

**European Integration online Papers ISSN 1027-5193**

Special Issue 1, Vol. 17 (2013), Article 5

*How to cite?*

Vandecasteele, Bruno, Bossuyt, Fabienne and Jan Orbie: 'Unpacking the influence of the Council Presidency on European Union external policies: The Polish Council Presidency and the Eastern Partnership', in: Ripoll Servent, Ariadna and Amy Busby (eds): 'Agency and influence inside the EU institutions', *European Integration online Papers (EIoP)*, Special Issue 1, Vol. 17, Article 5, <http://eiop.or.at/eiop/texte/2013-005a.htm>, pp. 1-28.

DOI: 10.1695/2013005

**Unpacking the influence of the Council Presidency on European Union external policies: The Polish Council Presidency and the Eastern Partnership\***

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**Abstract:** The special position of the rotating Council Presidency has raised a long-standing debate on the extent to which this function allows a Member State to exert additional influence on European Union decision-making, in particular in external policy. This article argues that a broader and more differentiated study of Presidency influence could further this debate. In doing so, the article analyses the Polish Council Presidency (during the second half of 2011) and its influence on the European Union's Eastern Partnership policies across three dimensions: (i) differences between influence on the *agenda* and influence on the *contents* of decisions, (ii) the *forums* (different levels in the Council and international forums) where the Presidency can exert influence, and (iii) different *types* of external policies, an area that has received relatively little scholarly attention thus far in the literature on the Presidency. The analysis shows that (i) the Presidency can determine the agenda to a certain extent, but the position of the chair does not allow the incumbent to exert additional influence on the contents of decisions; (ii) most Presidency influence of external policies is observed in the preparatory bodies of the Council, while at the ministerial or international level this influence

\* The authors would like to thank Amy Busby, Ariadna Ripoll Servent, Hendrik Vos, and two anonymous reviewers for their valuable comments on earlier versions of this article.

is much smaller; and (iii) although the Presidency can play a rather prominent role in organizing multilateral events, this rarely amounts to real political influence. In turn, the Presidency's influence is most tangible in specific bilateral dossiers.

**Keywords:** Political science; Poland; EU-East-Central Europe; East-Central Europe; agenda-setting; Council of Ministers; COREPER; security/external; national interest.

## Table of Contents

Introduction .....	2
1. Studying Presidency influence .....	5
1.1. Defining and measuring influence.....	5
1.2. Competing hypotheses on Presidency influence .....	8
2. The Eastern Partnership during the Polish Presidency.....	10
2.1. Substantial Presidency influence.....	13
2.2. Limited Presidency influence .....	14
2.3. No Presidency influence.....	17
2.4. Types of influence, forums, and types of policies.....	18
Conclusion.....	20
References .....	21
List of Interviews .....	28

## List of Tables

Table 1: Indicators for Presidency influence.....	7
Table 2: Influence of the Polish Presidency on Eastern Partnership policies .....	11

## Introduction

While the formal tasks of the European Union's (EU) rotating Council Presidency (hereafter the Presidency) are rather limited and administrative (see e.g. Chenevière 2011), the incumbent has evolved into an accountable and functional agent in EU decision-making, often fulfilling political tasks (see e.g. Westlake and Galloway 2004). The special position of the Presidency has led to intensive academic debate on whether or not the incumbent exerts additional *influence* on EU decision-making. Some have claimed that holding the Presidency is of limited or no relevance for the influence of a Member State in the EU (e.g. Culley et al. 2011; Dewost 1984; Ludlow 1993; Hayes-Renshaw and Wallace 2006; Vida 2010). By contrast, others have shown that Member States holding the Presidency do exert additional

influence on decision-making (e.g. Arter 2000; Bjurulf 2001; Bunse 2009; Schalk et al. 2007; Tallberg 2004; Thomson 2008; Warntjen 2007). The role of the Presidency has changed since the entry into force of the Treaty of Lisbon in 2009, especially in the area of external policies, where the abilities of the Presidency to exert influence have been reduced (Charl  y and Mangenot 2011; Drieskens et al. 2011; Vanhoonacker et al. 2011). However, although the Presidency's influence is thus not likely to be high across the board, we argue that the incumbent can still be an influential actor in EU decision-making on external policies (on external policies, see e.g. Hix and H  yland 2011). In doing so, our aim is not so much to unconditionally support either of the competing claims on Presidency influence, but rather to provide a more nuanced picture of Presidency influence by unpacking the notion of 'influence'. In particular, we argue that Presidency influence differs according to: (i) the *type of influence*, notably influence on the agenda vs. influence on the contents of decisions; (ii) different *forums* where the Presidency can exert influence, such as preparatory Council bodies or Council meetings; and (iii) different *types of policies* where the Presidency is possibly influential.

The article examines Presidency influence on EU external policies across these three dimensions through an analysis of the Polish Presidency (in the second half of 2011) and the EU's Eastern Partnership (EaP) policies, covering Belarus, Ukraine, Moldova, Georgia, Armenia, and Azerbaijan. The EaP was launched in 2009 at the initiative of Poland and Sweden, with a view to increase cooperation and dialogue with the EU's Eastern neighbours in the framework of the European Neighbourhood Policy. It consists of bilateral and multilateral cooperation in a large number of policy areas, ranging from politically sensitive to highly technical topics. The bilateral track with the individual EaP countries includes financial assistance, as well as negotiations on binding treaties such as Deep and Comprehensive Free Trade Areas (DCFTA), visa facilitation (at a later stage visa liberalization) and Association Agreements. The European Commission (hereafter the Commission) represents the EU in the negotiations on these treaties. The multilateral track of the EaP is less binding and includes multilateral meetings, conferences and summits, as well as thematic and technical cooperation platforms. Depending on the topic, these meetings are organized by the Commission, the European External Action Service (EEAS) and the Member States, and are often hosted by the EU Member State holding the Presidency.

