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EUROPEAN CONFLICT PREVENTION: IS THERE A ROLE FOR THE EUROPEAN UNION PRESIDENCY IN POLICY-MAKING?*

Natália Leal
(*Department of Politics and International Relations*
University of Kent at Canterbury, UK)

RESEARCH INSTITUTE FOR EUROPEAN AND AMERICAN STUDIES
(RIEAS)

 # 1, Kalavryton Street, Ano-Kalamaki, Athens, 17456, Greece
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Dr. John M. Nomikos
Director

RESEARCH INSTITUTE FOR EUROPEAN AND AMERICAN STUDIES (RIEAS)

Postal Address:

1, Kalavryton Street
Ano-Kalamaki
Athens, 17456, Greece
Tel/Fax: + 30 210 9911214

E-mail: **rieas@otenet.gr**

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Abstract

The field of conflict prevention is a somewhat abnormal one within the EU, mainly because it is fairly recent and it spreads across different pillars, involving not only communitarian, but also intergovernmental institutions, resources, and decision-making procedures. The Presidency of the Council of the European Union, on the other hand, is an entity whose role and relevance are generally neglected or dimished. Nevertheless and in spite of its apparent powerless nature, it is for many one of the core entities of the European Union.

This paper explores the potential influence of the EU Presidency over decision- and policy-formulation and argues that its role, namely in the field of European conflict prevention, is far more relevant than most authors recognise. For that purpose, after some initial considerations over the nature of the field of European conflict prevention and an overview of its most relevant documents and activities in the last 10-15 years, the origins and developments of the EU Presidency in the last decades are traced in order to explore the role it can currently play on what concerns (external) conflict prevention policy-formulation.

In the end, it is shown that, even though in varying degrees, mostly due to the EU's pillared-structure, the Presidency can indeed have a saying and a real impact in the domain of conflict prevention (as in most other EU policy areas).

Introduction

The imperative of preventing the occurrence or reoccurrence of violent conflict within its borders has always been a major concern of the European integration project. The damage and suffering inflicted by two World Wars upon Europe and the Europeans were of such an extent that the idea of its repetition was horrifying. Based on this concern with the 'never again' postulate, it is widely accepted today among scholars, policy-makers and others that conflict prevention, in broad terms at least, was a major driving force of the European integration process.

However, the meaning of conflict prevention has not always been the same within the European spheres. Initially the focus was on a primarily internal (intra-European) dimension of conflict prevention. More recently, however, it has shifted towards its external dimension. After 50 years of successfully maintaining peace within Europe – and enjoying its consequent reputation as a successful conflict prevention actor –, the EU is now trying to export its model abroad[1], including the relevance it gives to the value of conflict prevention. This change is fairly recent: even though the EU has supported development and aid projects in third-countries almost from its onset[2], it was only in the 1990s (particularly in the late 90s) that it began to give a bigger emphasis to this concept in its political and strategy documents, as well as to develop activities that were explicitly classified as and aimed at conflict prevention.

Several internal and external events contributed to this new approach to conflict prevention, from the challenges and opportunities created by the end of the Cold war and the expectations about a more stable and demilitarised security environment to the establishment of the European Union *per se* and particularly its Common Foreign and Security Policy (CFSP) pillar. But ultimately contemporary European conflict prevention activities are a result of the EU's institutional framework and the growing interest that this (still divided) policy area generated on several EU Institutions. In a sense, it only exists because decisions were taken specifically about this topic.

And yet, among all the actors in the complex EU structure, one seems to be systematically forgotten or cast to a very minor role, at least within mainstream literature. When it comes to policy and decision-making, the EU Council, the European Commission and the Member States are typically the main players, with the European Parliament having a varying relevance depending on the specific voting procedure at stake. Some authors even make direct reference to the Council's internal hierarchical structure of Committees and Working Groups but the specific role of the Council Presidency, as Ole Elgström complains, "has so far attracted relatively little scholarly interest" (2003, p. 4). Adriaan Schout and Sophie Vanhoonacker (2006, p. 1073) add clarifying that the "Presidencies are central yet slightly invisible actors in EU decision-making".

In this paper I argue that the role of the Presidency is far more relevant than most authors recognise, including in the field of European conflict prevention. After some initial considerations over the nature of the field of European conflict prevention

and an overview of its most relevant documents and activities in the last 10-15 years, I will briefly trace the origins and developments of the EU Presidency in the last decades in order to assess its current functions and the role it can play on what concerns (external) conflict prevention policy-formulation. In the end, I hope to be able to demonstrate that the Presidency can have a real impact in most policy areas, including in this crucial but somewhat abnormal domain of conflict prevention.

Conflict prevention: from the growing concern to the record of activities

The notion of 'conflict prevention' as such only entered the European jargon in the 1990s. Since then the Union has reaffirmed in several documents that, as a global actor, it has a "moral and political imperative" (Commission of the European Communities, 2001, p. 5) to commit itself towards conflict prevention. More, it has stated that it possesses the necessary conditions to assume its "responsibility for global security and in building a better world" (European Council, 2003, p. 1), since it "is particularly well equipped to respond to such multi-faceted situations" (European Council, 2003, p. 7).

