

Department of Political Science

# The quest for power in the European Union

A heuristic case study exploring the factors that influence the  
Presidency's ability to shape the agenda

Mikael Ljungblom

# Abstract

Building on previous work on the agenda-shaping powers of the Council Presidency, this heuristic case study identifies and explores a set of important factors that influence the Presidency's ability to shape the EU-political agenda. The primary material consists of a set of interviews with Portuguese and Commission officials, treating the Portuguese Presidency in 2007. Four main findings are discussed; the importance of the General Secretariat of the Council of Ministers, the effects of a new institutional setting called the Trio of Presidencies, the importance of the Presidency's informal relations with other actors, and finally, the implications of the size and the resources of the country holding the Presidency. Of the findings, the importance of the Secretariat and the effects of the Trio of Presidencies have not before been noted in the literature. When the country holding the Presidency has scarce resources, the Secretariat disposes over a set of instruments that seem to allow it to extort the Presidency into sharing some of its agenda influence. The Trio of Presidencies seems to expand the agenda-shaping powers of the Presidency, through greater cooperation with other Trio-members, and through the usage of Trio-language when negotiating in the Council.

*Key words:* Council Presidency, European Union, Agenda-setting, Agenda-shaping, power, Council Secretariat

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# 1 Introduction

*“Never let the other fellow set the agenda”* - James Baker, former US secretary of state.

Controlling the formal political agenda means to exercise a fundamental type of power. Through deciding the issues that become subject to formal decision-making, topics with uncertain outcome can be avoided (Bachrach & Baratz in Hay 2002: 174-5). In addition, the actor raising the awareness of a problem will have a possibility to define the nature of the problem, thereby narrowing the course of action towards a certain direction (comparing Kingdon 1984 in Tallberg 2003: 22).

Today, the European Union has approximately 493 million inhabitants (Swedish Riksdag). According to Swedish minister for EU-affairs, Cecilia Malmström, six out of ten issues being treated in the municipalities or county councils are directly or indirectly influenced by decisions taken at EU-level (2007). Judging from this, the societal importance of what issues are being subject to formal decision-making in the EU seems vast. Nevertheless, very little has been written about agenda-setting in the EU, and even less has been produced on the agenda-setting powers of the Council Presidency. Jonas Tallberg (2003) has made the, to my knowledge, only attempt to explore the possibilities of the Presidency to shape the agenda. Other efforts on agenda-setting in the European Union include Peters (2001), Pollack (1997), and Princen (2007).

## 1.1 Purpose and Problem

What instruments does the Presidency have at hand to influence the EU agenda? This question is roughly the main theme of the article *“The agenda-shaping powers of the Council Presidency”*, written by Jonas Tallberg (2003). In the article, Tallberg identifies a number of potentially important instruments available to the Presidency and convincingly demonstrates how these may be used to influence the agenda. However, not much is said about the possibilities or limitations for the presidency to make use of these instruments. Do all Member States have the same opportunities to influence the agenda during these six months? A central contention of this thesis is that they do not. The Council Presidency can be seen as an instrument that Member States are given access to for six months, and which can be used to exert influence over the EU political agenda. Depending on several different factors, the Member State holding the Presidency might be more or less successful in its ambitions to shape the agenda.

The central purpose of this thesis is to identify these different factors, and to explore the dynamics surrounding them.

Therefore, I will examine the following question:

*Which factors are most important for- and in what ways do they affect -the Presidency's ability to shape the EU-political agenda?*

To answer this question, I will do a heuristic case study of the Portuguese Presidency in 2007. Through this, I will in detail show how the Presidency's informal relations with other actor's, its resources, and its size can affect its ability to shape the agenda. In addition, I will point to the importance of a neglected actor's influence over the Presidency's work and agenda-shaping ability. Finally, I will explore an institutional setting, new for the Presidency, which alters the dynamics of its agenda-shaping possibilities.

## 1.2 Disposition

In section 2, I will discuss my methodological choices. In section 3, I will present and critically asses the theoretical foundations for this study. In section 4, I will put forward and examine the different factors identified as important for the Presidency's ability to shape the agenda. In section 5, I will sum-up and discuss my findings, as well as proposing suggestions for future research.

## 2 Methodology

### 2.1 Underlying assumptions and definition of concepts

I have adopted a rational choice institutionalist perspective. In accordance with the chosen perspective, political actors are trying to maximize their own utility, considering the actions of the other players, whilst at the same time being constrained or helped by the institutional settings surrounding them (Comparing Aspinwall & Schneider 2000: 11).

The term agenda is understood as “a set of issues that are seriously considered in a polity” (Princen 2007: 28). While there are several types of agendas, whenever the term agenda is used in this study, it refers to the “formal” or “political” agenda, defined as “the set of issues that are seriously considered by decision-makers” (Ibid: 29).

Whenever resources are referred to, it should be understood as fiscal resources.

### 2.2 Method

In this study, I will examine an unexplored area. To be able to actively seek out future generalizable relations while at the same time disposing over scarce resources, I have chosen to perform a hypothesis-generating case study, hence giving the study theoretical value (comparing Lijphart 1971: 691-2, Eckstein 1992: 143). Through conducting a heuristic case study, my results will not consist of generalizable facts in a strict sense; further research will have to be made. However, the study should provide important insights of what dynamics and what factors can affect the Presidency’s possibilities to shape the EU-political agenda. This, in turn, can be valuable as a basis for future research on both agenda-shaping and the role of the Presidency in the European Union.