External policy has received relatively little attention so far in the literature compared with other policy domains (for exceptions, see Arter 2000; Bunse 2009; Tallberg 2006), and Presidency studies have been mostly preoccupied with the Presidency's influence on legislative work in the EU. As mentioned, the role of the Presidency in external policies has considerably changed with the Lisbon Treaty. Before 2009, this was an area where the Presidency could exert influence *par excellence*, since it fulfilled important tasks of external representation for the EU. At present, its role is less clear: on the one hand, external representation (see e.g. Bunse et al. 2011; Vanhoonacker et al. 2011) is now assumed at Heads of State level by Herman Van Rompuy (Permanent President of the European Council), and at ministerial level by Catherine Ashton (High Representative for Foreign Affairs and Security Policy/Vice-President of the European Commission (HR/VP)). Ashton

also heads the Foreign Affairs Council for all matters except trade. Most preparatory bodies for external policies are chaired by officials of the EEAS. On the other hand, the Presidency still chairs all other Council configurations and a high number of preparatory bodies, mostly in former first and third pillar issues, which often have an external dimension. Furthermore, the chair plays an increasingly important role in the relations between the Council and the other EU institutions (Drieskens et al. 2011).

In this context, EaP policies are very relevant to study as a part of EU external policies: unlike ‘classic’ foreign policy, cooperation with the Eastern neighbourhood includes a broad range of external policy areas where the Presidency still plays a role at different stages of policy-making. Although there may be differences between the policy-specific contexts in which decisions are made (e.g. trade, transport, energy, visas), EaP policies generally constitute an area where a certain degree of Presidency influence is likely to be found. For the same reason, we focus on the Polish Presidency, one of the first Presidencies after the Lisbon Treaty entered into force. Earlier research has shown that Presidencies are most influential in areas that are highly salient to them (e.g. Schalk et al. 2007; Warntjen 2007). As one of the initiators of the EaP initiative and a well-known promoter of further integration between the EU and its Eastern neighbours (see e.g. Copsey and Pomorska 2010; EUObserver 2011a; Raik and Gromadzki 2006; Szczepanik 2011), it was no surprise that, in its Presidency programme, Poland prioritized closer cooperation with the region through various policy areas in the framework of the EaP (Polish Presidency Website 2011f). In sum, we assume that if the Presidency still exerts any influence on external policies, for the Polish Presidency this will most likely be observed in EaP policies. We thus selected a Presidency and a part of external policies where we expect some influence of the incumbent. That said, the overall aim of the article is not to unveil causal relationships or to make generalizable claims as in classic case study research, but rather to illustrate that a broader and more differentiated study of possible Presidency influence is necessary to gain new insights into the debate on Presidency influence.

In what follows, we first reflect on how influence is defined and measured in the article. We then outline the research puzzle by offering three sets of competing hypotheses. These will be discussed in the subsequent section, which consists of an exhaustive examination of the influence of the Polish Presidency on the EaP. The conclusions reflect on the main findings that (i) the Presidency has a considerable influence on the external agenda but not on the contents of external policies, (ii) most influence is exerted in the preparatory Council bodies, and (iii) the incumbent generally exerts influence on bilateral rather than on multilateral policies.

## 1. Studying Presidency influence

### 1.1. Defining and measuring influence

It goes without saying that the definition of ‘influence’ and its relation to ‘power’ are highly contested in the literature. Many authors (for a review, see Guzzini 2000) have shown that control over power resources does not necessarily translate into control over outcomes. Power is not always converted into influence and, alternatively, actors may exert influence even without being powerful. Building on Bunsen’s work (2009: 5), we define Presidency influence as *intentionally changing an outcome from what it would have been in the absence of an action*. An ‘outcome’ in this definition can refer to a topic that is (not) placed on the agenda, as well as to a final decision that is (not) made. This definition is agent-centred: influence is seen as an intentional process. Our research therefore focuses on the actions of the actors executing Presidency tasks and their influence on decision-making. Our method allows us to observe expressions of the so-called ‘first face’ of power – making another actor do what he/she would otherwise not do – as well as the ‘second face’ of power – bringing about non-decisions (see e.g. Bachrach and Baratz 1962). However, taking into account the strong preferences of Poland to further EU cooperation with the EaP in as many policy areas as possible, we do not expect Polish attempts to inhibit decision-making. In this article, we do not study the ‘third face’ of power – defining the frame of reference in which others shape their preferences (Lukes 1974), since this is more related to structure than agency. Moreover, it is unlikely that every Presidency would be able to substantially change the frame of reference for the Member States and the institutions within a short period of six months.

The method we apply for measuring influence is based on the EAR method (Ego/Alter perception, Researcher’s analysis), which was developed by Arts and Verschuere (1999). Information on Ego and Alter perceptions, typically gathered during elite interviews, refer to assessments by key agents of their own (Ego) or other’s (Alter) influence in decision-making. The Researcher’s analysis is a validity check of those perceptions. It is a qualitative method, based on the triangulation of data collected from interviews and other primary and secondary sources. It has the advantage that it mitigates the tendency to underestimate influence when using process tracing and to overestimate influence with the mere analysis of preference realization (see also Dür 2008).

Arts and Verschuere (1999: 419–21) have furthermore designed a classification system for assessing the level of political influence (PI). They propose to express PI as the product of three factors: (i) the degree of goal achievement of an actor (GA) – how much of the actor’s goals are reflected in the outcome?, (ii) the extent to which GA can be ascribed to this actor (AS) – what was the contribution of the actor to the outcome in relation to the contribution of other actors?, and (iii) the political relevance (PR) of the outcome – how politically important and how binding is the outcome? Therefore,  $PI = GA \times AS \times PR$ . For each component, they foresee scores between 0 and 3. From this formula, a number of scores are possible, to be translated in verbal assessments ranging from ‘no influence’ to ‘great influence.’

For this article, we modified the method on three points. First, the numbers (0, 1, 2, 3) are replaced by labels; ‘no’, ‘limited’, ‘substantial’, and ‘high’, in order to avoid creating the impression that influence is quantified or measured on an interval scale, while in reality we make a qualitative assessment on an ordinal scale. Second, the ‘formula’ is changed so that the measurement of influence corresponds better to the definition of influence applied in this article. If, in the original method, an outcome highly reflects the preferences of the chair and has high political relevance, but can be ascribed to the Presidency only to a limited extent – e.g. because there was a broad consensus and the decision would be taken anyway – the Presidency’s influence would still be considered substantial, which is an overestimation. To avoid this, we apply the rule-of-thumb that the level of Presidency influence cannot be higher than the extent to which an outcome is ascribed to the incumbent. Third, we argue that the operationalization of PR should be both broader and more specific. On the one hand, we include political novelty in the operationalization; the degree of innovation (in terms of topics on the EU agenda or the nature of EU policies) arguably contributes to the political relevance of an outcome. On the other hand, we do not consider to what extent an outcome is legally binding, but instead assess its political impact on EU policies; also non-binding outcomes can have an impact.