Indeed, the timing of all these changes in the EU is intrinsically related to what was happening in the international relations arena at large. After a long period based on the old notions of the bipolar era, which concealed many latent (and overt) conflicts around the world, many actors such as international organisations were rethinking their security role in face of the new post-Cold War international security context. Realizing that, in 1992 the United Nations published its report *An Agenda for Peace*, a central document that tried to sketch the future role of the UN in peace actions[3]. At the same time, in Europe, the Conference/Organisation on Security and Co-operation in Europe (CSCE/OSCE)[4] was developing its own conflict prevention system based on the 1990 *Charter of Paris for a New Europe*, which led to the creation of a Conflict Prevention Centre and the position of High Commissioner on National Minorities. The North Atlantic Treaty Organisation (NATO) was discussing the European security and defence identity, and preparing its new strategic concept and further enlargements. Other organisations such as the West European Union (WEU) or the Council of Europe were equally rethinking their position.[5] Conflict, definitely, had not ended with the Cold War, on the contrary, and realising the costs of armed conflict the concern with prevention was on the rise.

Thus, the new international context created the conditions and opportunity[6] for the European Union to question whether it should and could 'export' its successful internal peace model to other conflicting areas. Indeed most authors believe that the legitimacy of the EU's activities in conflict prevention derives precisely from its history, as well as from the wide range of instruments that it has (Smith 2003), features that grant it a status and potential unlike any other organization in the world. Its search for a specific and distinct place in the new globalised world order meant that the Union had to take up this challenge, this "moral obligation".

Internally, the first major step was the creation of the CFSP in 1993, but other documents and events reflected and contributed to the increasing importance of conflict prevention. Back in 1992 a report to the Lisbon European Council established

the priority areas and topics for CFSP and stated that the goals for joint action should include conflict prevention[7], while in June the Petersberg Tasks were defined as including crisis management, humanitarian and peacekeeping missions[8]. The Communication from the Commission on *The EU and the issue of conflict in Africa: peace-building, conflict prevention and beyond* was issued in 1996 and in 1997 the Commission launched the Conflict Prevention Network (until 2004). The Amsterdam Treaty created the position of High Representative for the CFSP[9] and a new Policy Planning and Early Warning Unit.

On the turn of the new millennium, the EU had just established the European Security and Defence Policy (ESDP)[10] but was already concerned with the overall coherence and efficiency of its activities in this area, visible in its December 2000 *Report by the Secretary General/High representative and the Commission containing practical recommendations for improving the coherence and effectiveness of EU action in the field of conflict prevention*. The Cotonou Agreement on EU-ACP Aid and Trade Partnership was signed still in 2000[11], the same year a Committee for Civilian Aspects of Crisis Management (CIVCOM) was established. In the next year, the Commission established a financial instrument, the Rapid Reaction Mechanism (RRM), which enabled “rapid action to be taken in specific areas in response to or avoid real or potential crisis situations or conflicts”[12], and was deployed for the first time in August. 2003 was a particularly symbolic year: for the first time the EU put its men on the ground. It marked the first ESDP civilian mission – the European Union Police Mission to Bosnia and Herzegovina (EUPM) – and the first EU-led military operations in Europe (Operation Concordia in FYROM) and outside its borders (Operation Artemis to Burnia in D.R. Congo). Many other crisis management operations[13] have followed since (see Table 1) and in 2005 it went as far as Aceh, Indonesia.

Table 1. EU Crisis Management Operations

Starting & (foreseen) ending date	Name of Mission	Type
To be launched	EU SSR Guinea-Bissau (EU mission in support of Security Sector Reform in Guinea-Bissau)	C/M
16.02.2008 (transition phase) – 2010?	EULEX Kosovo (European Union Rule of Law Mission in Kosovo)	C
25.01.2008 – ?	EUFOR TCHAD/RCA (EU Military Operation in Eastern Chad and North Eastern Central African Republic)	M
17.06.2007 – 30.05.2010	EUPOL Afghanistan (EU Police Mission in Afghanistan)	C
1.1.2006 – 31.12.2009	EUPOL COPPS (EU Police Mission in the Palestinian Territories)	C
30.11.2005 –24.5.2008[*]	EUBAM Rafah (EU Border Assistance Mission at Rafah Crossing Point in the Palestinian Territories)	C
1.07.2007 – 30.06.2008	EUPOL DR Congo (EU Police Mission and its interface with Justice Sector in DR Congo)	C
8.06.2005 – 30.06.2008	EUSEC DR Congo (EU Security Sector Reform Mission in the Democratic Republic of the Congo)	M
1.01.2003 – 31.12.2009	EUPM I, II & III (EU Police Mission in Bosnia & Herzegovina)	C
1.07.05 – 30.06.2009	EUJUST LEX (EU Integrated Rule of Law Mission for Iraq)	C
1.1.2005 – 30.6.2007	EUPOL Kinshasa (EU Police Mission in Kinshasa, DRC)	C
23.6.2005 – Dez. 2007	EU Joint Support to AMIS II (Darfur)	C/M
10.04.2006 – 31.03.2008	EUPT Kosovo (EU Planning Team in Kosovo)	C
15.9.2005 – 15.12.2006	AMM (Aceh Monitoring Mission)	C
12.06.2006 – 30.11.2006	EUFOR DR Congo (EU Military Operation in Support of MONUC during elections in DR Congo)	M
15.12.2005 – 14.6.2007?	EUPAT (EU Police Advisory Team in the Former Yugoslav Republic of Macedonia)	C
15.12.2003 – 14.12.2005	EUPOL Proxima (EU Police Mission in the former Yugoslav	C

