

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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Spain**Implementation of the Lisbon Treaty under the Spanish Presidency****Ignacio Molina***

Spain chaired the EU Council of ministers during the first semester of 2010,¹ thus completing the first rotating presidency of the EU to be held under the Lisbon Treaty. From an institutional point of view – and much more from a substantive point of view, as is analysed in other sections of this EU-27 Watch report considering the rough economic circumstances of Europe and Spain – the task was not easy at all.

First of all, the Spanish Presidency was responsible for the implementation of very important innovations included in the new Treaty, such as the launching of the European External Action Service (EEAS), the approval of the European Citizens' Initiative (ECI) or the way itself in which the rotating presidency exercises its functions: a completely new scheme of functions with less political leeway and media visibility, but with a greater need to ensure coordination of the entire inter-institutional system.

Secondly, even if the two new permanent EU top jobs – the President of the European Council and the High Representative of the Union for Foreign Affairs and Security Policy – had already been appointed in November 2009 under the Swedish Presidency, the definition of the role and the goals of both Herman Van Rompuy and, particularly, Catherine Ashton remained unclear until the first months of 2010.

Finally, uncertainties in the EU's institutional workings worsened further because of the two-month delay in getting the new European Commission under José Manuel Durão Barroso up and running. This caused a subsequent delay in all legislative initiatives for implementing Lisbon.

Nevertheless, despite these three obstacles, the terms of the Lisbon Treaty began to be applied smoothly in the first half of the year, and the institutional goals of the Spanish Presidency's ambitious programme were achieved almost completely.

Despite some minor incidents involving a lack of coordination and small clashes in the distribution of functions among the new officials – conveniently blown out of proportion by some media that confused the complexities of the new system with alleged rivalries between Van Rompuy and the Spanish Prime Minister, Jose Luis Rodriguez Zapatero, or between Ashton and the Spanish Foreign Minister Miguel Ángel Moratinos – this semester established a good precedent for co-habitation between the permanent and rotating presidencies. The link between the General Affairs Council and the European Council worked, and the Spanish Prime Minister accepted Van Rompuy's role of leadership and mediation among heads of state or government, appearing with him – and the President of the Commission – at news conferences after the European Council or summits with other countries when they were held in Spain. The holding of direct, personal meetings before major European or international events cleared the way for the two men to work well together.² In any case, this harmony should consolidate further in future presidencies.

The agreement establishing the EEAS was probably the major institutional achievement of the Spanish Presidency. On 26 April 2010, the Council approved a political agreement on the broad outlines of the service, based on a draft presented in March 2010 by the High Representative. In May and June 2010, on behalf of the Council, Ashton and Moratinos negotiated the issues of political control, budget and staffing with the main groups in the European Parliament. Finally, an accord was reached in Madrid on 21 June 2010 that might be ratified by a plenary session of the Parliament and thus possibly allow for the EEAS to be launched on 1 December of this year, coinciding with the first anniversary of the Treaty of Lisbon's coming into force. The plan creating the service calls for deploying more than 6,000 people in 138 diplomatic missions around the world over the next five years.³

While the EEAS was being negotiated – and, thus, not yet up and running – the Spanish Presidency had to undertake a transitional semester in terms of foreign policy. The two new authorities

* Elcano Royal Institute.

established by the Treaty had not yet been able to define their own goals. For this reason, the Spanish Prime Minister and Foreign Minister played a greater role than their colleagues of future rotating presidencies will. On the other hand, and little by little, the Commission's delegations abroad were being transformed into official delegations of the EU, but, consequently, the network of Spanish embassies continued to represent the EU in a special way in several places around the world.

Another interesting achievement of the semester was the regulation of the ECI called for in the Treaty. Here, the Presidency deserves credit for having pressed the new European Commission, which was not formed until February, to make up for lost time. Thanks to this pressure, on 31 March 2010 the Commission presented the draft on regulating the European Citizens' Initiative, a month ahead of schedule. Now it has to work its way through the European Parliament and the Council in the usual procedure. This timetable means that definitive approval will come some time after the Spanish Presidency is over. Still, no major changes in the draft are expected. Thus, European citizens will be able to propose legislative reforms directly to the Commission as long as they come up with a million signatures in the space of one year from a third of the member states, representing at least 0.2 percent of the population of each of those states.⁴

¹ With the exception of the External Affairs Council, which is no longer chaired by the rotating Presidency, but by the High Representative.

² The Spanish Prime Minister Zapatero and President Van Rompuy met twice, in Madrid and Brussels, before the start of the semester to clarify their respective functions. They also co-signed an op-ed article, published in Europe's leading newspapers in early January, to present to the Union's public opinion the new institutional order established by the Treaty; the article was titled '2010, a Good Year for the Union'. It is available at:

https://www.eu2010.es/export/sites/presidencia/comun/descargas/noticias/Artxculo_integro_zapatero-rompuy-EN-pdf-pdf.pdf (last access: 29 July 2010).

³ See the agreement on the European diplomatic service by the Council at:

www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/genaff/114045.pdf (last access: 29 July 2010).

⁴ See the Commission proposal for a Regulation of the European Parliament and of the Council on the citizens' initiative at: http://ec.europa.eu/dgs/secretariat_general/citizens_initiative/docs/com_2010_119_en.pdf (last access: 29 July 2010).

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?