Data for the assessment of GA, AS, and PR were gathered from official documents, secondary sources, and interviews. Between January and November 2012, 22 anonymous, semi-structured interviews were conducted with officials from Poland, other Member States, the Commission, the EEAS, and the Council Secretariat. The indicators of influence are operationalized as shown in Table 1, and the degree of influence is established according to the following rules:

1. If any of the components GA, AS, or PR is found to be ‘no’, there is ‘no PI’.
2. If GA, AS and PR have identical levels, PI equals this level.
3. If the levels of GA, AS, and PR are all different, ranging between limited and high, there was ‘substantial PI’.
4. If there are two identical levels for GA, AS, or PR, then PI equals the level of those two identical scores.
5. Rules 3 and 4 are applied on the condition that the level of PI is never higher than the extent to which the outcome can be ascribed to the Presidency. This means that, if AS scores the lowest, PI equals AS.

**Table 1: Indicators for Presidency influence**

<b>Indicator</b>	<b>Level</b>	<b>Description</b>
<b>Goal Achievement (GA)</b>	No	The outcome entirely contradicts the Presidency's preferences.
	Limited	The outcome partially corresponds to and partially contradicts the Presidency's preferences.
	Substantial	The outcome is not the most preferred result for the Presidency, but does not contradict its preferences.
	High	The outcome reflects the Presidency's preferences as much as was legally and practically feasible.
<b>Ascription (AS)</b>	No	The Presidency was not involved in the outcome as a chair, or was involved but had no role in developing the outcome.
	Limited	The Presidency was involved as a chair to a limited extent, but the outcome was mainly developed by other actors.
	Substantial	The Presidency was involved as a chair and steered the outcome, but other actors also played a role in developing the outcome.
	High	The Presidency was involved as a chair and it is unlikely that the outcome would have been the same if another country was in the chair.
<b>Political Relevance (PR)</b>	No	The outcome is of little or no political importance, is not novel in terms of EU agenda or policies, and has little or no political impact.
	Limited	The outcome is politically important or novel in terms of EU agenda or policies, but has no considerable political impact.
	Substantial	The outcome has a considerable political impact, although it is of limited political importance or novelty in terms of EU agenda or policies.
	High	The outcome has a considerable political impact and is politically important or novel in terms of EU agenda or policies.

As stated *supra*, the debate on Presidency influence (on external policies) can be enriched by a more nuanced conceptualization of ‘influence’. No straightforward ‘yes’ or ‘no’ answer can be given to the question as to whether the Presidency exerts influence; instead, one should distinguish between types of influence, forums of decision-making, and types of external policies. In the next section, we identify gaps in the literature on these aspects and formulate two competing hypotheses for each of them, which will be tested in the empirical analysis.

## 1.2. Competing hypotheses on Presidency influence

The first distinction we make is between agendas and contents of decisions. A political agenda is a set of issues that receive serious consideration (Princen 2009), a process which does not necessarily result in tangible decisions. Finalized decisions are more permanent and long-lasting. Taking into account the division of powers in the EU, agenda-setting by the Presidency should not be understood as independently putting new issues on the agenda, but rather as pressurizing the Commission or the HR/VP to take certain initiatives and, once formal proposals are made, speeding up decision-making on issues that are favoured by the incumbent. Existing studies of Presidency influence discuss either the Presidency’s ability to determine the agenda (e.g. Tallberg 2003; Warntjen 2007) or influence the contents of decisions (e.g. Bjurulf and Elgström 2004; Schalk et al. 2007; Tallberg 2004; Warntjen 2008). Thus far, scholars have failed to look into how Presidency influence may differ between agenda-setting and determining the contents of decisions. In addition, authors who have observed influence on the contents of decisions have focused mainly on legislative issues. Hence, it is not clear whether their findings also apply to external policies, which are often non-legislative. Two competing hypotheses can be formulated in this regard. On the one hand, one could argue that since agendas have less practical consequences than finalized decisions, the Member States and institutions grant the Presidency more discretionary power in defining the agenda than during the actual decision-making:

*HYP1-A: The Presidency exerts more influence on the agenda than on the contents of decisions.*

On the other hand, the (external) agenda is formally prepared by the Commission and the EEAS. At later stages, when shaping the actual decisions, the chair can have some influence while fulfilling its tasks of mediation and representation between the delegations and between the Council and the other institutions:

*HYP1-B: The Presidency has more influence on the contents of decisions than on the agenda.*

Secondly, we distinguish between the different forums – i.e. Working Parties, the Committee of Permanent Representatives (Coreper), Council meetings, and international forums (i.e. contacts with third parties such as countries or international organizations) – where the Presidency may (or may not) exert influence. The agency of the Presidency is ‘located’ in several venues, the incumbent is not a monolithic bloc. A Member State’s Presidency is managed at different levels and by a large number of officials with different backgrounds.



These actors' capacities for influencing agendas and decisions are not necessarily equal. Although Wurzel (1996; 2004) has described the workings of different levels in Council decision-making, the question as to what extent the forum affects Presidency influence is as yet unanswered. Also on this point, two competing hypotheses can be formulated.

Most decisions in the Council are taken at the preparatory level (Hayes-Renshaw and Wallace 2006). Only few issues, normally the most complex and sensitive ones, reach the Ministers' negotiation table. At this level, holding the Presidency would not add much to a Member State's influence; the Ministers are not expected to allow any party to use a temporary role for exerting disproportionate influence in such dossiers. This hypothesis is especially plausible for external policies, since the incumbent Member State no longer heads the Foreign Affairs Council while it continues to chair Coreper, some Working Parties preparing the Foreign Affairs Council (Vanhoonacker et al. 2011), and most other Working Parties – including those discussing external aspects of internal EU policies. At international forums, e.g. in direct contacts with third countries' governments, the Presidency has little room for manoeuvre, since the EU is formally represented by the EEAS and the Commission. *HYP2-A* can be called the 'low level' hypothesis:

*HYP2-A: The incumbent exerts most influence in the preparatory bodies of the Council, and least influence at the ministerial level or at international forums.*