## 2.3 Choice of case and theory

The case I will investigate is the 2007 Portuguese Presidency of the Council of Ministers. I chose the Portuguese Presidency as my case of study because of my privileged position<sup>1</sup>. My position was particular both in regards to trying to get interviews for my study but also because of my orientation in the cultural and political setting. During my work on this study, I discovered that there were other positive implications in studying the Portuguese case. For example, I was given the opportunity to perform all of the interviews within three weeks after the Portuguese Presidency had ended, while the interviewees still had the details fresh in mind.

In a heuristic case study, one is not as theoretically bounded as in many other types of studies. This is because the very purpose of a heuristic case study is to generate hypotheses, which can form the basis of new theory (Lijphart 1971: 692, Eckstein 1992: 143). The choices of theory and of theme for this study are intertwined; when choosing my theme, I implicitly chose to build upon Tallbergs conception of the Presidency's agenda-shaping powers.

## 2.4 Evaluation of material and sources

The empirical material in this thesis mainly comes from six qualitative interviews with officials in the Portuguese administration and the Commission. The choice to use interviews as my primary mode of collecting material is motivated by the fact that I am studying an unexplored field, and therefore do not know which areas or categories are important (Esaiasson et al 2004: 281). All of the interviews were made within three weeks after the 2007 Portuguese Presidency, making the material highly contemporary (Esaiasson et al 2004: 310). The interviewees were chosen in consultation with the Swedish diplomatic mission to Portugal, and selected based on their functional positions as well as their involvement in the agenda-shaping activities of the Presidency. They were chosen because they were "centrally placed sources" for my subject of study (Esaiasson et al 2004: 286). The following persons were interviewed:

- *Rui Macieira*, Deputy Director General, Directorate General of European Affairs, Portuguese Ministry for Foreign Affairs.
- *Maria João Botelho*, Deputy Director General, Directorate General of European Affairs, Portuguese Ministry for Foreign Affairs.

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<sup>1</sup> I was an intern at the Embassy of Sweden in Lisbon during two periods in 2007.

- *Carla Alexandra Santos*, Advisor on European Issues to the minister of Science, Technology and Higher Education, Portuguese Ministry for Science, Technology and Higher Education.
- *Miguel Cabrita*, Advisor on European Issues to the minister of Labour, Portuguese Ministry for Labour.
- *Margarida Marques*, Head of office of the European Commission Representation in Portugal.
- *Ana Filomena Rocha*, assistant EU-correspondent, Portuguese Ministry for foreign affairs.

Before every interview, the purpose of the interviews was briefly explained, classifying the interviews as “open” (Kvale 1997: 119). They were performed around the same themes with the same initial set of questions. However, the interviewees were given considerable freedom to elaborate on what they deemed important, and depending on the subjects, they were asked different types of follow-up questions. In this sense, the interviews were semi-structured (Kvale 1997: 121).

Due to the sensitivity of political matters in general, and government officials’ statements on their relations with other countries in particular, the interviewees were given anonymity, to the extent that they will not be quoted or referred to by name in the text. I took this decision in order to create a more favourable environment for openness. However, on the most sensitive issues answers still might be somewhat condensed (Esaiasson et al 2004: 312). Another issue is the possible bias of answers towards more favourable descriptions of the Presidency’s own performance (Esaiasson et al 2004: 312). This might be harder to handle. However, since the issues of the interviews do not include any explicit valuing of whether the Portuguese Presidency was a success or not, the incentives for these types of biases are not very large.

Due to the fact that the interviewee’s answers will be anonymous, I have opted to interview mainly Portuguese officials, apart from the Commission official. This might make the material more vulnerable to effects of self-favouring bias. However, it will also make it easier for the reader to spot these biases and critically assess the result and reasoning of the thesis, as it will be clearer from where the material emanates.



## 3 Theoretical foundation

In this section, I will first carry out an overview of Tallbergs conception of agenda-shaping. Thereafter I will critically asses his reasoning and define my usage of his conception of agenda-shaping.

### 3.1 The agenda-shaping powers of the Council Presidency

Tallberg, who adopts a rationalist-institutionalist perspective, argues that a Member State through holding the Council Presidency is provided with a number of instruments to influence the EU policy agenda.

One key point of his notion on agenda influence is that power is being wielded not only through the introduction of new issues on to the agenda, but also by the blocking of new issues and the structuring of issues already on the agenda. He names this conception of agenda influence *agenda-shaping*, within which he distinguishes between three different forms of agenda influence: *agenda-setting*, *agenda-structuring* and *agenda-exclusion* (2003: 21).

#### 3.1.1 Agenda-setting

Tallberg sees agenda-setting as it is presented in the “standard accounts”. The emergence of new issues on the agenda are facilitated through a policy entrepreneur, who couples three necessary streams of activities: the recognition of a problem, the development of policy proposals, and the recognition of a receptive political climate. Generally, an issue is raised by the policy entrepreneur through providing information and the promoting of specific problem definitions. When a policy window emerges, a pre-prepared proposal is pushed for (comparing Kingdon, 1984 in Tallberg, 2003: 22). According to Tallberg, the Presidency holds a set of instruments allowing it an, albeit implicit, power of initiative, which qualifies it as a policy entrepreneur.