	Republic of Macedonia)	
16.7.2004 – 14.7.2005	EUJUST Themis (EU Rule of Law Mission in Georgia)	C
31.03.2003 – 15.12.2003	Concordia (EU Military Operation in former Yugoslav Republic of Macedonia)	M
12.06.03 – 1.09.03	Artemis (EU Military Operation in Democratic Republic of Congo)	M
2.12.2004 – (open)	EUFOR-Althea (EU Military Operation in Bosnia and Herzegovina)	M

* Suspended since 13th July 2007 due to the security situation in Gaza.
?: unconfirmed
M: Military mission
C: Civilian mission

At the same time, some documents stood out since the beginning of this new millennium, both for their intrinsic relevance in this field and for the basis they offered to the activities that followed. The first of such documents was the April 2001 European Commission's *Communication on Conflict Prevention*; only two months later, in June 2001, the Göteborg European Council adopted the *EU Programme for the Prevention of Violent Conflicts* (whose implementation started one year later); in December 2003, the European Security Strategy *A Secure Europe in a Better World* was endorsed by the European Council; finally, in 2004, two documents baptized Headline Goals (one military in nature, the other civilian) were approved.

Overall, these documents set out goals, aims and processes for the EU to achieve in order to increase its international visibility and power, including in the area of conflict prevention. Furthermore, the 2001 Commission's (2001, p.5) *Communication on Conflict Prevention* also underlined the new enlarged scope of its ambitions:

> "The EU is in itself a peace project and a supremely successful one… Through the process of enlargement, through the Common Foreign and Security Policy, through its development co-operation and its external assistance programmes the EU now seeks to project stability also beyond its own borders."

The *EU Programme for the Prevention of Violent Conflicts* recognised that conflict prevention was at the heart of European concerns, and was therefore one of its highest priorities[14], and originated a process of annual reporting about the EU's activities in the realm of conflict prevention since 2002.

The *European Security Strategy* (ESS) clearly stated that a "European Union which takes greater responsibility and which is more active will be one which carries greater political weight" (European Council, 2003, p. 11). Once again, it was obvious in this document that the EU was aiming high but also that it still needed to work on some aspects, namely in order to allow it to be "more active", "more capable", "more coherent" and to work better with its partners (European Council, 2003). But the goals were set and were ambitious.

Finally, the two Headline Goals sought to establish concrete targets for the development of ESDP crisis management capabilities. In addition, the (military) *Headline Goal 2010* (HLG 2010) already held that the "European Union is a global actor, ready to share in the responsibility for global security" and that the "EU must be able to act before a crisis occurs and preventive engagement can avoid that a situation deteriorates" (European Council, 2004, p. 1). The *Civilian Headline Goal 2008* (CHG 2008), on its turn, became recognized as "the EU's main tool for planning the development of civilian crisis management capabilities for preventive action in ESDP" (Council of the European, 2006, p. 23). Last year, in November 2007, a new

Civilian Headline Goal (CHG 2010) – along with a new methodology for the development of civilian crisis management capabilities – was approved by the Council, providing a new and updated strategic document to promote greater coherence between the EU's civilian capabilities and its ambitions.

Nowadays the EU has a considerable record and a vast list of ongoing activities concerning conflict prevention. The latter ones include the elaboration of Region and Country Strategy Papers that then underlie all its development and external aid policy[15], as well as peace-building initiatives, and SSR and DDR[16] programmes. The EU has also been paying close attention to the so-called 'cross-cutting issues', particularly, those related to small arms and light weapons, landmines, drugs, conflict diamonds (the Kimberley Process[17]) and the management of other natural resources. Finally, the Union has been investing on its ability to react quickly to emerging situations, focusing on the development of its early warning capacity (including a 'Watchkeeping Capacity') and on appropriate financial mechanisms to support its interventions, but also resorting more often to the use of special representatives[18], and promoting several on-going and *ad hoc* political dialogues. It is equally maintaining its engagement in several conflict areas around the globe, deploying both military and civilian missions to help stabilize those regions (see Table 1 above).[19] Last year alone, two new missions were launched, while preparations for three others were on the way.

Along with all these initiatives, the Union has been deeply committed in promoting the development of conflict prevention instruments with and in other organisations, such as the United Nations and the African Union[20].

Many of the documents previously mentioned have also led to interesting and still ongoing 'activities'. The Headline Goals, for example, grew to be much more than simple pieces of paper, and have generated a process of capabilities generation and improvement that contributes to conflict prevention and crisis management. Dozens of workshops have been organized under the headline goals processes. The *EU Programme for the Prevention of Violent Conflicts* originated the healthy routine of annual Presidency reports about the EU's preventive activities (the so called Conflict Prevention Reports), which in turn include recommendations for the way ahead. The 2007 Portuguese Presidency promoted discussions and meetings on the nexus between development and security, putting the issue on the agenda. Many conferences on conflict prevention/crisis management were organised or supported by the EU (and some specifically by the Presidency).