In turn, *HYP2-B* focuses on the higher levels. Complex issues under negotiation by Ministers require intensive mediation, which may place the representatives of the Presidency in a privileged position to leave their mark. In practice, this only concerns the forums where the Presidency chairs the meetings, i.e. all Council formations (including their external aspects) except the Foreign Affairs Council. With regard to third parties, it is known that the EU's partners do not always accept the new institutional architecture of the EU and may prefer to negotiate with the Presidency or with individual Member States rather than with the HR/VP or the Commission (see e.g. Drieskens et al. 2011). The *de facto* Presidency influence as an external representative may thus be considerable. The 'high level' hypothesis is as follows:

*HYP2-B: The Presidency exerts most influence in the Council and at international forums, and least influence in the preparatory bodies.*

Finally, we identify different types of external policies. The variety of external policies includes bilateral/multilateral cooperation in a broad range of policy areas (e.g. trade, transport, energy, visas), each with specific decision-making mechanisms. The Presidency may not be equally influential on all types of policies. For this article, the main distinction is made between bilateral and multilateral EaP policies, in parallel with the bilateral and multilateral tracks the EU develops for the EaP (see *supra*). Under these main categories, we further differentiate between policy areas. Again, we develop two contradicting hypotheses on this issue. For one part, it can be argued that multilateral policies involve less formal commitments than bilateral policies, making the Member States and the institutions less eager to control the Presidency with regard to multilateral cooperation. Thus,

*HYP3-A: The Presidency exerts more influence on multilateral policies than on bilateral policies.*

Conversely, bilateral cooperation is the most ‘legislative’ type of external policy, whereas multilateral policies involve less binding commitments. It is for legislative issues – although for internal EU policies – that previous studies have observed substantial influence of the chair (e.g. Bjurulf and Elgström 2004; Tallberg 2004; Warntjen 2007). In such dossiers, mediation between the delegations and the institutions may be required, which can be employed by the chair to steer the outcome closer to its own preferences. Consequently;

*HYP3-B: The Presidency exerts more influence on bilateral policies than on multilateral policies.*

## **2. The Eastern Partnership during the Polish Presidency**

In this section, the above-mentioned competing hypotheses are examined through an analysis of the policies, strategic choices, and institutional aspects of EU-EaP relations in the second half of 2011, with a focus on the influence of the Polish Presidency. Poland’s activeness in EaP/external policies was not strictly limited to the six months of its Presidency period; Polish representatives started working towards their Presidency long before July 2011. However, there are no indications that this happened in the framework of the so-called ‘trio’ it formed with Denmark and Cyprus. The preparations for the Polish Presidency – which was the first in this trio – took place in consultation with other countries such as Hungary, and during the Danish and Cypriot Presidencies the EaP was much less prominent on the EU’s agenda than in 2011. In addition, none of the interviewees described the trio cooperation as relevant for achieving Poland’s goals with regard to the EaP.

The results of the study are summarized in Table 2; the policies are discussed in more detail in the following sections. The upper part of Table 2 includes an overview of the bilateral policies and the lower part summarizes the multilateral policies. The ‘Issue’ column refers to the policy issue that was (not) developed under the Polish Presidency. ‘Political influence’ sums up the indicators for influence and the overall level of influence for each issue, and mentions the type of influence (if any). Finally, the ‘Forum’ column indicates which forum(s) played a key role and thus where the Presidency exerted (no) influence.

**Table 2: Influence of the Polish Presidency on Eastern Partnership policies**

	Issue	Political influence				Forum
		GA	AS	PR	PI	
Bilateral	<b>Armenia, visa</b>	High	Subst.	Lim.	<b>Substantial</b> (agenda)	Coreper
	<b>Azerbaijan, visa</b>	High	Subst.	Lim.	<b>Substantial</b> (agenda)	Coreper
	<b>Ukraine, Association Agreement</b>	Subst.	Lim.	Subst.	<b>Limited</b> (agenda)	International, Gymnich Council, Coreper
	<b>Moldova, trade</b>	High	Lim.	Lim.	<b>Limited</b> (agenda)	Trade Policy Committee
	<b>Georgia, trade</b>	High	Lim.	Lim.	<b>Limited</b> (agenda)	Trade Policy Committee
	<b>Azerbaijan, energy</b>	Subst.	Lim.	Lim.	<b>Limited</b> (agenda)	Coreper
	<b>Azerbaijan, transport</b>	Subst.	Lim.	Lim.	<b>Limited</b> (agenda)	Council
	<b>Belarus</b>	No	No	No	<b>No</b>	Coreper
	<b>Caucasus, declarations/ visits, Cooperation Councils</b>	High.	No	No/ Lim.	<b>No</b>	Council, European Parliament, International
	Multilateral	<b>Transport</b>	High	Subst.	Lim.	<b>Substantial</b> (agenda)
<b>EED</b>		Subst.	High	Subst.	<b>Substantial</b>	Minister, Coreper

				(agenda)	
<b>EaP summit</b>	Lim.	Lim.	Lim.	<b>Limited</b> (agenda)	Coreper
<b>Energy</b>	High	Lim.	Lim.	<b>Limited</b> (agenda)	Council
<b>CORLEAP</b>	Lim.	No	Lim.	<b>No</b>	Committee of the Regions, International
<b>EaP Business Forum</b>	High	No	No	<b>No</b>	International
<b>Civil Society Forum</b>	Lim.	No	Lim.	<b>No</b>	International
<b>EU-EaP Science, Education Ministers’ conference</b>	Lim.	High	No	<b>No</b>	International
<b>EU-EaP Economy Ministers’ conference</b>	Lim.	High	No	<b>No</b>	International
<b>EU-EaP Agriculture Minister’s conference</b>	Lim.	High	No	<b>No</b>	International
<b>Police training, drugs combating</b>	No	High	No	<b>No</b>	International

A glance at the table reveals that, in some dossiers related to the EaP, outcomes would indeed have been different if Poland had not been in the chair. The Presidency exerted limited or substantial influence on some external policies, but we did not observe high influence. Thus, the Presidency can be a crucial agent in external policy-making although its influence is

restricted in the post-Lisbon structure, where other agents such as the HR/VP and the Commission have become the main external representatives of the EU and play a key role in the development of external policies.

In the next three sections, we discuss the Presidency's influence for every issue, structured according to the degree of influence. Subsequently, we summarize the findings with regard to types of influence, forums, and types of policies.