One of these instruments is the possibility for the Presidency to raise the awareness of problems that have been neglected in the EU cooperation. The Presidency is equipped with a “problem formulation prerogative”, allowing it to “frame and define concerns that deserve collective attention” (Svensson 2000:24 in Tallberg, 2003: 23). The means that the Presidency has to do this include setting the agenda of the informal meetings, including a subject in its Presidency

program, and paying particular attention to a certain region through its role as the EU's external relations representative.

A second instrument at the Presidency's disposal is its privileged opportunities to "develop concrete proposals for action" in response to problems already on the agenda. The framing possibility that the Presidency enjoys is, depending on the institutional context (i.e. which pillar), more or less dependent on the relation with the Commission (Tallberg 2003: 24).

The third instrument the Presidency has at hand is the development of new institutional practices, which will "structure future co-operation and decision-making" (Ibid: 25).

### 3.1.2 Agenda-structuring

Agenda-structuring is the art of emphasizing or de-emphasizing issues already on the agenda and, according to Tallberg, "the true power of the chair". He argues that agenda-structuring is particularly important in a political system such as the EU, where a long period of time usually goes between the moment an issue appears on the agenda and a decision is taken. In addition, issues unusually disappear from the agenda, once having been the target of a policy decision. This has the consequence that few issues on a policy agenda are entirely new (Ibid: 25).

There are, according to Tallberg, three different main dimensions along which the Presidency structures the agenda in accordance with its own national preferences; regional priorities, socio-economical priorities, and constitutional priorities. The Presidency derives its structural powers from procedural control. These instruments include the Presidency's capacity to: set the frequency of meetings, decide the agenda of the informal meetings, and to structure the actual meeting agendas (Ibid: 26-27).

### 3.1.3 Agenda-exclusion

Agenda-exclusion refers to the different ways of blocking issues from the agenda that the Presidency enjoys. There are three main forms through which the Presidency might block an issue from the agenda; it can remain silent on a subject, exclude items from the decision agenda of the council, and present impossible compromise proposals to the council. The exclusion of issues from the decision agenda can be achieved through the Presidency's procedural control. Simply put, the Presidency can refuse to pick up a dossier. However, this might draw heavy criticism on the Presidency. On occasion, the Commission plays an associated role in such agenda-exclusion activities. If the Presidency signals to the Commission that it is not very interested in a dossier, the commission might put less effort in to it (Ibid: 29-30).

## 3.2 A critical assessment of the theoretical foundation

Tallberg (2003: 21) argues that the three different forms of agenda influence are “mutually exclusive in logical and conceptual terms”. However, one may also argue that they are all intertwined and part of the same kind of processes taking place when the Presidency is engaged in agenda-shaping activities. As Sebastian Princen (2007: 33) notes, it may be very easy to get an issue on the agenda, while moving it further up could prove to be a completely different story. Therefore, Tallberg’s conception of agenda setting is strongly connected to his conception of agenda structuring; a Presidency will have to make use of both in order to succeed with raising an issue high enough on to the agenda for it to matter. Most times, the distinction will be quite hard to make. Consider for example the Portuguese Presidency’s priority of Brazil, demonstrated by the summit organised with the country on July 4, 2007. Was Brazil already on the agenda, which would categorise the Portuguese activity as agenda structuring, or was it a new issue, categorising it as agenda setting? Moreover, if the activities conducted by the Portuguese Presidency were the same, does it really matter for the analysis of the procedures leading to the shaping of the agenda?

You might apply the same reasoning at the other end of the agenda-structuring scale. If there is an issue that the Presidency is not interested in dealing with, it will try to push the issue as far down on the agenda as possible, with the ultimate success being excluding it from the agenda. How far down on the agenda would an issue have to be pushed for it to qualify as excluded? And, again, does the distinction really matter for the understanding of how agenda influence works if the means of the Presidency are the same no matter the level of success?

My argument is reinforced by Tallberg himself, as he lists the same instruments available to the Presidency under several of his mutually exclusive forms of influence. For example, the Presidency’s possibility to pay particular attention to regions is noted as an instrument under both agenda-setting and agenda-structuring (Tallberg 2003: 23, 26). In addition, the Presidency’s ability to exclude unexpected issues from the agenda is put forward under both agenda-setting and agenda-exclusion (Ibid: 23, 29). Tallberg also states that “The Presidency’s source of power in structuring the agenda is its procedural control” (Ibid: 27). However, this procedural control is also the source of power for agenda exclusion, when the Presidency refuses to pick up a dossier (Ibid: 29). Furthermore, Tallberg lists the power to decide the agenda and the themes of the informal meetings as one of the instruments available for the Presidency under agenda-structuring. One might argue that this instrument would fit equally well under agenda-setting, if not better, as it is truly a good opportunity to “*raise the awareness of problems hitherto neglected*” (Comparing Tallberg, 2003: 23). As it seems, the different forms of agenda-influence are quite entangled with each other.