Last year, the Commission also launched a new financial instrument – the Instrument for Stability (IfS)[21] – and, under its crisis-preparedness component, the Peace-building Partnerships (PbP) aimed at "mobilizing and consolidating civilian expertise for peace-building"[22].

In short, in spite of the strong and repeated arguments about its lack of coherence and its capability–expectations gap (Hill 2001; Smith 2003), a lot has been done by the EU on the area of conflict prevention, from concrete activities to key documents that generate new dynamics. However, in order to understand where the Presidency steps in all this, we must understand some of the specificities of European

conflict prevention policy, namely the instruments available and the frameworks in which all takes place/is decided.

The frameworks and instruments of European conflict prevention-

The field of European conflict prevention is a rather unusual one. Both in the Academia and within Brussels' corridors, a proliferation of meanings and similar terms seems to be associated with this idea of preventing the (re)occurrence of (violent) conflict[23]. While some scholars and institutions have adopted a broader and more comprehensive notion that comprises several moments when conflict preventive measures could and should be employed, others present a much more limited and narrower perspective, focusing on a single moment or conflict phase[24]. Its different interpretations and similar concepts derive mainly from different perceptions about the appropriate scope and timing for preventive action. However they also reflect the interests at stake for each of the actors involved at a specific moment in time, in the EU's case mainly the Commission and the Council.

Most importantly is the fact that, in the EU sphere and unlike in most of its other policy areas, preventive activities spread across all its three pillars, with a particular emphasis on the first and second ones. This is due to the EU's unusually vast number of tools to prevent conflict. They range from "development co-operation and external assistance, trade policy instruments, [or] social and environmental policies, [to] diplomatic instruments and political dialogue, co-operation with international partners and NGOs [Non-Governmental Organisations], as well as the new instruments in the field of crisis management" (http://europa.eu.int/comm/external_relations/cfsp/cpcm/cp.htm). Within this latter field, we should still refer its ability to launch civilian and/or military missions. Additionally, the enlargement process has also been recognised as one of the most successful conflict prevention tools[25]: the EU has "used its 'power of attraction' on several occasions in order to anchor peace and freedom in the candidate States" (Kronenberger and Wouters, 2004, p. xix).[26]

This cross-pillared character of European conflict prevention originates an extremely odd situation, since different parts of the European instruments and activities on conflict prevention are ruled by different institutions, decided and voted according to different procedures, and implemented in diverse ways. Furthermore, the resources (human and financial) available to each are quite different.

The first pillar relates to the Communitarian issues, those inherited from the previous European Communities in 1993, and those that have been transferred to this domain since. Its logic rests on what many have called the 'community method', initially devised by Jean Monnet and other founding fathers of the European integration process. It is in this first pillar that we find development and aid policies, trade issues, social and environmental activities, and other instruments, all related to the broader notion of EU's conflict prevention. Whenever conflict prevention (or any other policy) falls within the rationale of the first pillar, the most relevant institution is the European Commission, the only one that has the right of initiative and is responsible for policy-implementation (not to mention its budgetary powers).

Decisions tend to be adopted by a majority rule, giving Member states a secondary role.

The second and third pillars, in spite of working on a considerably different basis and rationale, are no less interesting. They appeared only with the 1993 Maastricht Treaty and even tough they are different in their subject matters and respective policies, they share fairly the same working methods: they are the 'intergovernmental pillars'. The second pillar has been denominated the Common Foreign and Security Policy one. The third pillar has suffered some slight changes, mainly due to the progressive transferences of some of its competences into the Community pillar: initially the Justice and Home Affairs, it is now officially called the pillar on Police and Judicial Cooperation in Criminal Matters. Policies that fall within any of both these pillars depend mainly on the EU Member States and the Council, and hardly at all on the Commission or other Communitarian institutions. In these pillars the roles seem to reverse: the Commission has only a consultative role and, in theory, decisions need to be taken unanimously by Member states, even if in reality a form of consensus is usually applied. When it comes to conflict prevention, the CFSP pillar, including its European Security and Defence Policy (ESDP), is the most interesting one: it encompasses the activities related to defence and security, including crisis management. Unlike Jean Monnet's philosophy, here it is *realpolitik* that runs the show. This only makes it more interesting: it is here that most of the important decisions regarding civilian or military crisis management missions are taken, it is here that the annual reports on conflict prevention are approved and it is here that member states express their positions on this matter. Surely, this means that what is done in conflict prevention is the result of minimum common denominators but it equally reveals that there is such a common denominator or no action would be taken. Conflict prevention matters to at least enough Member States to keep it going.

The result of the coexistence of these pillars is a complicated framework, where different institutions and actors have different (and sometimes mixed or ambiguous) competences, where diverse rules are applied and where different commitments are assumed towards others.

In short, the EU does have a considerable conflict prevention toolbox available but these instruments are spread across all the EU's three pillars and used in complex and different ways. Therefore, both the Community method and the intergovernmental one apply in the area of conflict prevention. The powers and role of the Presidency, however, do vary in each of these pillars.

Evolution and main characteristics of the Council Presidency

The Council of Ministers of the European Union (also known simply as the Council)[27], is one of the EU's core institutions, part of its 'institutional triangle', comprising also the European Parliament and the European Commission.