## **2.1. Substantial Presidency influence**

The Polish Presidency exerted substantial influence in four dossiers, both bilateral and multilateral. The first two were in bilateral visa policy towards Armenia and Azerbaijan. From the start of their Presidency, Polish members of the Permanent Representation pressurized the Commission to propose starting negotiations with both countries on visa facilitation and readmission agreements (Interview 22). Once the proposals were received (European Commission 2011c; 2011d), Tombiński, Poland's EU Ambassador, immediately initiated discussions at Coreper; the negotiation mandates were adopted by the Council in December (Council of the European Union 2011j). The Presidency's goal to increase mobility between the EU and EaP countries was achieved as much as was feasible at that moment. Ascription to the Presidency was substantial: although the negotiations were expected to be opened in the future, the mandates were adopted earlier than was planned, and Tombiński overcame considerable resistance from some Member States who are traditionally reluctant to facilitate visa requirements for citizens of unstable countries (Interview 3; Interview 4; Interview 5). The political relevance of negotiation mandates is limited, however: mandates can be of high political importance and changes can affect the agenda, but they have no political impact as such since they do not necessarily reflect the final result of the negotiations.

The third instance of substantial influence is in multilateral transport cooperation with the EaP, a relatively new topic in this framework. The most important event here was the EU-EaP Transport Ministers' conference in Kraków (European Commission 2011f). It succeeded a Commission Communication of July 2011 on transport cooperation with the EU's neighbours (European Commission 2011a), which proposed a series of initiatives to integrate the EU and EaP countries' markets, improve infrastructure connections, and establish a permanent body that monitors transport cooperation, the Eastern Partnership Transport Panel. In October, the Council, chaired by Grabarczyk, the Polish Minister of Infrastructure, endorsed the proposals and prepared the ministerial conference in Kraków (Council of the European Union 2011d). During the conference, the Azerbaijani delegation at some point threatened not to sign the joint declaration if no reference was made to its territorial integrity with respect to Nagorno-Karabakh. After bilateral negotiations between Grabarczyk and his Azerbaijani counterpart, the latter agreed to sign the declaration on the condition that reference was made to territorial integrity in the internal meeting report (Interview 7; Interview 15; Interview 18). The declaration (Council of the European Union 2011e) mentioned closer market integration, increased levels of security, safety, environmental and social standards in transport, improved

interconnections, and the launch of the Eastern Partnership Transport Panel, which would report on the results of its work during the next ministerial meeting to be organized on the proposal of the Commission and the Presidency. Poland achieved its goal of putting transport cooperation with the EaP on the EU agenda. Both the Council conclusions and the Kraków conference resulted from Polish initiatives (Interview 2; Interview 7), although they depended on the Commission Communication. The political relevance of these events is limited, however, since they have not produced tangible results thus far.

Finally, the establishment of the European Endowment for Democracy, a fund to support democratic movements and political parties abroad, is noteworthy. In early 2011, before the start of the Presidency, Poland's Foreign Minister Sikorski proposed to set up a flexible instrument for democracy promotion, primarily – but not exclusively – focused on the EU's neighbourhood. He pressurized Ashton to make reference to the Endowment in the review of the European Neighbourhood Policy (Interview 19; European Commission/HRVP 2011). However, not all Member States were convinced of the Endowment's viability and desirability. The main concerns were related to funding, a possible loss of sovereignty for individual countries in defining their priorities for democracy promotion, and suspected overlap with existing instruments. Also, the intention to support political parties was controversial (Interview 4; Interview 5). Despite this scepticism, Poland's Coreper Ambassador put the issue on the agenda as often as was needed to reach unanimity on the idea (Interview 1; Interview 4; Interview 5). A political agreement on the European Endowment for Democracy was achieved in Coreper in December (Polish Presidency Website 2011b). Its administrative expenses will be covered by the Commission, while its activities should be funded by voluntary contributions from European national governments (EurActiv 2013). Although the Endowment's resources are very modest compared to other funds for EU democracy promotion (Youngs and Brudzinska 2012), it has substantial political relevance, since the possibility to support political parties abroad is new in the EU's approach. Putting the Endowment on the agenda and obtaining a political agreement was a substantial achievement of the Presidency's objectives, although Poland had to make serious concessions on its structure and financing in order to make a political agreement acceptable (Interview 4; Nasieniak 2012). It can to a high degree be ascribed to the actions of the Presidency, considering the initial resistance from some Member States. The two main actors in this dossier were Sikorski, who launched the idea at the right moment – at the beginning of the Arab Spring and just before the start of the Polish Presidency – and Tombiński, who employed his position to put the idea repeatedly on the Coreper agenda (Interview 1; Interview 4; Interview 19; Interview 21).

## **2.2. Limited Presidency influence**

We observed limited influence of the Polish Presidency in seven dossiers, mostly in bilateral policies.

First, in EU-Ukraine relations, the future Association Agreement, including a DCFTA, was high on the agenda throughout 2011. At the start of the Polish Presidency, negotiations on the

Association Agreement were nearing conclusion (EUObserver 2011c). However, the arrest and subsequent conviction of Ukraine's former Prime Minister Tymoshenko was widely criticized as being politically motivated and strained EU-Ukraine relations (EUObserver 2011f). It became increasingly unlikely that the agreement would be initialled as planned during the EU-Ukraine summit in December 2011. Polish officials, who strongly support Ukraine's integration in the EU, tried to unblock the situation in order to have concrete results on this issue during their Presidency. Poland's President Komorowski, former President Kwaśniewski, and Sikorski paid several visits to Ukraine to discuss the Association Agreement at the highest level, where they consistently emphasized the need for reforms in Ukraine (EUObserver, 2011e; Polish MFA 2011; President of Poland 2011a; 2011b; 2011c). In addition, Sikorski put the issue on the agenda during the Gymnich meeting in September (EUObserver 2011d). These efforts did not entail improved political relations, although technical negotiations on the DCFTA continued and were finalized in October (Centre for Eastern Studies 2011). This process was led by the Commission, however; the Presidency was not involved. The Association Agreement was finally not initialled during the EU-Ukraine summit, but the participants – Van Rompuy, Commission President Barroso, and Ukrainian President Yanukovich – announced that they had reached a common understanding on its contents and that it should be technically completed and initialled as soon as possible (Council of the European Union 2011k). The Polish Presidency thus reached its goals to a substantial degree: the dialogue between the EU and Ukraine continued, and the Association Agreement was kept on the agenda. The decision to agree on the contents without initialling the Agreement was relevant for not losing momentum. However, those developments can be ascribed to the Presidency only to a limited extent. During the technical negotiations and during the summit, Poland was not present. The Presidency could not do much more than try to mediate with Ukraine at a high level and give the Association Agreement a sense of urgency, which Tombiński did by repeatedly putting the issue on the Coreper agenda (Interview 4; Interview 9; Interview 16).