By this, I am not suggesting that the instruments that Tallberg states as available to the Presidency under the agenda-shaping umbrella are not relevant. Indeed, this study suggests that they are very accurate. However, several of my interviewees state that there is a need to work quite hard on as many different levels as possible to influence the agenda (interviews), suggesting that the Presidency may have to use several instruments from Tallbergs different categories to promote or downplay one single issue.

One reason for Tallbergs categorisation of different forms of influence might be to explicitly promote his notion that equal influence is exerted over the agenda by excluding or downplaying issues as by adding or prioritising issues. While I fully stand behind this reasoning, I will not use Tallbergs distinctions of agenda shaping as it would complicate the analysis in an unnecessary way. Instead, I will simply use his umbrella concept; agenda-shaping, including all the different instruments therein.

## 4 Learning from the Portuguese Presidency of 2007

*“The big thing that a country holding the presidency has is that it is the owner of the agenda”* – Portuguese official

On a general note, as suggested in the quote, the interviewees confirm the power of the Presidency to shape the agenda. Topics were emphasised or put on to the agenda (interviews). The two main issues being what Tallberg names regional issues, namely Africa and Brazil. In addition, issues have been blocked from the agenda through the refusal of the presidency to touch them (interview, Portuguese official), and Issues have been framed to fit the wishes of the Presidency (interview, Portuguese official). In sum, my own material generally strengthens Tallbergs perception of the agenda-shaping powers of the Presidency. In the following sections, I will explore which factors where of importance to the Portuguese Presidency in its agenda-shaping ambitions, and how they matter.

### 4.1 Important factors for the Presidency’s agenda-shaping ability

In this section, I will identify and examine a number of factors with importance for the Presidency’s agenda-shaping ability.

#### 4.1.1 Size and resources

Resources seem to matter for the Presidency’s possibilities to influence the agenda. The agenda that a Presidency inherits is very heavy, and as the Presidency is obliged to deal with a large number of already determined issues, the resources available to promote its own priorities decreases (interview, Portuguese official). Therefore, it is not only a lack of space left on the agenda that limits the possibilities for the Presidency, it is also a lack of resources to promote the Presidencies own priorities. For a country with more resources available, the

weight of the agenda will not be as limiting as for a country with fewer resources at hand.

In addition, resource-availability may affect the possibilities for agenda-shaping through the local presidencies in third countries<sup>2</sup>. A country with fewer embassies abroad will have to rely on information from other Member States to a larger extent, as another Member State will have charge of the local Presidency in countries where the Presidency does not have diplomatic representation. This will make information pass through the capital of the Member State in charge of the local Presidency, allowing the information to be filtered before it reaches the hands of the Presidency (interview, Portuguese official). With less accurate information, it will be harder for the Presidency to, for example, identify a receptive political climate, and thus make it more difficult to influence the agenda.

However, fewer resources might also have positive effects for a Presidency's agenda-influencing capabilities. Some Portuguese ministries that normally were more focused on the national agenda were forced to divert attention to the EU-agenda. With more attention and emphasis directed to EU-subjects the possibilities for agenda influence increased (interview, Portuguese official). This implies that by holding the Presidency, in particular smaller countries, with already limited budgets, will increase the possibilities for agenda influence during the Presidency semester, in areas where the ministries normally are more devoted to the national agenda.

Finally, the amount of resources a Presidency has will affect its capacity to decide whether to lean more or less on the Council Secretariat. This will be treated in detail in section 4.1.3. concerning the Secretariat

Concerning the size or, more accurately, the population of Member States, larger countries are suggested to have more influence through the institutional setting. In general, the larger the population of a Member State, the more MEP:s (Members of European Parliament) it will have. This will affect the scope for agenda-influence. As one Portuguese official puts it:

*“Sometimes we needed a Portuguese MEP in one of the committees, and we didn't have one. That was quite of a surprise, I had not thought of that. The fact that Germany or France are having 70 or 80 MEP:s virtually guarantees that there is a German or French on every single committee.”* - Portuguese official

As national MEP:s in EP committees provide opportunities to lobby the EP more effectively (interview, Portuguese official), a greater number of MEP:s can in this sense enhance a Presidency's opportunities to influence the agenda.

Nevertheless, there are advantages with being a small country as well. If one of the big countries tries to move other Member States in a certain direction, other large countries might react more to the fact that it is one of the key players proposing something, rather than on the proposal in itself (interview, Portuguese official). As a Portuguese official puts it:

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<sup>2</sup> The embassies in third countries of the Presidency represents the EU through so called “local Presidencies”.

*“In many delicate issues, if it is a big country, the other big countries will tend to look suspiciously at what’s behind and to the competition of leadership within the union. If it’s Portugal, for example, maybe things are easier because we are not regarded as a threat.”* – Portuguese official.

