be a Vice-President of the European Commission.

The inter-relationship between these three important and powerful positions, with their varying degrees and forms of legitimacy, was the subject of much debate during the Convention and thereafter. Moreover, to these forms of legitimacy would be added other concerns such as, for example, geographic balance. Thus a declaration on Articles I-22, I-27 and I-28 annexed to the draft constitutional treaty provided that

In choosing the persons called upon to hold the offices of President of the European Council, President of the Commission and Union Minister for Foreign Affairs, due account is to be taken of the need to respect the geographical and demographic diversity of the Union and its Member States. (extract from the declaration on Articles I-22, I-27 and I-28 annexed to the Treaty Establishing a Constitution for Europe)

Those discussions will not be repeated here (though it is instructive to ask, for example, how the relationship between two former Prime Ministers – European Council and European Commission – would pan out vis-à-vis the acting Prime Minister whose member state held the traditional presidency, and also, it should be noted, vis-à-vis the President of the Euro Group which, under the provisions of Protocol No. 12 annexed to the Treaty, would elect its own President for two-and-a-half year periods, by a simple majority of its members). Of more immediate interest is the possible inter-relationship between the three positions and the more ‘traditional’ rotating presidency which, it will be recalled, would exist alongside them.

In the first place, the traditional presidency would chair the General Affairs Council and,

by extension (see Article 2 of the draft European Council decision below), Coreper. As seen above, the President of the European Council would be responsible for ensuring 'the preparation and continuity of the European Council's work, in cooperation with the President of the Commission and on the basis of the work of the General Affairs Council'. The latter's future tasks were set out in Article 3 of the draft European Council decision:

The General Affairs Council shall ensure consistency and continuity in the work of the different Council configurations in the framework of multiannual programmes in cooperation with the Commission. The Member States holding the Presidency shall take all necessary measures for the organisation and smooth operation of the Council's work, with the assistance of the General Secretariat of the Council.

It is immediately apparent from this that the relationship between the President of the European Council and the president-in-office of the General Affairs Council would be key to the success of the European Council.

In the second place, whilst the European Council would, by qualified majority, establish the list of 'other Council configurations', it would fall to the General Affairs Council to ensure consistency in the work of those different configurations, which would be presided over by a 'traditional' president-in-office (though not necessarily the same member state as the president-in-office of the General Affairs Council):

#### *Article 2*

The Committee of Permanent Representatives of the Governments of the Member States shall be chaired by a representative of the Member State chairing the General Affairs Council.

The chair of the preparatory bodies of the various Council configurations, with the exception of the Foreign Affairs configuration, shall fall to the member of the group chairing the relevant configuration, unless decided otherwise in accordance with Article 4. (extract from the Treaty Establishing a Constitution for Europe)

Once again, it is clear that the 'traditional' president-in-office of the General Affairs Council

would play a key role in ensuring coordination and continuity and in facilitating a smooth relationship with the European Council.

In the third place, and notwithstanding the provisions of Article I-28 (on the foreign minister) and the draft European decision on the exercise of the presidency, a delicate and probably constant process of demarcation will be required between the role and responsibilities of the Union Minister for Foreign Affairs, and the Foreign Affairs Council, on the one hand, and the other sectoral Councils and the traditional presidencies-in-office on the other. A similar observation could be made about relations between the sectoral councils and the European Council. The sort of policy issues covered by the 8-9 March 2007 European Council gave a good illustration of the sort of demarcation processes that could prove necessary. When, for example, does energy policy become sufficiently strategic to become a European Council issue, rather than an issue for the Transport, Telecommunications and Energy Council (going on the basis of current configurations)? The same question could be posed with regard to other issues covered such as social policy, or better legislation.

In the fourth place, and implicit in the three preceding observations, it is a moot point as to how far the traditional presidencies would be content to 'disappear' behind the permanent presidency and the foreign minister and work only to and for them.