Bilateral trade relations advanced with two other EaP countries: Moldova and Georgia. Association Agreements with both countries have been under negotiation since 2010, but the launch of DCFTA talks was made conditional on the fulfilment of a set of key recommendations. After a positive assessment by the Commission, the Trade Policy Committee, chaired by Nogaj, the Director of Poland's Trade Policy Department in the Economy Ministry, approved mandates for the Commission on DCFTA negotiations (European Commission 2011h). Progress in trade relations with Moldova and Georgia was a priority of Poland and the mandate was an important step in this direction. However, this decision can be ascribed to the Presidency only to a limited extent: Nogaj did accelerate the adoption of negotiation mandates (Interview 4; Interview 5), but the key recommendations had been adopted much earlier and the decision was dependent on the Commission's assessment (Interview 20). Like other negotiation mandates, this decision is of limited political relevance in the context of this article.

The fourth and fifth cases of limited Presidency influence were in bilateral relations of the EU with Azerbaijan. On the one hand, following a visit in January 2011 by Barroso and Energy

Commissioner Oettinger to Azerbaijan and Turkmenistan, discussions started in Coreper on a negotiation mandate for a binding treaty to build a trans-Caspian gas pipeline system. Unanimity on the mandate was reached in July (Polish Presidency Website 2011d), and the mandate was formally approved by the Council in September (2011a). On the other hand, the Council (2011d) adopted a negotiation mandate for the Commission on an aviation agreement with Azerbaijan in October. Both in transport and energy policy, the Presidency's goals were achieved in that the basis for further cooperation with Azerbaijan was generally broadened (Interview 15) and concrete steps were taken in diversifying energy supplies to the EU. Yet, as for the other negotiation mandates discussed in this article, their political relevance is limited, and they can be ascribed to the Presidency only as far as the speed of adoption is concerned (Interview 6).

Sixth, the Presidency exerted limited influence on the results of the biennial multilateral EaP summit. This event was initially planned for May 2011, under the Hungarian Presidency. However, Hungary's Coreper Ambassador and his Polish counterpart informed the EEAS in February that the event was postponed until September (Interview 8), allegedly because the planned date clashed with G8/G20 and OECD meetings, as well as with Georgia's national holiday on 26 May (Interview 11). Many officials believe that there was more behind this decision than just incompatible dates, including pressure from Poland, which saw hosting this summit as a prestige project during its Presidency (Interview 8; Interview 9; Interview 10), and the Arab Spring, which put other priorities on the EU agenda (Interview 5; Interview 10; Vida 2011). Although the Hungarian and Polish Prime Ministers agreed to jointly prepare and co-host the summit (Hungarian Presidency Website 2011), Poland managed to present it as a 'Polish' event, which was especially obvious during the press conference: Poland's Prime Minister spoke before Van Rompuy and Barroso (EU TV Newsroom 2011). The Presidency's goal achievement with regard to the summit was limited. On the one hand, the joint statement (Council of the European Union 2011c) adopted at the end of the summit was ambitious and gave political impetus to deeper cooperation in a broad range of policy areas, including trade, visas, energy, transport, agriculture, environment, communication technologies, education, and culture. On the other hand, however, not all goals of the Presidency were achieved. The joint statement 'acknowledge[d] the European aspirations and the European choice of some partners' (Council of the European Union 2011c), which is a much more careful formulation than an explicit membership prospect and did not go as far as Poland and some EaP members would have liked (EUObserver 2011b). In addition, Belarus boycotted the summit; Poland had favoured the highest possible representation and tried to agree in Coreper II to invite Belarus' President Lukashenka despite the EU's travel ban against him (Interview 1; Interview 5), but this was unacceptable for some Member States (Interview 4). The EU finally invited Belarus' Foreign Minister, who declined the invitation (EurActiv 2011b) and left Belarus' chair empty at the summit. In response to the deteriorating human rights, democracy, and rule of law situation and the worsening of media freedom in Belarus, the EU members adopted a separate declaration in which they expressed their concern about these developments (Council of the European Union 2011b). A third failure was that this document did not mention the human rights situation in other EaP countries, and it was not co-signed by them. The results of



the summit can be ascribed to the Presidency to a limited extent, mainly due to legal-institutional restrictions: Poland hosted the event but Van Rompuy chaired the high-level meetings. Some preparations, inter alia, on the joint statement and the invitation to Belarus took place in Coreper under the chairmanship of Tombiński, but most preparatory work was done in the Working Party on Eastern Europe and Central Asia (COEST) (Interview 12; Interview 13), chaired by an EEAS official. The negotiations with the EaP countries on the declaration on human rights were formally led by Ashton (Interview 17; Interview 21). The political relevance of the summit was also limited. Although it undeniably contributed to increased attention within the EU to the region, and laid the foundations for future cooperation (see e.g. Kucharczyk and Łada 2012), its results had limited political impact on EU-EaP relations.

Finally, the Presidency exerted (very) limited influence on the agenda for energy cooperation with third countries. Polish representatives worked hard to have Council conclusions adopted on the external aspect of energy security (2011f), which was an important priority for Poland. The Council conclusions were based on a Commission Communication of September (2011b) and endorsed four priority areas, covering the whole world – thus only in part related to the EaP. The adoption of Council conclusions was considered the Presidency's most important success in energy policy (Interview 2), Poland's goals were fully achieved on this point. However, this can be ascribed to the Presidency only to a limited extent: while it is possible that the conclusions would have been adopted later if Poland had not been in the chair, they reflected a rather broad consensus among the Member States, which had been prepared in part by the Hungarian Presidency and the European Council of February 2011 (Interview 6). The political relevance of the Council conclusions was limited, since they had no direct political impact.

### **2.3. No Presidency influence**

There were also various developments in EU-EaP relations, mostly multilateral but also bilateral, where we observed no Presidency influence.

