

EU-27 WATCH



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On the project

Due to the new treaty provisions of the Lisbon Treaty and the economic crises the enlarged EU of 27 member states is on the search for a new *modus operandi* while also continuing membership talks with candidate countries. The EU-27 Watch project is mapping out discourses on these and more issues in European policies all over Europe. Research institutes from all 27 member states and the four candidate countries give overviews on the discourses in their respective countries.

The reports focus on a **reporting period from December 2009 until May 2010**. This survey was conducted on the basis of a questionnaire that has been elaborated in March and April 2010. Most of the 31 reports were delivered in May 2010. This issue and all previous issues are available on the EU-27 Watch website: www.EU-27Watch.org.

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Editorial Team

Publisher: Prof. Dr. Mathias Jopp
Executive Editor: Dr. Katrin Böttger
Managing Editor: Julian Plottka
Editorial Staff: Daniela Caterina, Gregory Kohler, Christoph Kornes
Layout: Matthias Jäger

Contact: info@EU-27watch.org
www.EU-27watch.org

 Institut für
Europäische Politik
Bundesallee 23
D-10717 Berlin
Tel.: +49/30/88.91.34-0
Fax: +49/30/88.91.34-99
E-mail: info@iep-berlin.de
Internet: www.iep-berlin.de

Portugal**The Implementation of the Lisbon Treaty from a Portuguese perspective**Luis Pais Antunes*

The instability which resulted from the new political scenario¹ together with the worsening of economic and social conditions clearly marked the first semester of 2010 and, most probably, will continue to be at the centre of Portuguese politics until next year's summer.² As a result of this, the European debate in Portugal was far from active in most recent times and, to a large extent, limited to Europe's response to the economic and financial turmoil.

Initial reaction to the appointments of Herman Van Rompuy, as the new President of the European Council, and of Catherine Ashton, as the new High Representative of the Union for Foreign Affairs and Security Policy, was far from enthusiastic. Some spoke about "perplexity" and "shock" all over Europe, while others considered that the real problem did not lie in the personalities which were chosen but in the Treaty of Lisbon itself, as it did not simplify the functioning of European institutions, but instead added new European top representatives to the existing ones, i.e., the President of the Commission and the head of state or government of the member state holding each rotating presidency.³

Since that initial moment, things do not seem to have substantially changed. The general impression is that Europe is facing a very complicated period in its life and appears to be incapable of adopting the necessary measures to move forward. This is particularly true from an institutional point of view, as there are no real signs that the new "balance of powers" resulting from the Lisbon Treaty has come into force. The main feeling is that the existence of a new President of the European Council and of a new High Representative of the Union for Foreign Affairs and Security Policy – who is also the Vice-President of the European Commission – just added two new players to an already complicated puzzle where there are too many people in the driver's seat.

Former President Mário Soares⁴ expressly states that Europe has no single command, "the confusion being now even greater" with the new President Van Rompuy, "the English diplomat, Catherine Ashton", the President of the Commission, Barroso, and the transition between Zapatero and Leterme in the framework of the rotating presidencies. He accuses the 27 member states of the Union and the 16 of the Eurozone, in particular Germany, France, and the United Kingdom, as well as Spain and Poland, of being incapable of reaching a convergent and concerted strategy to face the crisis. The governor of the European Central Bank, Jean-Claude Trichet, qualified as being "a Frenchman who is pretty much in favour of Germany". He is also accused of adopting very restrictive measures to reduce the deficits and public and private debts, as well as forgetting the people, the rising unemployment, poverty and social exclusion.

Using different words, the President of the Portuguese Republic, Anibal Cavaco Silva, also addressed the same issues at the 25th anniversary of the signature of Portugal and Spain Accession Treaties by stating that "the European integration is weakened by the lack of a strategic direction and failures of responsibility and solidarity both by member states and European institutions", concluding that it is necessary to give an impulse to the economic union ("the weakest link of the European Union") and to the Euro, without which "the survival of the European project may be at risk".

