



The French Presidency of 2008: the Unexpected Agenda

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PREFACE

The Swedish Institute for European Policy Studies publishes twice a year a report on the incumbent national presidency of the EU focusing on the presidency priorities and the ongoing European agenda on the one hand and on the influence of domestic politics and external events on the other.

The French Presidency of the EU in the second half of 2008 was characterized by a number of unexpected internal and external challenges that impacted strongly on the carefully prepared agenda. Three of these events stand out: the conflict in Georgia, the global financial crisis and the Irish 'no' to the Lisbon Treaty. The Presidency, and in particular the French President Nicolas Sarkozy, has with great energy worked towards a common European approach to these issues and has, in many respects, succeeded in this endeavour. Among the items on its initial agenda, the French Presidency prioritised the energy- and climate package, the reform of the Common Agricultural Policy, a European defence and the pact on immigration and asylum. Also here is the French track record quite impressive even if the final outcome on these dossiers is far from settled. A defining feature of the French Presidency is the activism of President Sarkozy who has not refrained from taking a very hands-on approach to many of the dossiers handled by the Presidency.

SIEPS conducts and promotes research and analysis of European policy issues within the disciplines of political science, law and economics. SIEPS strives to act as a link between the academic world and policy-makers at various levels.

Stockholm, November 2008

Anna Michalski

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TABLE OF CONTENTS

EXECUTIVE SUMMARY	6
1 INTRODUCTION	8
2 FRANCE AND THE EU	10
2.1 The French European policy: motivations and processes	10
2.2 Political parties' standpoints and public opinion on the EU	12
2.3 French European policy since Sarkozy	15
2.4 Preparing the Presidency: high or low profile?	16
3 AN AGENDA FOCUSED ON DIPLOMACY	19
3.1 The Lisbon Treaty after the Irish 'no'	19
3.2 The Union for the Mediterranean	21
3.3 The Georgian crisis and Russia	23
3.4 Improving the European Defence Policy	24
4 ECONOMIC ISSUES	27
4.1 Reaction to the financial crisis	27
4.2 Trade policy and World Trade Organisation	28
5 THE INITIAL PRIORITIES OF THE PRESIDENCY	30
5.1 Immigration and asylum	30
5.2 Climate change and energy	36
5.3 The Common Agricultural Policy	41
6 CONCLUSIONS	44
SVENSK SAMMANFATTNING AV RAPPORTEN	45
FURTHER READING	47

EXECUTIVE SUMMARY

Three years after the rejection by referendum of the draft constitutional treaty, the French Presidency was regarded as a means of proving that France was back in the European Union (EU). For the new President, Nicolas Sarkozy, this was also an opportunity to take the lead in Europe. Four priorities – immigration, defence, climate change and energy, agriculture – were thus carefully selected by the French government in line with the European agenda but also with national interests. A fifth unofficial priority was later added to this list, the Union for the Mediterranean. Although the project raised strong objections from Germany, Sarkozy eventually reached an agreement over a revised version that is rather close to the Barcelona Process.

Defence and the Common Agricultural Policy (CAP) are two long-term issues on which France most wanted to signal its position for the future. Discussions about European defence were motivated by France's full return into North Atlantic Treaty Organisation (NATO), but the Irish rejection of the Lisbon Treaty forced the Presidency to water down its ambitions. As for agriculture, the Presidency chose to go beyond the CAP health check by opening a debate on the future of European agriculture. Divisions are however still significant in this highly strategic sector. The Presidency was more successful in drafting a 'European Pact on Immigration and Asylum' which proposed several non-binding common principles. Energy and climate change are probably the most difficult and significant issues tackled during the Presidency. Despite a particularly overloaded agenda, France showed a strong determination with a view to adopting the climate package before the end of its Presidency. Outcomes of the discussions are still uncertain, particularly because of Italian reluctance and that of Central and East European (CEE) countries.

Discussions over the climate package also suffered from the worldwide financial crisis that has mobilised most of the energy of the European leaders since September 2008. This financial crisis is actually only one of the unexpected problems which drastically modified the agenda of the French Presidency. The Irish 'no' to the Lisbon Treaty in June 2008 reopened the institutional question. In response, the French strategy mainly consisted of putting pressure on Irish officials to envisage a second referendum. In August 2008, the Georgian crisis also led a vigorous Sarkozy to negotiate a ceasefire with Russia on behalf of the EU. As regards Ireland, Georgia and the financial crisis, the French Presidency did its best to face these huge unexpected challenges. The swiftness and the vigour of its reaction are to its credit. A certain lack of cooperation with other member

states, particularly Germany, has been the price to be paid for such activism. Above all, the outcomes of the numerous presidential initiatives are, to date, impossible to predict.