#### 4.1.2 EU-bureaucracy, the Commission and informal relations

According to Portuguese officials, European institutions are getting more and more bureaucratic. (interview, Portuguese official). In particular the Commission is a very complex organisation, with several different hierarchies and levels (interview, Portuguese official). This can make communication through formal channels very difficult: it takes more time and answers to the same question from the same organisation might differ. Simply put, the communication is not so efficient (interview, Portuguese official). Communication flows much easier through informal contacts, built mainly through the permanent representation in Brussels or between officials that have established contacts, than through the traditional way (interview, Portuguese official). An informal phone call is more important than a formal letter (interview, Portuguese official). In this respect, having good informal contacts is very important, as it will provide information that is more accurate and at a lower cost in terms of time and resource. This may facilitate the possibilities for the Presidency to shape the agenda. Government officials also stress the importance of the informal contacts their ministers had with the commissioners, in their respective areas, for shaping the agenda (interview, Portuguese official).

On a more general note, the commission might be of both help and of hindrance for a Presidency while trying to influence the agenda. Because of the Commission's monopoly on policy initiations in the first pillar, there is no use for a Presidency to try to raise an issue on the agenda without the consent of the Commission (interview). In this sense, the Presidency is very dependent on having a good relation with the Commission (Tallberg 2003: 24). However, while the Commission may block issues that the Presidency would have wanted on the agenda, it may also help the Presidency to block issues that it is not interested in dealing with, in effect helping the Presidency to use its procedural control to shape the agenda (Comparing Tallberg 2003: 29-30, interview). This applies even in the second pillar, as on some issues, the decision of Member States is dependent on Commission reports (Interview). A Presidency with a good relation to the Commission can ask for the presentation of reports to be delayed (interview), thereby effectively stalling the issue to the next presidency.

Portuguese officials also stress the informal relations to other Member States as important (interviews, Portuguese officials). However, it might be viewed more as a lubricator to negotiations than as a solution to problems, as one Portuguese official puts it:

*“No amount of good informal relations is going to change the position of a country, if that position is central. What good informal relations can guarantee is that there is no escalation outside or within the subject. A good personal relation can help not dramatise a difficult issue. That in itself is important because if one side starts dramatising, than the other side also starts dramatising. I often make the comparison with one of those medicines that just takes your temperature down. They won’t cure you, but they make it easier.” – Portuguese official*

In this sense, a smooth relation to the other Member States will allow the presidency to use more of its resources on its own priorities.

#### 4.1.3 The General Secretariat of the Council of Ministers

Formally the General Secretariat of the Council of Ministers has only a secretarial function, providing technical and administrative support to the Presidency (Beach 2004: 9, Christiansen 2002: 81). However, as Christiansen notes, this support includes highly political matters, such as legal and political advice to the Presidency. The Secretariat assists the Presidency in the taking of minutes in council meetings, the setting of meeting agendas and the running of meetings, and in redrafting documents that are being negotiated in the council (interviews, Portuguese officials, Christiansen 2002: 82). Several of the interviewees strongly emphasise the importance of the Secretariat and the secretary general (interviews, Portuguese officials), as it runs its own agenda (interview, Portuguese official, Christiansen 2002, Beach 2004). One official states that there was a constant need to carefully overlook papers drafted by the Secretariat, as the drafts were not always in the interests of the Presidency (interview, Portuguese official, comp Beach 2004: 11). Another Portuguese official expresses how uncomfortable it is for the Presidency to end up in the middle of a power-struggle between the Commission and the Secretariat (interview, Portuguese official). One Portuguese official puts it this way:

*“And indeed, sometimes you notice that the objectives of the Secretariat are not the objectives of the Presidency, they have their own vision of matters that may not coincide with yours. And sometimes, to find a middle ground is not it.” – Interview, Portuguese official.*

The Secretariat has a broad range of ways to either facilitate or obstruct the Presidency’s efforts to run an efficient presidency and to be able to focus on its own priorities. Within the second pillar, the Secretariat negotiates the agendas and dates of meetings with third countries. Through this, the Secretariat has the possibility to create logistical difficulties that could divert much resources from the Presidency’s own priorities. For example, if the Presidency is interested in having a meeting with a third country on a certain date, the Secretariat can simply tell the Presidency that the date was inconvenient for the third part, may it have been so or not. The same goes for the meeting agendas; if the Secretariat for some



reason does not want the presidency to discuss a particular item that is of interest to the Presidency, it can simply say that it was not possible to put it on the agenda because of the third country's preferences (interview, Portuguese official). Summed up by a Portuguese official: "...if they want to, they can make your life difficult." (interview, Portuguese official).

The Secretariat can also be more or less helpful in, for example, assisting the presidency in redrafting documents that are being negotiated in the council (interview, Portuguese official). Portuguese officials stress the importance of involving and developing a relation with the Secretariat during the preparations of the Presidency. One official underlines the importance of discussing the agendas for the council meetings with the Secretariat during their preparation, suggesting that this will pay off later on during the Presidency, in form of a more cooperative and helpful Secretariat (comp, interview, Portuguese official). For the same reason, another official highlights the importance of listening to the Secretariat while elaborating the Common Foreign and Security Policy-program (interview, Portuguese official). This implies that the Secretariat effectively may steal parts of the Presidency's agenda-influencing possibilities. The power of the Secretariat within the second pillar is underlined by the fact that the secretary general himself may conduct statements which form a part of the "overall diplomatic output" of the EU (Christiansen 2002: 90). Combined with the Secretariat's far reaching institutional memory, as opposed to the Member State taking office for only six months, the Secretariat is equipped with considerable possibilities to either obstruct or facilitate the work of a Presidency (comparing Christiansen 2002: 93).