Not surprisingly, the evolution of the office of the Council Presidency is closely associated with that of the Council itself. The office of the Presidency dates back to the 1952 Treaty of Paris, which established the European Coal and Steel Community.

At that point, the Presidency was established as a neutral entity that rotated every 3 months among the six Member States. It was designed above all as a chairman, and it had only a very "modest and formal role" (Wallace 1985, p. 2). According to Wallace, there were two key principles embedded in its initial configuration and competences: "first that the Presidency would be exercised by the Member States" and "not a collective representative", "and second that each Member State would occupy the office in turn on a basis of parity, irrespective of size, political weight or any other distinction" (Wallace 1985, p. 2).

Then, the 1957 Treaties of Rome extended the competences of that Presidency to include oversight over the two newly created communities (the European Economic Community and the European Atomic Energy Community) and enlarged the rotation period to six months. There were some new provisions but the most important was that the Presidency now gave the Member States an opportunity to actually influence the agenda of the Communities, something very difficult to do before in just three months.

The office of the Presidency kept evolving in the following decades, especially in response to the political developments associated to the integration process developed. The 1970s marked the beginning of the European Political Co-operation (EPC) and were a particularly crucial decade for the evolution of the Presidency. After new "burdens, functions and opportunities for leverage which were not explicitly part of the initial institutional design" had been ascribed to it, the Presidency gained a more "pivotal role" (Wallace 1985, p. 3).

The 80s brought a new entity, the Troika, charged with the external representation of the EU. The Troika also meant that each Member State that was to hold the Presidency of the Council would be involved in these issues (and therefore have a word about its agenda) not merely for six months, but for one year and a half. The aim of the Troika, in fact, was to ensure a greater degree of continuity and smother hand-over between Presidencies[28]. The Single European Act, signed in 1986, put an added emphasis on the Presidency's political and representational roles further increasing its importance in the European political arena.

The following Treaties (on the European Union, of Amsterdam and of Nice), in different degrees, further increased the relevance of the Presidency and continued the formalization process of some of its functions. The rejection of the Constitutional Treaty prevented some new provisions that would affect the Presidency from entering into force, but the recently approved Lisbon Treaty brings back some of those and goes even further to the point of proposing probably the biggest change ever in the nature and functioning of the Presidency. Nevertheless, we will still have to wait some more to see whether these provisions will ever become a reality.

As it is now, the Presidency is characterised in the Council Guide on *The Presidency Handbook* (Council of the European Union 2006, pp. 3-5) as being a single and neutral entity, deploying national resources and "always in the hands of the Council".

The Presidency is held by each of the Member States of the Union, for periods of six months, on a rotational basis agreed by the Council. Each Council configuration brings together one minister from each of the Member States' governments, according to the issues being discussed. Most of these meetings take place in Brussels, but they can also occur in Luxembourg (April, June and October) or in other places where the Presidency considers appropriate. However, in spite of the several configurations of Council meetings[29], the fact is that legally there is still only one Council and, therefore, one single Presidency. In theory, it is expected that the Member State holding this office will strive to promote and defend the common European interests with the highest degree of impartiality, and not his own national priorities (although these can match), and it always presumed that it will use its own national human and financial resources to do so. Still, the last word does always belong to the Member States, as represented in the Council, in the sense that the Presidency always needs the Council's approval to adopt substantive decisions and even the procedural ones can be challenged.

But there is no doubt that the office of the Presidency gives each Member State the opportunity to directly influence the conduct of European affairs, including in the area of conflict prevention. The extent to which this opportunity is taken and the reasons underlying it vary. For many, what usually happens is that every six months a different set of national interests and priorities are brought in and shift the position of the Presidency. However, by holding the Presidency, Member States are equally invited to take on the common interest of the Union and protect its shared values and understandings, promoting even further coordination and integration. In the end, then, this office simultaneously gives Member states an avenue to control the Union, and it challenges them to protect this 'supranational' outlook and share these 'community' ideals (see Wallace, 1985).

But what exactly is the Presidency supposed to do?

The functions of the Presidency

The formal tasks currently assigned to the Presidency are mainly three:

- "Organizing and chairing all meetings of the European Council, the Council of the European Union and its preparatory committees and working groups
- Representing the Council in its dealings with other EU institutions and bodies, such as the European Commission and the European Parliament [and]
- Representing the European Union in international organizations and relations with countries outside the European Union"[30]

At first sight, it could seem that these grant the Presidency very little space to exert its influence. Indeed, due to its nature and formal functions, the Presidency has been repeatedly described as a virtually powerless institution ("*responsabilité sans pouvoir*"), with no explicit decision or policy-making power. Critics claim that it does not have any powers of initiative, it simply inherits the agenda of its predecessors, is bond by external events beyond its control and it runs for merely a short period of six months (*in* Talberg, 2003). However, such claims rely on a very narrow interpretation of the functions and powers of the Presidency, and its potential influence, namely on the adoption and content of certain decisions, far surpasses what is written in official documents. Wallace even noted that the few rules that have been institutionalised tend

to result themselves 'merely' from long established practice and that Member states are a lot more reluctant to formalise the Presidency's more political roles (Wallace, 1985, pp. 4-5). Therefore, a considerable margin is left for different interpretations of the extent of the Presidency's functions and powers.