1 INTRODUCTION

The 2008 French Presidency of the Council was awaited with a mix of scepticism and hope, scepticism primarily because the heritage of the French referendum of 2005 on the draft constitutional treaty was still in everyone's mind. EU institutions and the member states were well aware that something had changed in France. The country was no longer the pioneer of the era of Mitterrand and Delors who had pushed for the establishment of the single currency, but rather the sick man of Europe, suffering from social deficits, low economic growth and a democratic malaise regarding national as well as EU politics.

From May 2007, this dark picture has changed with Nicolas Sarkozy's election as President of the Republic after twelve years under President Chirac. Sarkozy's proposal to draft a new EU Treaty and to ratify it through parliament helped – temporarily – to solve the institutional crisis. Sarkozy's France, however, was far from being perceived as a new European model or as a leading European country. Despite past official commitments, the financial objectives were still far from respecting the stability pact. France continued to defend its traditional positions, from the CAP to the expected reduction of VAT for restaurants. The perceptions of Sarkozy were rather mixed because of his heterodoxical – and often provocative – criticisms of the European Central Bank (ECB), the World Trade Organisation (WTO) negotiations or Turkish EU membership. The energy of the young French President was also associated with what Brussels has traditionally considered to be France's main fault – arrogance.

This mixed background made the 2008 Presidency a unique opportunity to prove that France was back in Europe. The European and international situation was quite favourable for France to take the lead. Angela Merkel was starting the second half of her term and Gordon Brown's domestic difficulties had a negative impact on his leadership. In the US, George Bush was finishing his term amidst great unpopularity. In contrast, Sarkozy's domestic position was solid – despite his unpopularity – since he had several years to go before the next general election and the socialist opposition was still seeking a leader. The proximity of the 2009 European elections implied that no new significant agenda could be achieved at the EU level but it also meant that the next team and projects had to be prepared. Therefore, up until the Irish 'no' to the Lisbon Treaty, Sarkozy believed that he would have to start the bargaining for the nomination of the next European leaders (President of the European Council, President of the Commission, High Representatives for Foreign and Security Policy).

In late 2007 and early 2008, the French Presidency made very careful preparation. Although the project of the Union for the Mediterranean and the announcement of an over-ambitious agenda for the Presidency were negatively perceived throughout the EU, four priorities were rather cleverly selected. Those priorities were: energy and climate change, European defence, immigration and the future of the CAP. This selection was driven both by European and domestic issues. Several EU proposals actually needed to be considered regarding climate, immigration and agriculture. The four sectors were also dictated by national interest and domestic considerations such as the full return to NATO, the defence of agricultural expenditures and electoral concerns about climate change and immigration.

This careful preparation was somewhat thrown off course by an unexpected agenda. The problems started a few days before the Presidency, on 12 June 2008, when the Irish electorate rejected the Lisbon Treaty. They continued on 7 August 2008, when Georgia launched a military attack on South Ossetia and Russia sent in troops. They persisted on 15 September 2008 when the Lehman Brothers' bankruptcy made it clear that the world financial system was in severe danger. The multiplication of unexpected problems was so daunting that they can possibly be regarded as the characteristics of the French Presidency: France had to face European, geopolitical and worldwide economic troubles that changed the programme and the expectations of the Presidency. Although the challenge is huge, the activism of the French authorities suggests that it has also awakened the messianic self-perception of France's role in Europe and in the world. As a result, the success of the Presidency will be judged both on its results concerning the initial priorities and also regarding the three unexpected challenges.

This midterm report will first consider the role of the European question within the French political system, especially since Sarkozy's election. The developments during the Presidency will then be analysed to distinguish between diplomatic issues, global economic questions and the three initial priorities (immigration, climate change and agriculture), in the knowledge that at the time the report is published the outcomes of several discussions will still be uncertain.

2 FRANCE AND THE EU

2.1 The French European policy: motivations and processes

France counts itself amongst the founding members of the EU and has long been a supporter of further integration. This support has been analysed as a way of pursuing a national project at the European level.¹ The concept of *Europe puissance*, that can be roughly translated as ‘Europe power’, expresses the idea that a unified Europe can perpetuate and extend the strength of the French State. Thus, before Maastricht a ‘peaceful functionalism’² characterised the French European policy. The main patterns of this paradigm were:

- The President of the Republic defined the main objectives of the European policy.
- The relationship with Germany was a priority since each improvement of the integration required the support of both countries. On the other hand, the UK was seen as a reluctant partner.
- The European objectives and achievements – the single market, Erasmus, Schengen and of course the single currency – were matters of national pride.
- The deepening of the European Economic Communities was welcome as long as the reforms did not threaten French sovereignty, notably with respect to foreign affairs.
- The European day-to-day business was largely delegated to high civil servants and was not a matter of party politics.
- Public opinion was supposed to trust the elite’s decision to engage in a closer integration as illustrated by the idea of permissive consensus. The positive reference to Europe was also used in order to justify costly economic reforms of modernisation.