Maybe a smaller member state would have more modest concerns, but it is difficult to imagine one of the larger member states completely foregoing its place in the sun. Moreover, the desire to take visible initiatives in particular sectors would perhaps be increased by the knowledge that the possibility of taking such initiatives would only come once every fifteen years. Clearly, such tendencies would not be incompatible with the centralised overall strategic role envisaged for the European Council and its President, but there would be a new imperative for coordination and, in this context, the traditional presidency of the General Affairs Council would play a vital role.



## 7. The earnestness of being important

‘Anything,’ Goethe once declared, ‘can be endured, except a succession of fine days.’ Intuitively, it could be expected that the rarity value of exercising the traditional presidency for each member state will have a general effect of raising the overall quality of presidencies, particularly when combined with the new coordination mechanisms described above. Put in more negative terms, member states will have a much greater interest in getting things right and running a successful and well-coordinated presidency for, if they don’t, it will take them at least fifteen years to get a chance to correct the record. Therein lies a possible risk for the continued traditional arrangement – the risk of over-preparation. Already, some old hands in the Council can be heard grumbling that some of the new member states are beginning their preparations far too soon. Others, though, see in this phenomenon the proof that the traditional presidency matters and will continue to matter for the foreseeable future. Therein lies the best guarantee of its continued success and certainly a good illustration of its continued importance.

In conclusion, therefore, the traditional rotating presidency *does* matter and will continue to matter. Far from dispensing with the rotating presidency, the Constitutional Treaty would have further consolidated its role and extended it, particularly with regard to coordination. Since those parts of the Constitutional Treaty concerning the rotating presidency have already been quietly anticipated through changes in the Council’s rules of procedure and the remaining provisions are likely to survive through into any overall agreement, the rotating presidency will continue to matter a great deal for the foreseeable future – even if there were to be further significant enlargements of the Union.

### BIBLIOGRAPHY

Council Decision of 1 January 2007 determining the order in which the office of President of the Council

shall be held (2007/5/EC, Euratom), in: Official Journal of the European Union, 4 January 2007, L 1/11–12.

Council of the European Union (2006). Council’s Rules of Procedure, Council of the European Union, General Secretariat, 16 September.

Council of the European Union (2007). List of Council Preparatory Bodies, 18 January (internal document).

*The Economist* (2006). Pocket President – Slovenia eyes a rare moment of glory, 18 November.

European Union (2005). Treaty Establishing a Constitution for Europe, Office for Official Publications of the European Communities, Luxembourg.

Hagemann, Sara/Julia De Clerck-Sachsse (2007). Decision-Making in the Enlarged Council of Ministers: Evaluating the Facts, Centre for European Policy Studies, Policy Brief, No. 119, January. Internet: <http://www.ceps.be>.

Hayes-Renshaw, Fiona/Helen Wallace (2006). The Council of Ministers, Basingstoke.

Kerr, John (2007). Pick the best cherries, in: Financial Times, 27 February. Internet: <http://search.ft.com/ftArticle?queryText=john+kerr&y=6&aje=true&x=14&id=070227010006>.

Schout, Adriaan/Sophie Vanhoonacker (2006). Evaluating Presidencies of the Council of the EU: Revisiting Nice, in: Journal of Common Market Studies, 44 (5), 1051–77.

Tiilikainen, Teija (2007). The Finnish Presidency – Taking Stock, in: EUSA Review, 20 (1), 1–6.

Westlake, Martin/David Galloway (eds.) (2006). The Council of the European Union, 3<sup>rd</sup> Edition, London.

Wyles, John (2007). Europe, in: *European Voice*, 13 (3), 25–31 January.

### AUTHOR

Martin WESTLAKE is Director of Consultative Work at the European Economic and Social Committee. He is the author most recently of the Council of the European Union (with David Galloway, John Harper Books 2006) and British Politics and European Elections 2004 (with David Butler, Palgrave Macmillan 2005).

Address for Correspondence: 99 rue Belliard, 1040 Brussels, Belgium.

E-mail address: [Martin.Westlake@eesc.europa.eu](mailto:Martin.Westlake@eesc.europa.eu).