Elgström, for example, has a wider interpretation and based on several other authors proposes that the Presidency's tasks comprise 4 main functions: administration and co-ordination, setting political priorities, mediation, and representation (Elgström, 2003, pp. 4-7). The first and last ones reflect what is stated in the formal *Rules of Procedure*, but the other ones are somewhat 'unwritten' functions based on practice rather than legal obligations, and yet very crucial means for influence. Apart from preparing and chairing all the Council meetings and representing the Council (internally) and the EU (externally), the Presidencies are also expected to provide a sense of leadership to the overall Union (*cf*. Metcalfe 1998) as well as promote the general search for consensus over the topics on the agenda.

In the end, these functions confer a considerable margin of manoeuvre to the Presidency, although Member States will not use it in the same way and will give priority to some functions over others in different policy areas and in different moments in time.

Influencing (conflict prevention) policy-making

So what is the relation between all these functions and policy-making?

As we have seen, the main characteristic of the field of conflict prevention policy is that it is spread across all the EU's pillars. But still, and to put it very bluntly, any decision taken by the Union, no matter in which policy area, needs to be put forward by someone, discussed by someone and finally approved by someone before it holds any real (and legal) meaning. Even though the extent of its influence varies considerably according to the pillar in question, the Presidency can play a role in all these phases of policy-making[31] (initiation, discussion and approval), particularly by resorting to some policy tools related to its main functions. Among the most relevant of these tools are: each Presidency's strategic priorities and working programmes; its ability to negotiate on behalf of the Union; the control that Presidencies have over the Councils' agenda; and its crucial role as a broker and compromise seeker.

The wide range of policy areas whose governance comes (at least partially) under the responsibility of the Union presupposes that not all of them can be a priority all the time. Providing leadership implies choosing and establishing a hierarchy of topics; ranking priorities. The Presidency does this using several instruments. One of them are the multiannual strategic programmes, a fairly recent instrument, introduced in 2004 and running for 3-years cycles, also expected to promote closer coordination between the working programmes of each of the six presidencies included (Ágh 2008). There is also a new annual operational programme, a more detailed account of the topics and priorities that guide the two Presidencies of each year, one other instrument to strengthen cooperation. More recently, the new system of 'team Presidency programmes' was implemented, its first cycle starting in 2007 with the German-Portuguese-Slovenian team presidency. According to Ágh (2008), these seek

to promote an "integrative balancing" approach by grouping in a single programme Member States that include both old and new, small and bigger countries. Finally, each Presidency issues their own working programme and priorities some time before their Presidency begins, namely in the Mandate included in the bi-annual Presidency Report to the Council on ESDP. All these documents are issued and made public before (in some cases well before) a Member State takes hold of the Presidency, but they draw blueprints of their intentions on what concerns policy-initiation (or continuation or termination in some cases). This is the first clue to infer each Presidency's degree of concern with the different conflict prevention policies, from development and aid to the more political ones. The German-Portuguese-Slovenian programme, for example, explicitly stated that

> "[t]he future Presidencies will ensure that the EU continues to work effectively in support of global peace and stability, in particular through cooperation with the UN. (…) Work will continue on ensuring that all the external instruments available to the Union are used in a coherent and effective manner. This will help guarantee that the Union is able to respond effectively in conflict prevention, crisis management and post-conflict rehabilitation situations in order to secure peace and stability."[32] (Council of the European Union. The future German Portuguese and Slovenian Presidencies, 2006)

The Presidency also has the power to negotiate agreements with states and international organisations related to the implementation of CFSP issues, if the Council so authorises[33]. The Presidency is supposed to use these opportunities to promote and defend specific European (and/or national) policy interests. As mentioned before and as the above citation also indicates, cooperation with other international actors and political dialogue are important conflict prevention tools[34]. Furthermore, these negotiations are often preceded by internal discussions among the Member States to define the common position of the Union, in which the Presidency can also play a significant role.

In fact, one of its most crucial tools and venues for influencing policy-making is in the Presidency's ability to control the agendas for the meetings and guide the discussions of each Council body. Tallberg refers to it as the Presidency's "agenda-shapping powers". For him, this is based on at least 3 dimensions: its agenda-setting ability, its agenda structuring potential and its agenda exclusion powers. In this sense, agenda-setting is the "introduction of new issues on the agenda", while agenda-structuring reflects the "varying emphases [that the Presidency] put[s] on the issues already on the agenda", and agenda exclusion represents "the deliberate barring of issues from the agenda" (Tallberg, 2003, p. 2). Finally, it is the responsibility of the Presidency to prepare the documents necessary for each meeting (directly assisted by the General Secretariat of the Council)[35], but also to be 'an honest broker' and promote compromises. The German and Portuguese 2007 Presidencies, for example, both pressed for the launched of new crisis management missions, namely in Afghanistan and Guinea Bissau, by including these topics on the agenda on a very regular basis. On the contrary, other aspects, such as those related to mission support, were often delayed and 'marginalised', at least during the Portuguese Presidency. The role of the Presidency in the drafting of the annual Conflict Prevention Report, "dealing with developments regarding early warning, planning and policy on the one hand and EU instruments on the other as well as cooperation with partners"[36], is also a good example of a situation in which 'negotiating skills' are often demanded from the Presidency.