In the case of Belarus, which does not participate in the bilateral track of the EaP, the Presidency did not achieve its goals: although Poland supports developing ties with Belarus, notably with civil society organizations (Interview 15; Interview 16; EUObserver, 2011a), EU-Belarus relations did not improve throughout 2011, quite the contrary (see *supra*). Other events in bilateral relations with countries in the South Caucasus cannot be ascribed to Poland, and were not mentioned in any of the interviews as examples of Presidency influence. The Presidency played no role in Ashton's visit to the South Caucasus (European Commission 2011g) or in the European Parliament resolution calling for more assistance to Georgia and a recognition of Georgia as a European State and South Ossetia and Abkhazia as occupied territories (European Parliament 2011). Also, when the European Parliament's President and Ashton rejected the constitutional and legal framework in which the Presidential elections of Abkhazia (EurActiv, 2011, 29 August) and South Ossetia (EurActiv

2011c) took place, the Presidency was not involved, although their statements corresponded to the Polish point of view.

The EU-Armenia and EU-Azerbaijan Cooperation Councils, which Poland's State Secretary for the EU co-chaired on behalf of Ashton (Council of the European Union 2011g; 2011h), did not have political relevance: the participants merely took stock of the progress in bilateral relations and reiterated what had been discussed during the EaP summit.

Poland organized and hosted a high number of multilateral events related to the EaP that we do not consider as instances of Presidency influence. In three of these events, Poland did not play a special role other than being the host country, so these cannot be ascribed to the Presidency: the inaugural meeting of the Conference of Regional and Local authorities in the EaP (CORLEAP) in Poznań was organized at the initiative of the Committee of the Regions (Committee of the Regions 2011), and the third Civil Society Forum in Poznań (European External Action Service 2011) is an annual event. The idea to hold an EaP Business Forum, which was organized during the EaP summit in September (ENPI Info Centre 2011), was launched long before 2011, although Poland was indeed the first Presidency to organize this event. Yet the meeting did not yield any tangible results. The Polish Presidency also took a number of EaP-related initiatives in policy areas that it considered important, but these had no political relevance as defined in this article. Poland wished to set up an EU-EaP police training programme, for which it organized and hosted a preparatory meeting (Polish Presidency Website 2011g). However, this was not pursued: the Commission Communication that was expected in October 2011 was published in December 2012 (European Commission 2012). The Presidency also organized meetings of EU and EaP Education and Science Ministers (Polish Presidency Website 2011c), of Economy Ministers (Economic Forum 2011) and of Agriculture Ministers (Polish Presidency Website 2011e), as well as a conference on combating drug-related crime (Polish Presidency Website 2011a) and a high-level seminar on customs cooperation with the EaP (European Commission 2011e), which prepared Council conclusions on this issue (Council of the European Union 2011i). Since these events were mainly aimed at exchanging experiences and did not have political impact thus far, they lack political relevance and do not reflect Presidency influence. In sum, although these multilateral events organized and/or hosted by the Polish Presidency did entail (temporarily) increased attention of the EU members and institutions to the EaP, they can as such not be regarded as examples of Presidency influence.

#### **2.4. Types of influence, forums, and types of policies**

The analysis of EaP policies during the second semester of 2011 shows how the Presidency exerted limited and even substantial influence in some dossiers. It is striking to observe that Poland influenced only the agenda and not the contents of decisions. These findings support the hypothesis that the Presidency has more influence on the agenda than on the contents of decisions (*HYP1-A*), and thus disconfirm previously drawn conclusions in the literature, which studied internal EU decision-making (see *supra*), with regard to the chair's influence on the contents of decisions in external policies. Interestingly, Commission officials do not see

the Presidency's agenda-setting capacities as problematic; on the contrary, they consider it an advantage that 'their' policy areas are regularly promoted at the political level, as long as this does not lead to radical changes in policy implementation (Interview 18; Interview 19; Interview 20; Interview 21). Presidencies with a favourable attitude toward certain policy areas constitute a *window of opportunity* (Kingdon 1995) for Commission officials working on those areas. As a result, Presidency influence is, to a certain extent, facilitated by the Commission.

As for the second set of competing hypotheses, on the forums in which the incumbent exerts influence, we observed most instances of Presidency influence in the preparatory Council bodies that it chairs, notably in Coreper and to a lesser extent in the Trade Policy Committee. This confirms the 'low level' hypothesis that the Presidency's influence is the largest in the preparatory bodies (*HYP2-A*): civil servants and technical experts generally have more opportunities to influence the agenda than politicians. There were only a few dossiers where the Presidency exerted influence at the Ministers' level. However, most of these dossiers had been extensively discussed in the preparatory bodies. In sum, the degree of Presidency influence is inversely proportional to the level of decision-making. Only in one case, the establishment of the European Endowment for Democracy, did we notice the opposite dynamic: in this dossier, Minister Sikorski made a difference and left his personal mark on the idea of the Endowment and its further development.

Finally, on the hypotheses regarding the type of external policy, four remarks should be made. Firstly, the Polish Presidency played a prominent role in a large number of multilateral initiatives, mainly by hosting and (co-)organizing numerous conferences and other meetings. However, although the whole of these developments gave a political boost to EU-EaP relations, the individual events should not be viewed as instances of Presidency influence on external policies, since they were mostly not followed up and/or have not produced tangible results thus far. The initiatives are potentially relevant for future EU-EaP relations and they can lead to new practices or intensified cooperation, but until now there have been no signs that such an impact may be observed in the foreseeable future. Secondly, the Polish Presidency exerted influence on many aspects of the bilateral agendas despite the fact that the Commission and the HR/VP are key actors in bilateral relations with third countries. It is important to note that the type of policies where the Presidency has most influence – bilateral policies – is the most 'legislative': it consists of (negotiations on) binding treaties. The political influence of the Presidency thus mostly plays in the legislative part of external policies, and less in non-legislative policies. Thirdly, nearly all bilateral policies in which the Presidency exerted influence were related to negotiation mandates for the Commission. This shows that although the incumbent can play an important role in setting the bilateral agenda, it cannot do so on its own. The Presidency does not have formal competences to negotiate or speak on behalf of the EU with the EaP countries, but it can facilitate and steer the work of the institutions. Within the scope of this article, it is impossible to make a detailed assessment of the inter-institutional dynamics between the Presidency and other actors such as the HR/VP, Commissioners, the Council Secretariat, and the European Parliament. Inter-institutional dynamics in external policies, which have been researched mostly in the pre-