One of greatest uncertainties created by the entering into force of the Lisbon Treaty was the outcome of the rotating presidencies in the new institutional scenario. It is true that no substantial changes were expected from the very beginning and 2010 was already anticipated as being a sort of "transitional period", but there was some curiosity on how this "two-headed" presidency would work in practical terms. It is still too soon to draw any conclusions. The Spanish Presidency seemed to be quite distant from the expectations, which might be explained by the country's very complex internal situation with a rate of unemployment over 20 percent, a significant economic downturn and substantial problems in public finance. In any case, the European agenda in this first semester was clearly dominated by the "Greek problem" and the need to find a prompt response to the severe challenges that most – not to say all – European economies are facing. This is clearly the kind of situation where the role of a rotating presidency could be secondary.

* Instituto de Estudos Estratégicos e Internacionais.

Apparently, everybody is very cautious about the future of rotating presidencies and it seems that there is a consensus that we will have to wait sometime before being in a position to draw any definitive conclusions. Ultimately, the success of this model will depend on the affirmativeness of the President of the European Council and on the finding of a sound balance between his powers, the powers of the High Representative – who chairs the Council for Foreign Affairs – and the powers of the heads of state and government of the presiding member state. Any significant breach of this balance will, inevitably, lead to an institutional crisis and to the risk of “parallel diplomacy”.

Contrary to some other member states, the setting up of the European External Action Service (EEAS)⁵ was not a matter of great debate in Portugal, as it was generally seen as complementary to national diplomacy. As explained by the Minister for Foreign Affairs, Luis Amado, at the beginning of the year, “we do not see the European [External Action] Service as a limitation to the action of the member states, but rather as a complement that may reinforce said action. For a country like Portugal, it is possible to express its interests through that service in several regions of the world. It is true that the great member states will have more relevance in the projection of their interest, but that’s the reality”.⁶

It is expected, however, that some controversy may arise after the designation of the future European ambassadors, in particular if the final result of this exercise does not recognise the privileged relationship which exists between Portugal and some regions of Africa and South America or if it is considered as a “downgrade” when compared to the actual situation (the current heads of the European Commission delegations, for instance, in Angola and in Brazil are Portuguese nationals).

More recently, Amado also addressed this issue in another interview where he stressed the fact that thirty Portuguese diplomats were among the candidates to the EEAS and that he is expecting that the designations will be based upon their merits and respect for a sound balance between the different member states. In particular, Amado stated that, besides João Vale de Almeida, former chief cabinet of the President of the Commission and now EU Ambassador to the USA in Washington, the Portuguese government would be pleased to stay represented in Angola and Brazil, although it recognises that it is not directly involved in the selection procedure.⁷

The debate on the European Citizens’ Initiative (ECI)⁸ is almost inexistent so far. Apart from some few articles published in the press or in blogs⁹ after the European Commission presented the proposal defining the rules and procedures for the ECI at the end of March 2010, it is quite difficult to find any references to the initiative and even official institutions appear not to pay great attention to this subject. Recent experiences – such as the 2009 European Citizens’ Consultation organised in Portugal by the Instituto de Estudos Estratégicos e Internacionais (IEEI) – tend to show that, although this kind of initiatives is highly appreciated, the degree of effective participation is clearly below expectations.

¹ See the Portuguese chapter on current issues.

² The five year term of the President of the Republic, Aníbal Cavaco Silva, is coming to its end, a new election is scheduled for the beginning of 2011. The Portuguese Constitution does not allow for the dissolution of Parliament and a subsequent general election during the last six months of the presidential term.

³ Teresa de Sousa/Isabel Arriaga e Cunha, *Público*, 21 November 2009. Former President Mário Soares also criticised the appointment of Herman van Rompuy by stating that “Europeans in general don’t know who he is, and that’s a bad thing”.

⁴ *Visão*: Europe: from bad to worst, 15 July.

⁵ Proposal for a Council Decision establishing the organisation and functioning of the European External Action Service, 25 March 2010, available at: http://eeas.europa.eu/docs/eeas_draft_decision_250310_en.pdf (last access: 30 March 2010).

⁶ Interview in the newspaper *Público*, 3 January 2010.

⁷ Interview in the newspaper *Expresso*, 24 July 2010.