Some aspects of that peaceful functionalism can still be observed today. The French perspective on Europe, however, has evolved over the last few years.³ The turning-point was probably the Maastricht Treaty and the nar-

¹ Parsons, C., *A certain idea of Europe* (Ithaca: Cornell University Press, 2003); Dulphy, A., and Manigand, C., *La France au risque de l’Europe* (Paris: Armand Colin, 2006).

² Lequesne, C., *La France dans la nouvelle Europe. Assumer le changement d’échelle* (Paris: Presses de Sciences Po, 2008).

³ Kassim, H., France and the European Union under the Chirac Presidency, in Cole, A., Le Galès, P., and Levy, J., *Developments in French politics* (New York: Palgrave, 4th ed., 2008), 258-276; Woll, C., and Balme, R., France: between integration and national sovereignty, in Bulmer, S., and Lequesne, C., *The Member States of the European Union* (Oxford: Oxford University Press, 2005), 97-118.

row success of the referendum. The French political elites became more concerned with the question of the democratic legitimacy of the EU. The sizeable popular opposition to the draft constitutional treaty in 2005 confirmed the lack of public support. To some extent, ordinary citizens were not the only groups to be affected by such distrust, since some political elites started to express doubts about the EU. The French narrative about Europe faced difficulties in integrating three different elements:

First, the sharing of sovereignty. Since Europe was a way of extending France's grandeur, the French elites were reluctant to admit that EU procedures, norms and institutions could prevail over domestic arrangements. It took time for French courts to admit the primacy of EU laws. After 1992, part of the Gaullist party and even some socialists formed the informal *souverainist* movement and fought against Brussels in the hope of restoring French sovereignty. The French Parliament spent many sessions passing laws that were explicitly contradictory to the 1979 directive about bird-hunting. The idea that 'Brussels' wanted to govern everyday life became banal. French politicians and parties often disregarded European institutions. The European Parliament (EP) tended to be left to second-order politicians.

Second, the free market. The EU has been increasingly criticised not only for its lack of social policies but also for ostensible encouragement of free market policies. This critique goes beyond the European question and derives directly from the negative perception of globalisation. French views on the EU have been framed increasingly by the globalisation issue. According to such views, Europe should protect citizens against aggressive competition, work deregulation, welfare retrenchment and social dumping. Critics of the EU orientation in favour of a free market found a particular echo on the left and during the 2005 referendum campaign.

Third, the enlargement of the EU. Whatever their European views, French elites still seem nostalgic for a European community of twelve members. Their reproaches of enlargement are numerous and somewhat contradictory. On the one hand, France would have lost a large part of its influence with the increase in the number of member states. On the other hand, Germany would have benefited, given its alleged special relations with CEE. Since the new members would not share the ambition of an integrated Europe, the EU risked becoming a mere free trade zone. Lastly, CEE countries are accused of being too close to the US, whereas French elites still aim to develop the EU as an independent global power. Thus the French position has been characterised by a certain reluctance towards the East, from Mitterrand's proposal to create a European Confederation that

included Russia in 1991 to Chirac's anger with Eastern countries during the Iraq war of 2003. Beyond the enlargement of the EU, these fears also illustrate the difficulty of establishing a balanced relationship with a reunified Germany.

The attachment to national sovereignty, the reluctance to accept globalisation and the fears associated with EU enlargement all contributed to the unexpected opposition to the draft constitutional treaty in 2005. This refusal was followed by a period of French immobility at the European level coinciding with the end of Chirac's term. It should, however, be noted that the break-up of the peaceful functionalism was not followed by any major change in the way EU policies are prepared and implemented in France.⁴ The President is still in charge of defining the main objectives. He also prepares and attends the European Councils. The Prime Minister's role in European affairs, however, has been maintained as the interface of ministerial coordination. Indeed, the Prime Minister controls the former SGCI, General Secretariat of the Interministerial Committee for European Economic Cooperation Affairs, which in 2005 became the SGAE, General Secretariat for European Affairs. The central role played by the SGAE in the institutional framework of European decision-making mirrors the traditional administrative centralism of the French bureaucracy. New actors have progressively appeared in the policy process. The ministerial departments – and even more regional actors – tend to gain influence. The French Parliament formally obtained some prerogatives in 1992. The National Assembly and the Senate receive all EU documentation and can table non-binding opinions on draft legislation. Their committees for EU affairs (formerly Delegations) have developed an impressive scrutiny of EU documents but those clubs tend to remain rather confidential and do not weigh on the governmental policy.