However, the influence of the Secretariat is highly dependent on the role that the presidency allows it to play (Beach 2004: 11, Christiansen 2002 84-5). This in turn is determined largely by two factors: the resources available to the Presidency and the degree of matching of preferences between the Presidency and the Secretariat (Beach 2004: 24). For the reasoning in this thesis, the first factor is relevant. Small states generally lack the resources to run a presidency without the help that the Secretariat can provide, forcing them to delegate responsibilities in order to certify that the Presidency functions effectively (Beach 2004: 24). Portuguese officials, who state that the Presidency can decide to lean more or less on the Secretariat, depending on its own capacities, confirm this (interviews, Portuguese officials). This suggests that Member States with more resources have larger agenda-influencing capabilities than other Member States as they will not be as dependent on the Secretariat.

#### 4.1.4 The Trio of Presidencies

*"Every 18 months, the three Presidencies due to hold office shall prepare, in close cooperation with the Commission, and after appropriate consultations, a draft programme of Council activities for that period."* – Council of the European Union, September 2006 (German Presidency homepage).

The draft programme is generally known as the “Trio-programme” and the three presidencies together as “the Trio of Presidencies”. The aim of this new procedure is to enhance the continuity of the work of the Council, (German Presidency home page) and it is expected to be formalised through the Treaty of Lisbon under what will be known as “team presidencies” (interview). The first three Presidencies to follow this amended rule of procedure were: Germany, Portugal, and Slovenia, in that order.

The Trio of Presidencies changes the dynamics of the agenda-shaping activities of the Presidency in a number of ways. First, it forces the three included Presidencies to much closer cooperation. The elaborating of the Trio agenda include intense negotiations between the countries forming the Trio (interview), providing them with a possibility to test ideas (interview, Portuguese official) and giving them a sense of how negotiations will develop with the other Member States (interview, Portuguese official). The negotiations between the Presidencies can help to make them better at identifying a “receptive political climate” for pushing through policy proposals (comparing Kingdon, 1984 in Tallberg, 2003: 22), thereby enhancing each individual Presidency’s ability to influence the agenda.

Secondly, it facilitates the transferring or sharing of issues between presidencies. On occasion, particular issues are too sensitive for a specific Presidency to handle, due to its strong national interests in the dossier. This may render the Presidency unfit of having the role as an unbiased broker. This was the case during the negotiations of the Trio programme; initially, the German presidency had eight topics to handle in the agenda of the environment council. However, because of the sensitivity of some of the issues, Germany would only be able to discuss five of them. Hence, three of the topics would be postponed to the Portuguese Presidency. This knowledge allowed the Portuguese Presidency to in advance prepare to take over these discussions when the German Presidency ended (Interview). The possibility to prepare for the handling of a discussion, as opposed to having to improvise at the latest moment, can allow the Presidency to focus more resource and energy on its own priorities, thereby strengthening its possibilities for agenda influence.

The Trio also allows separate Presidencies to share dossiers. For example, the Lisbon strategy is normally treated in the spring European council (interview), which took place during the Slovenian presidency. However, the Trio programme provided a possibility for the Portuguese Presidency to get a head start with what was named “*the external dimension of the Lisbon strategy*”; treating the aspects of the Lisbon strategy’s impact on globalization (interview). The Trio-programme made it possible for the Slovenian and the Portuguese Presidencies to share this dossier (interview). This shows that if the cooperation between the presidencies within a Trio is good, deals can be struck on which Presidency gets to handle what dossier, thereby effectively increasing the agenda-shaping possibilities for the individual Presidency.

Thirdly, and related to the new possibilities between individual Presidencies, it affects the work of the commission. Since the commission is the formal initiator of all proposals in the communitarian pillar, it runs the calendar on when

decisions are to be taken. A longer-term agenda facilitates the commissions efforts to appease Presidency wishes to have specific decisions during their own semester. As an official puts it:

*“...if a Member State [holding the Presidency] wants to have a decision for fruits reform during the second semester of 2008, the commission needs to take the decision before, to respect the decision procedure and kill the final decision during the second semester of 2008. ...with an 18 months agenda, it is easier for the commission to organise the calendar of the decisions inside the commission.”* - Interview

Fourth, the place of order of a particular Presidency within the Trio affects its possibilities for agenda influence. The first Presidency in a Trio will have the same timeline to prepare the final agenda as without the Trio, around 3 months. The third Presidency will have an agenda with topics that are over a year old, which poses a great risk of having lost relevance in a world that has evolved. The second Presidency however, will have 9 months to prepare for their Presidency, with a smaller risk of having an agenda that is out of date (interview, Portuguese official). As a Portuguese official puts it:

*“The time-line for the first Presidency of the Trio is the same that they have to do in any case, its three months before. For the third Presidency, the topics are too far in advance, so the world evolves. For the second Presidency, it’s ideal. Because our own house gets to be in order 9 months before, so it’s just ideal.”* - Portuguese official

According to one Portuguese official, the early preparations lead to one of the most important influences that the Trio of Presidencies had on Portuguese Presidency: it increased its inter-ministerial efficiency. While the Portuguese administration was ironing out all the priorities of the different ministries, every individual ministry became more aware of the other ministries priorities, thereby increasing efficiency overall (interview, Portuguese official).