⁸ European Commission: Proposal for a Regulation of the European Parliament and of the Council on the citizens’ initiative, COM (2010) 119, available at: http://ec.europa.eu/dgs/secretariat_general/citizens_initiative/docs/com_2010_119_en.pdf (last access: 6 April 2010).

⁹ See, for instance, Eva Gaspar: *Quer fazer uma nova lei europeia?*, *Jornal de Negócios*, 31 March 2010; Isabel Estrada: [Iniciativa de Cidadania Europeia - precisamos mesmo de mais instrumentos?](#), *Correio do Minho*, 25 March 2010; [Cidadania Europeia: O Novo Direito de Iniciativa Popular](#), *Jovem Socialista*, the official blog of the Socialist Youth newspaper.

Questionnaire for EU-27 Watch, No. 9

Reporting period December 2009 until May 2010 – Deadline for country reports 21 May

All questions refer to the position/assessment of your country's government, opposition, political parties, civil society organisations, pressure groups, press/media, and public opinion. Please name sources wherever possible!

1. Implementation of the Lisbon Treaty

On the 1 December 2009 the EU-reform ended with the entering into force of the Lisbon Treaty. However, the new treaty provisions still have to be implemented. Some procedures and conditions have to be determined. In other cases, procedures, power relations, and decision-making mechanisms will change due to the new provisions.

- How is the work of the new President of the European Council, Herman Van Rompuy, assessed in your country? Which changes to the role of the rotating council presidency are expected?
- How is the work of the new High Representative of the Union for Foreign Affairs and Security Policy, Catherine Ashton, assessed in your country? Please take into particular consideration both her role within the European Commission and her relationship to the Council of the European Union.
- On 25 March 2010 a "Proposal for a Council Decision establishing the organisation and functioning of the European External Action Service" was presented. How is this concept perceived in your country? Which alternatives are discussed?
- On 31 March 2010 the European Commission presented a proposal defining the rules and procedures for the European Citizens' Initiative (ECI). What are the expectations for the ECI in your country? What are the various positions concerning the rules and procedures?

2. Enlargement and European Neighbourhood Policy

The European Commission has given its opinion on Iceland's application for EU-membership and a decision from the Council is expected before the end of June. Croatia seems to have settled its border dispute with Slovenia. Against this background:

- Which countries does your country expect to become members of the European Union in the next enlargement round? What are the opinions in your country on the membership of these countries?
- How are the membership perspectives of those countries discussed, which are not expected to become a member in the next enlargement round?

The Eastern Partnership and the Union for the Mediterranean were the last major projects dealing with the European neighbourhood:

- How are these projects assessed in your country?

3. European economic policy and the financial and economic crisis

The European Council agreed on 25/26 March on the key elements of the Europe 2020 strategy, the successor of the Lisbon strategy. While not being on the formal agenda the economic and financial situation in Greece was discussed. The European Council agreed on a finance package combining bilateral loans from the eurozone and financing through the International Monetary Fund.

- How is the finance package for Greece assessed in your country? Are there any opinions on the process, how the agreement on the package was reached?
- Which lessons should be drawn from the Greek case for a reform of the Stability and Growth Pact?
- How is the idea of "a strong coordination of economic policies in Europe" perceived in your country? What concepts of an European economic governance are discussed in your country and which role do they assign to the Euro group?
- How is the Europe 2020 strategy discussed in your country? What are the priorities for the Europe 2020 strategy from your country's perspective?

4. Climate and energy policy

The climate conference in Copenhagen took note of the Copenhagen Accord but did not reach a binding agreement. The next conference of the parties (COP 16 & CMP 6) will take place at the end of November 2010.

- How is the Copenhagen conference assessed in your country? Please take into consideration the negotiation strategy of European Union and the results of the conference.
- Does the European Union need to change its own energy and climate policy in order to give a new impulse to the international negotiations?
- Is a global agreement within the UNFCCC the best strategy to fight climate change? If not, which alternative strategy should the European Union follow?
- What is your country's position on financing mitigation and adaptation efforts in developing countries?

5. Current issues and discourses in your country

Which other topics and discourses are highly salient in your country but not covered by this questionnaire?