So, it can not only have a procedural and substantive influence over the process of policy formulation as it holds the key to the vital fact that decisions are in the end taken.

Conclusion: The Presidency and European conflict prevention policy

The aim of this paper was to explore the potential influence of the EU Presidency over decision- and policy-formulation in the field of conflict prevention. We have seen that this is an area in which the EU has been producing a number of significant documents and activities, some of them with a long past record some fairly new. Yet, the most stricking feature of this realm is that it does not represent one single or common policy area; in fact, the instruments and activities that fall within this sphere are spread over the EU's threee pillars. If this involves different EU institutions in varying degrees, it does not however stop the Presidency from having a saying in each of them.

The Presidency's functions have evolved over time but it has a role in any of the EU's pillars. In some cases, this influence is reflected directly upon policy-making. The Presidency can not only put issues on the agenda as it can greatly influence the way (and the timing) in which they are discussed and finally approved. In the end, it is the Presidency who 'holds the pen' for each and every document produced by the Council, no matter the policy area at stake, and conflict prevention activities exist only as a result of a decision-making process.

Looking into the role and influence of the Presidency, however, is far from ever stating that other EU institutions do not also play a role or are, in fact, often more relevant and central players than the Presidency. And neither can the impact that external events, national priorities, established institutional traditions and inherited topics exert on the EU's overall agenda be denied.

The intention was only to shed some light over the potential role of the Presidency and, therefore, inform others of one other venue for influencing EU policy-making and more specifically towards the development of a more coherent and consistent conflict prevention policy. It has, however, a more limited role over the implementation of the Council's decisions, a crucial step to assess the real effectiveness of decisions: in the first pillar these tasks fall almost entirely to the Commission and in the intergovernmental pillars the Council's bodies have mostly a monitoring responsibility.

I hope to have demonstrated that, even though Presidencies are "slightly invisible", they are indeed "central […] actors in EU decision-making" (Schout & Vanhoonacker, 2006, p. 1073), and to have shown that much of what happens in CP only happens because it is promoted (or at least tolerated) by the Presidency.

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[1] Trying to explain 'what it does', the European Union refers to "exporting peace and stability" as one of its major activities (available online at: http://europa.eu/abc/panorama/whatdoes/index_en.htm#peace).

[2] The EU has been giving economic aid to third-countries at least since the 1960s, when the Yaoundé Agreements were signed (1964 and 1969). Later these were followed by several Lome Conventions (in 1975, 1980, 1985 and 1990) and by the Cotonou Agreement (2000).

[3] A *Supplement* was issued in 1995.

[4] The CSCE was given a permanent and institutionalized form in 1994, when it was transformed into the OSCE. It considers itself as "a primary instrument for early warning, conflict prevention, crisis management and post-conflict rehabilitation in its area", and it currently has "19 missions or field operations in South-Eastern Europe, Eastern Europe, the Caucasus and Central Asia" (available online at: http://www.osce.org/about/19298.html).

[5] Other regions in the world also attempted to create their own conflict prevention mechanisms. The Organisation of African Unity, for instance created a Mechanism for Conflict Prevention, Management, and Settlement in 1993.

[6] "The momentous events of 1989 created both opportunity and widespread expectations for change." (Bretherton & Vogler, 2006, p. 213).

[7] "... contributing to the prevention and settlement of conflicts" *In* Report to the European Council in Lisbon on the likely development of the CFSP with a view to identifying areas open to joint action vis-à-vis particular countries or groups of countries, 1992.

[8] Initially adopted at the Ministerial Council of the Western European Union (WEU) in June 1992 and later incorporated into the Treaty on European Union (Article 17).

[9] Javier Solana was nominated for this position in the June 1999 Cologne European Council.

[10] Cologne European Council, June 1999.

[11] Revised in 2005, it is expected to last until 2020.

[12] Rapid-reaction mechanism, available online at http://europa.eu/scadplus/leg/en/lvb/r12701.htm.

[13] These civilian crisis management missions focus mainly on the areas of police, strengthening of the rule of law, strengthening civilian administration and civil protection.

[14] Extracts: "In line with the fundamental values of the EU, the highest political priority will be given to improving the effectiveness and coherence of its external action in the field of conflict prevention, thereby also enhancing the preventive capabilities of the international community at large." "The European Union, through this programme, underlines its political commitment to pursue conflict prevention as one of the main objectives of the EU's external relations."

[15] These Strategy Papers place an emphasis particularly on strengthening the rule of law, democracy and good governance, civil society and security sector reform.

[16] SSR stands for 'Security Sector Reform', while DDR means 'Demobilisation, Disarmament and Reintegration'.

[17] The Kimberley process is "a joint government, international diamond industry and civil society initiative to stem the flow of conflict diamonds" (http://www.kimberleyprocess.com:8080/site/?name=home), namely by establishing a system of certification for diamonds. It was initiated in 2000 by a group of African countries; early on the European Community also became a participant, and a very important one given its trading relevance in this area.