Fifth, the possibilities for a Presidency to shape the agenda within a Trio to some extent will be dependent on which other countries are forming the Trio. An important question is what effect the existence of one of the “key Member States” will have for the smaller Member States in the Trio. Will the agenda-shaping ambitions of the smaller Trio-countries be impeded through tough negotiations on the Trio-programme, or will the increased information, expertise, or support that access to a key Member State might provide facilitate the agenda-shaping activities of the smaller countries?

Officials involved in the Portuguese cooperation with Germany in the Trio suggest that, in terms of agenda-shaping, the cooperation was quite useful. One Portuguese official state that since the German and the Portuguese ministries generally agreed on subjects in his/her particular area, it was useful to have Germany as a Partner (interview, Portuguese official). Another official with extensive insight in the cooperation suggests that, in general, small countries will gain from this new procedure, as they will be less isolated (interview). However, if the positions of each countries respective ministry had not been as close as they

were, the nature of the cooperation would probably change. In the diplomatic words of a Portuguese official:

*“I can imagine it would not have been so useful to if you were not on the same side as Germany. So it’s a two way situation.” - Portuguese official*

Another aspect on the dynamics of having a big country in the Trio relates to negotiations with the Commission. When disagreeing with the Commission on a subject, generally, the support of a big country would add weight to the Presidency. However, with that country already in the Trio, it can be seen as implicated in the process, allowing the commission to devalue its influence. In the words of a Portuguese official stating the view of the Commission:

*“...the argument would be: there come your friends, the Germans... They are part of the Trio, they helped you build the agenda, why should we [the commission] listen to them?” – Portuguese official*

Sixth, when trying to strike a compromise and agreeing on Council-language on an issue, an individual Presidency has the possibility to use language of the Trio as a fallback. Even though Trio language has no legal status, it has been negotiated between three countries and been floating around for some time. That gives it a higher status than new language, making it more acceptable as a compromise (interview, Portuguese official). Given that compromise is a frequent outcome of Council negotiations, the possibility to use Trio language should boost the Presidencies ability to shape the agenda significantly.

## 5 Discussion of findings

In the following section I will sum up my findings, discuss theoretical and practical implications, and make suggestions for future research.

### 5.1 Summing up my findings

In the current study, I have found four main factors that can affect a Presidency's ability to shape the agenda. First, *resources and size* can matter. With more resources, a Presidency will be more capable of focusing on its own priorities, and thus avoid being drowned by the already determined agenda. More resources will also make the presidency less dependent on information from other Member States, through not having to delegate the local presidencies due to a lack of embassies in third countries. In addition, it will make the Presidency less dependent on the services of the Secretariat, thereby not allowing the Secretariat to steal its agenda-shaping influence or to hinder the work of the presidency through logistical means. Moreover, even Member States with less resources might experience a boost in their agenda-shaping capabilities, through a resource allocation more directed towards EU-matters. A larger Member State holding the Presidency can experience an advantage through greater representation of national MEP:s in the committees. The national MEP:s may allow the Presidency to better lobby the EP when necessary. However, a smaller Member State holding the Presidency may have a greater scope to move other countries in its own direction, as it is less likely that it will be regarded as a threat by the larger countries.

Second, *informal relations* appear to have an influence. Developed informal relations with the Commission and other EU-institutions can make information flow much easier. In addition, good informal relations with the Commission, or rather the commissioners, can ease a Presidency's agenda-shaping ambitions significantly. The Commission can not only block Presidency priorities, but also help the Presidency to avoid unwanted issues on the agenda. Good informal relations with other Member States may also help the Presidency, as it may diminish the dramatizing of delicate issues, thereby allowing the Presidency to focus more on its own priorities. Finally, good informal relations with the Secretariat may increase its helpfulness towards the Presidency in, for example, redrafting documents, while at the same time reducing the risk of having to deal with a Secretariat causing difficulties.

Third, *the Secretariat* seems to be surprisingly influential on the Presidency's capabilities to shape the agenda. Through its assistance to the Presidency, the Secretariat may either help or hinder the Presidency to run an efficient Presidency.

If the Presidency, due to a lack of own resources, is dependent on the Secretariat, the Secretariat may be able to extort the Presidency into sharing some of its agenda shaping space, in exchange for being cooperative during the Presidency semester. In addition, the Secretariat may try to influence the agenda through more subtle means, such as redrafting documents to fit its own preferences.