Lisbon institutional setting (e.g. Dijkstra 2011; Vanhoonacker et al. 2010), could be the focus of future research. Fourthly and finally, there are no clear-cut differences between policy areas (e.g. trade, visas, energy, etc.), unlike the variation between bilateral and multilateral policies. Influence was observed both in technical dossiers, such as transport cooperation, and in politically sensitive issues, including visa facilitation. The room for manoeuvre of the Presidency thus depends on the Commission rather than on the policy area: Poland was 'lucky' that the Commission issued most planned Communications and proposals in time and thus 'allowed' the Presidency to exert some influence (Interview 14). When the Commission did not publish documents that were expected, as was the case for the police training programme, the Presidency could not push the issue forward. These findings generally support the hypothesis that the Presidency exerts more influence on bilateral EU-EaP policies than on multilateral policies (*HYP3-B*), although the large number of Presidency-driven multilateral initiatives also (temporarily) put the EaP higher on the EU's agenda.

## Conclusion

This article showed that the Presidency can exert influence on external policies, but that this influence differs according to (i) the type of influence, (ii) the forums in which decisions are made, and (iii) the type of external policy. First, we illustrated that the Presidency seat allowed Polish officials to exert additional influence on the EaP *agenda* of various external policies, but not on the *contents* of the actual decisions made on these policies. The incumbent can act as a facilitator and to a limited extent as an initiator of external policies, but it is not a more influential decision-maker than when it is not in the chair. Second, we unpacked the Presidency as an agent by looking at the forums where it operates. The Presidency's agency does not work in the same way at all levels: generally speaking, the Presidency's civil servants in the preparatory bodies of the Council exert the most influence, while the influence of Presidency representatives decreases as dossiers move to higher (political/ministerial) levels. Third, although the incumbent has considerable room for manoeuvre in organizing multilateral events on different topics, we found that the Presidency was mostly influential in bilateral agendas.

Referring back to the debate on whether or not the Presidency exerts additional influence on EU (external) policies, we argue that no straightforward claims can be made, since 'the' influence of 'the' Presidency on 'the' external policies of the EU does not exist as such. Instead, Presidencies are managed by a large number of officials and politicians who intervene in various forums, exerting different types of influence on a broad range of policies in an institutional structure that constrains the abilities of chairpersons to be influential. This institutional structure has thoroughly changed with the Lisbon Treaty and decreased the abilities of the Presidency to exert influence on decision-making, especially in the area of external policies. Although on the basis of this article we cannot draw strong conclusions on the impact of the Lisbon Treaty, we did illustrate that the Presidency can still have some influence and that, at least in some instances, representatives of the incumbent country can

play a crucial role in external policy-making. Furthermore, within the context of this article it was impossible to elaborate on the inter-institutional dynamics between the Presidency and the EU institutions. However, the results of this research show that while the Polish Presidency faced opposition in the Council in some dossiers, this was not the case with respect to the Commission. On the contrary, Commission officials consider it an advantage that the policy areas on which they work are regularly promoted at the political level.

Because of Poland's interest in the EaP, the Polish Presidency tried to advance the EaP in as many policy areas as possible. As Polish officials thus had no interest in impeding decision-making related to the EU's Eastern neighbours during the Presidency, we have – as expected – found no instances of the 'second face' of power, only instances of the 'first face' of power. If future studies were to systematically examine country, issue, and/or context-specific conditions under which the Presidency exerts influence, they may also observe cases in which non-decisions are brought about.

More generally, the present study could inspire further research in three ways. First, it underlines the importance of agency in the EU institutions and encourages further study and theorizing of the role of actors in other settings as well, including (comparative) analyses of other Presidencies with different country-specific characteristics or other types of policies, but also agency and decision-making mechanisms in other EU institutions. Second, the method applied for measuring Presidency influence – based on an assessment of goal achievement, ascription, and political relevance – could be used in future studies on the influence of the Presidency, but also of other types of agents in different settings in or outside the EU. Finally, following the article's main aim to provide a more nuanced picture of Presidency influence by unpacking the Presidency's influence along three dimensions (type of influence, forums, type of policy), further research could apply this analytical distinction when examining the influence of other Presidencies and in other policy areas. Also in internal EU policies, the Presidency may be found to exert different types of influence depending on the institutional environment and the policy area.

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## List of Interviews

- Interview 1. Permanent Representation of Latvia to the EU, Brussels, 20 January 2012.
- Interview 2. Permanent Representation of Poland to the EU, Brussels, 27 January 2012.
- Interview 3. Permanent Representation of Poland to the EU, Brussels, 31 January 2012.
- Interview 4. Permanent Mission of the Netherlands, Brussels, 14 February 2012.
- Interview 5. Permanent Representation of Poland to the EU, Brussels, 14 February 2012.
- Interview 6. General Secretariat of the Council of the EU, Brussels, 2 April 2012.
- Interview 7. General Secretariat of the Council of the EU, Brussels, 3 April 2012.
- Interview 8. European External Action Service, Brussels, 18 April 2012.
- Interview 9. General Secretariat of the Council of the EU, Brussels, 19 April 2012.
- Interview 10. Hungarian Ministry of Foreign Affairs, Budapest, 8 May 2012.
- Interview 11. Hungarian Ministry of Foreign Affairs, Budapest, 11 May 2012.
- Interview 12. Polish Ministry of Foreign Affairs, Warsaw, 14 May 2012.
- Interview 13. Polish Ministry of Foreign Affairs, Warsaw, 20 May 2012.
- Interview 14. Polish Ministry of Labour and Social Policy, Warsaw, 18 May 2012.
- Interview 15. Polish Ministry of Transport, Construction and Maritime Economy, Warsaw, 22 May 2012.
- Interview 16. Polish Ministry of Foreign Affairs, Warsaw, 23 May 2012.
- Interview 17. European External Action Service, Brussels, 31 May 2012.
- Interview 18. European Commission, Brussels, 16 October 2012.
- Interview 19. European Commission, Brussels, 24 October 2012.
- Interview 20. European Commission, Brussels, 7 November 2012.
- Interview 21. European Commission, Brussels, 21 November 2012.
- Interview 22. European Commission, Brussels, 23 November 2012.