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THINGS DO NOT ALWAYS HAPPEN BY THE BOOK

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In a few days, half of the six-month period of the Bulgarian Presidency of the Council of the EU will be over. This occasion certainly calls for a revision. The current lines, however, will not present a revision of the results achieved from the Presidency so far. The analysis will rather focus on the lessons learnt until now in regard to the mode of functioning of the EU's decision-making process, the way the legislation frameworks are being created and the national interests are being preserved, in order to achieve a balanced mutual compromise between the Member states.

The learnings from the first three months can be summarised in the following way: Things do not always happen by the book.

Books are something very positive. They systematise the knowledge, in order to pass it on in a relatively standardised manner to the younger generation. Some books even include cases and simulation games but in the real life, things always happen somewhat differently.

Nevertheless, besides the books, there is no other way to get familiar with the EU and how decisions are taken there. From the books you can learn about the EU institutions, their functions, structure and mandates; about the decision-making procedures, the types of majorities, with which these decisions are taken.

However, let's move to the part which can rarely be learnt from the books, but is often equally important. We will enlist some of the most important unwritten rules in the EU decision-making process, which were confirmed during the first months of the Bulgarian Presidency.

For a decision to be reached in the EU, strong leadership is required. There are so many different interests in the Union, sometimes even within the same Member state, that it is impossible for them to be united if a group of countries or a state, or even a key political figure does not take the leadership, so that the best compromise can be found. Of course, this is one of the main reasons for the existence of



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the rotational Presidency, so that this role as a rule is being played by the country which leads the Council of the EU for six months and performs the function of a "fair broker" among the interests of the individual Member states.

At the same time, to hold the Presidency, to prepare and lead the meetings, to set the agenda, to carry out the action points, is a responsibility rather than a privilege. Being the President requires strong leadership skills, as knowledge on the subject matter is not sufficient to achieve success in this short six-month period.

The skill required to effectively participate in the decision-making negotiations in the EU is in fact the ability to create and participate in coalitions. The Presidency as a rule does not create coalitions because it should aim to take into account the interests of all Member states. The other member states, however, can defend their interests better, precisely when they find allies. As an example, we can take a relatively small Member state which has its specific positions and interests in the field of financial services, and which managed to attract the support of nearly half of the Member states, in return to its support on other issues which directly concern the remaining countries. This is a skill that usually takes years to be acquired.

Another important point to be considered is that even when the decision-making procedure does not require unanimity between the Member states, but only qualified majority, this does not mean that it is reasonable, or that you can afford to not take into account the interests even of the smaller countries in the Union. Of course, the fact that even more decisions in the EU are being taken with qualified majority is considered one of the greatest achievements of the European integration during the last decades, as it allows not only more flexibility for the Presidency, but also creates the need for a more

flexible position from a country aiming to defend a particular interest. All of this makes the drive towards avoiding extreme positions and the pursuit of compromise more common in the halls of the Council of the EU.

But even if a country tries to take an extreme position, this does not mean that its interest should not be taken into consideration, or that there is no need to open a dialogue just because the decision "could be taken without its vote", for the least, because this state is a partner of all the rest and should remain a partner for other decisions concerning the common future of the EU. A good example is the decision about the refugee quotas which was ratified a few years ago regardless of the negative vote of individual Member states. This decision failed to find a decent application afterwards, because it was not rendered with the necessary consensus of the Council of the EU.

Another lesson from the Presidency so far is that if you want to succeed, you cannot depend on the official work groups and meetings only. Active diplomacy, conducting regular bilateral and multilateral meetings on various issues with all interested parties, a preliminary investigation about possible reactions to a compromise decision you are planning to propose, are the necessary steps a President should follow in order to be successful during the official negotiations. Surprises for the President and for the other interested parties during the meetings are not the best road to success.

There is one more conclusion from the Presidency, also related to the above. You can hardly reach good progress or success in the negotiations on a certain legislative proposition, if you lack the personal contact with the attachés and the experts from the other Member states, as well as the personal contact with the representatives of the European Commission, the European Parliament,

the General Secretariat of the Council and the other institutions. It is also important to establish a connection with the representatives of the business and the interested groups in society, concerned with a specific decision, so that this decision corresponds not only to the interests of the Member countries and the EU institutions, but to those who will be directly affected by its application as well.

Here are some more preliminary lessons from the Presidency so far, that we can take away:

- No agreement on the important matters can be reached without the consent of Germany and France, but there can also be no consent on such major issues in the Council of the EU only based on an agreement between these two countries. If we put it in other words: it is very important that the French-German engine functions well, but in order for the automobile to move, all of its elements must be in good shape and synchronised.
- The withdrawal of the United Kingdom from the EU is a loss, not only because this is the second largest economy in the current structure of the EU, but also because its representatives are excellent negotiators that one can learn a lot from. It is important that the EU preserves the good partnership with the United Kingdom even after its withdrawal.
- It is important to recognise the progress on a certain file reached during preceding Presidencies. Any success that you achieve during the Presidency is usually not your personal success but is also due to the hard work of the preceding Presidencies, which have reviewed certain legislative proposition. Similarly, there will be many legislative propositions, for which the Bulgarian Presidency would not manage to reach a final agreement, but could set the grounds for the next Presidencies to realise it.

Of course, we already knew to a large extent all of the information presented so far. We knew it from our experience until now. We knew it from the comments of our colleagues from the other Member countries, which had already completed their Presidencies. The things we did not know, we could have easily guessed.

Nevertheless, when you observe the events from the stage, rather than the first or the second row, it is always different. Let us hope that in the future we will get another chance to take advantage of the knowledge, which the responsibility of holding the Presidency of the Council of the EU brings.