Fourth, the *Trio of Presidencies* provides a new institutional setting for how the agenda-shaping activities of a Presidency will be carried out. The individual Presidency now has to negotiate an agenda, not only with the commission, but also with two other Member States. These negotiations can guide the Presidency on what issues are feasible to try to put on the agenda. It also becomes clearer for the Presidency which issues it will have to handle during its semester, as some issues may be postponed due to their delicacy for a certain country. In addition, the institutional setting provided by the Trio of Presidencies can give Presidencies an enhanced opportunity to, on agreement, share issues between themselves. Indirectly, the Trio of Presidencies also facilitates the individual Presidency's agenda-shaping activities, as it allows the commission to better organise its own work and thereby easier appease individual Presidencies wishes to have a certain decision in its own semester. Within a Trio, the order of the individual Presidencies can have an effect on its preparations, where the situation of the first in order will remain largely the same, while the second will have a longer period of preparation, and the third might have to deal with an agenda that is already out of date. This suggests that a Presidency will be best off by being second in order. Another issue concerning the dynamics within a Trio regards the participating members themselves. If there is a "key" Member State in the Trio, it may prove to be helpful for smaller Trio-members by providing information and expertise on issues. However, if the preferences of the countries do not coincide, it might bear out to be inhibiting for a smaller Trio-members agenda-shaping ambitions, through tougher negotiations on the common Trio-programme. Another aspect is that the commission may use the Trio to devalue a key country's support of a smaller Trio-members standpoint, suggesting that the key country is implicated in the process and thus has a self-interest for the given support. Finally yet importantly, the individual Presidency has the opportunity to use Trio-language as a fallback when trying to strike a compromise, as Trio language has a higher status than completely new language.

## 5.2 Theoretical implications

First, this study shows that the Presidency's ability to shape the agenda is affected by the characteristics of the country holding it. Another finding is that through the Trio of Presidencies, the Presidency is given new instruments to shape the agenda. One of them is the possibility to use Trio-language to broker a compromise. This should significantly boost the possibilities of the Presidency to frame issues. Another instrument is that Presidencies now may strike deals on sharing issues that normally are bound to one particular semester. This can make the inherited

agenda more valuable for the Presidency; the agenda will in this sense be more flexible, which can make the Presidency able to “trade” issues with other Presidencies. These instruments could be forged with the ones that Tallberg (2003) has put forward, thereby further developing his conception on the agenda-shaping powers of the Presidency. In addition, the insight on the Trio of Presidencies made in this study may form the basis for new research, not necessarily focused on agenda shaping.

An additional theoretical implication concerns the power of the Secretariat. While there is some literature produced on the influence of the Secretariat (Beach 2004, Christiansen 2002), the findings of this study suggests that the Secretariat has a further reaching influence than before noted. That the Secretariat seems to be able to threaten a small country holding the Presidency to gain agenda-influence can be taken as a sign that the principal-agent relation between the Presidency and the Secretariat has gone truly wicked.

### 5.3 Implications for future Presidencies

The findings of this thesis offer an important insight that may be useful for future Presidencies held by small countries, namely that informal relations may have far-reaching implications for the success of a Presidency in shaping the agenda. Firstly, good informal relations with the Commission are crucial for the Presidency’s ability to shape the agenda. Apart from generating direct help from the Commission, it can also save resources through more efficient communication. Secondly, good informal relations with the Secretariat may also be of great importance for the Presidency. In the preparations of the Presidency, buying the Secretariat off through discussing the agenda of the Council-meetings and the CFSP-programme may prove to pay off later on, through making the Secretariat more helpful. Especially bearing in mind that the Secretariat can cause the Presidency much difficulty if it is not included in discussions on the agenda. Thirdly, good informal relations to other Member States can help stopping escalation in delicate issues, allowing the presidency to focus on its own priorities. Finally, good informal relations with the other Trio-members may increase the Presidency’s scope to shape the agenda, as deals then may be struck on sharing different dossiers.

The importance of having good informal relations with other actors underlines the necessity for the Presidency to invest sufficient resources in building them, and to start fostering them in time.

## 5.4 Future research and concluding remarks

Of the findings in this thesis, the importance of the Secretariat and the effects of Trio of Presidencies are the issues that have received the least attention in the literature up to now. More research would be welcome on the power-relation between the Presidency and the Secretariat. How far does the power of the Secretariat reach? How dependent can a Presidency make itself from the Secretariat? These are questions that need answering if we are to better understand the struggle over the agenda and, ultimately, the power in the EU. More research is also needed on the effects of the new institutional setting provided by the Trio of Presidencies. Will the power of the Presidency increase in general, and not only regarding agenda-shaping? Will the Secretariat lose power towards the Presidency through the new cooperation between three Member-States at a time? What other effects can be expected?

The overlying theme that this study relates to concerns who wields what power in the EU. This question has far-reaching implications for both the discussion on democracy in the EU and the discussion of institutional development. It lies in the interest of all residents of the EU to have knowledge of who has power to influence decisions, and the answer to that question may have an important impact on the democratic legitimacy of the Union as such.



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### Interviews:

*Macieira, Rui* Deputy Director General, Portuguese Directorate General of European Affairs, Portuguese Ministry for Foreign Affairs.

*João Botelho, Maria*, Deputy Director General, Portuguese Directorate General of European Affairs, Portuguese Ministry for Foreign Affairs.

*Santos, Carla Alexandra*, Advisor to the minister of Science, Technology and Higher Education on European Issues, Portuguese Ministry for Science, Technology and Higher Education.

*Cabrita, Miguel*, Advisor to the minister of Labour on European Issues, Portuguese Ministry for Labour.

*Margarida Marques*, Head of office of the European Commission Representation in Portugal.

*Ana Filomena Rocha*, assistant EU-correspondent, Portuguese Ministry for foreign affairs.