[18] The are currently eleven Special Representatives appointed by the EU, namely for Afghanistan (since June 2002), the African Great Lakes Region (since March 1996), Bosnia and Herzegovina (March 2002), Central Asia (July 2005), Former Yugoslav Republic of Macedonia (October 2005), Kosovo (Feb 2008), the Middle East Peace Process (July 2003), Moldova (March 2005), South Caucasus (July 2003), Sudan (July 2005), and to the African Union (December 2007).

[19] Jolyon Howorth (2005, p.) even claimed that "[a]nyone who had predicted in 1999 that the EU would be mounting autonomous military missions by 2003 would probably have been laughed out of court."

[20] See for example, Council Conclusions on Strengthening African Capabilities for the Prevention, Management and Resolution of Conflicts (13 November 2006, Brussels, available online at: http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/91615.pdf).

[21] According to the Commission, "The Instrument for Stability was established in order to provide financial aid throughout the period 2007-2013 that would guarantee stable conditions for human and economic development and the promotion of human rights, democracy and fundamental freedoms in

the context of the external relations policy of the European Union." Instrument for Stability (2007-13), available online at: http://europa.eu/scadplus/leg/en/lvb/l14171.htm.

[22] These are addressed, in particular, to non-state actors, international organizations, and relevant authorities of EU Member States" and a webportal was being created to "allow interested organizations and entities *working in the fields of conflict prevention, crisis management and peace-building* [...] to provide to the Commission, on a voluntary basis, information regarding their relevant areas of activity." Peace Building Partnership, available online at: http://ec.europa.eu/external_relations/news/pbp.htm.

[23] In the EU, as new tasks and policy areas came under the Union's competence, different concepts related to conflict prevention began to emerge in the European jargon, from crisis prevention, to conflict and crisis management, peace-building, and others. For a more in-depth discussion of terminology see, for example, Wallensteen, P. & Möller, F. (2003) Conflict Prevention: Methodology for Knowing the Unkown. *Uppsala Peace Research Papers No. 7* or Leal, N. (2006), Conflict Prevention from the European Union's perspective: from scholars and practitioners to the EU policy-makers? *Conflict Research Society Annual Conference 2006* (not published).

[24] For example, the Carnegie Commission on Preventing Deadly Conflict (CCPDC) states that there are "three broad aims of preventive action" (Carnegie Commission on Preventing Deadly Conflict, 1997, p. xviii), namely to prevent the emergence of violent conflict, to prevent ongoing conflicts from spreading and, finally, to prevent the re-emergence of violence. Oliver Ramsbotham, Tom Woodhouse and Hugh Miall, on the other hand, state that conflict prevention includes "those factors or actions which prevent *armed* conflicts or mass violence from breaking out" (Ramsbotham *et al.*, 2005, p. 107), a much narrower notion than the previous one once it would only apply to a pre-conflict phase.

[25] According to the *EU Programme for the Prevention of Violent Conflicts,* "[t]he process of enlargement will extend this community of peace and progress to a wider circle of European states."

[26] For a more in-depth analysis of the EU's instruments see Niño-Pérez, Javier (2004) EU Instruments for Conflict Prevention, in Vicent Kronenberger and Jan Wouters (eds.), *The European Union and Conflict Prevention: Policy and Legal Aspects*, pp. 93-117 (The Hague: TMC Asser Press).

[27] Do not confuse with the European Council, which gathers Member States' Heads of State or Government at least twice a year. Note, however, that the European Council is also presided by the same member state holding the EU Council Presidency.

[28] In CFSP matters, negotiations held between the Presidency, Commission representatives and the High Representative for CFSP (and other external actors) are also referred to as 'Troika' negotiations/conversations.

[29] Nowadays, although the Council remains one single institution, it can meet in nine different configurations (in the past there have been more): General Affairs and External Relations; Economic and Financial Affairs (or ECOFIN); Justice and Home Affairs; Employment, Social Policy, Health and Consumer Affairs; Competitiveness (Internal Market, Industry and Research); Transport, Telecommunications and Energy; Agriculture and Fisheries; Environment; and Education, Youth and Culture.

[30] This has been an explanation repeated in several Presidency websites, such as the 2007 German Presidency (available online at: http://www.eu2007.de/en/The_Council_Presidency/What_is_the_Presidency/index.html) and the current 2008 Slovenian one (available online at: http://www.eu2008.si/en/The_Council_Presidency/What_is_the_Presidency/index.html).

[31] According to David Metcalfe (1998, p. 413), the Presidency "plays a crucial leadership role in policy making negotiations in the Council of the European Union".

[32] Underlined in original.

[33] The Commissioner for External Affairs and the High Representative for CFSP may also have a saying in these matters.

[34] One other example is the Joint Statement on "EU-UN Cooperation in crisis management" signed on 7th June, 2007.

[35] In addition, Presidencies often include on the agenda documents entirely drafted, at least initially, by their Brussels and/or capital staff.

[36] *In* Presidency Report to the European Council on EU activities in the framework of prevention, including implementation of the EU Programme for the Prevention of Violent Conflicts, Brussels, 19 June 2007 (doc. 11013/07), p. 2.

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About the Author:

Natalia Leal is a Phd. Candidate at the Department of Politics and International Relations in the University of Kent at Canterbury, UK).

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