2.2 Political parties' standpoints and public opinion on the EU

Europe cannot be regarded as a new political cleavage of the French party system. Nevertheless, the European question has seriously contributed to transforming that system for the last fifteen years:

- At the extreme right, the *National Front* (FN: 10.4 per cent in the first round of the Presidential election in 2007) developed a radical discourse

⁴ Rozenberg, O., L'Union européenne et le fonctionnement des pouvoirs publics, *Les Cahiers français*, 332 (2006), 39-45; Lanceron, V., *Du SGCI au SGAE: évolution d'une administration au cœur de la politique européenne de la France* (Paris: L'Harmattan, 2007); Lequesne, C., *Paris-Bruxelles. Comment se fait la politique européenne de la France* (Paris: Presses de Sciences Po, 1993).

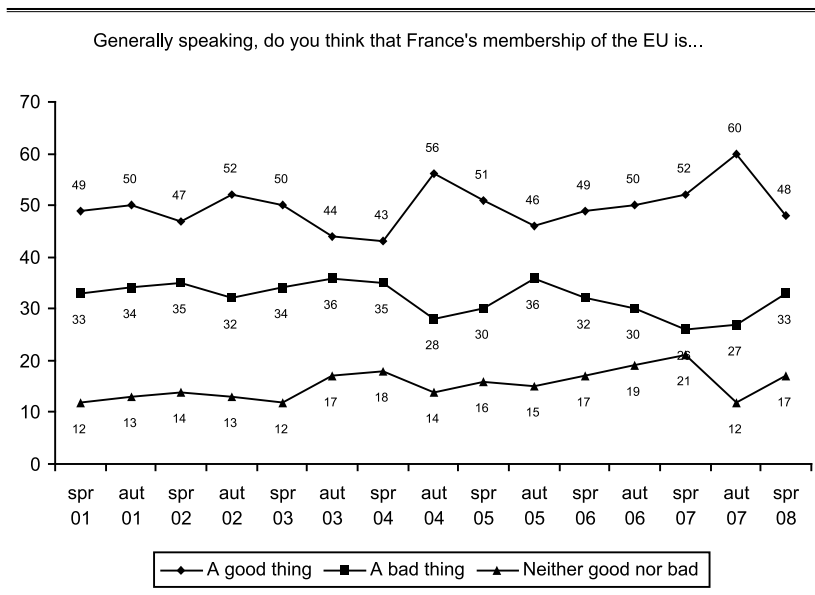
against EU. Even if Jean-Marie Le Pen's party lost ground to the profit of Sarkozy's UMP, the FN continues to use the opposition to the EU as proof of its radical divergence from governing elites.

- The national right behind *Philippe de Villiers* (2.2 per cent in 2007) is maintaining the right-wing opposition to the EU in the name of sovereignty. This movement has suffered from internal divisions but still represents a danger for Sarkozy in the 2009 European elections.
- Sarkozy's *Union pour un Mouvement Populaire* (UMP: 31.2 per cent) was created in 2002 through the fusion of the Gaullist right and part of the centre right. Whereas the former Gaullist party was split between Europhiles and Eurosceptics, the UMP unambiguously chose to support the European treaties and their reforms. Apart from the admission of Turkey, which split Chirac and Sarkozy, the European issue is no longer a matter of division among the governing party of the French right. Moreover, the EU tends to be perceived as a useful tool for imposing an economic programme of liberalisation.
- After the 2007 elections, François Bayrou created at the centre the *Mouvement Démocrate* (MoDem: 18.6 per cent) and refused to ally with the UMP. In the continuity of President Giscard's movement, the MoDem presents itself as the most pro-European party and even holds federalist views. The unity of the UMP on the European field, however, led Bayrou to forsake his European pleas and to concentrate on criticising Turkey's accession to the EU.
- The *Socialist Party* (PS: 25.9 per cent) used to be relatively unified in its attitude toward Europe owing to the leadership of Mitterrand and subsequently that of Jospin. Since the internal consultation on the draft constitutional treaty in 2004, this is no longer the case. The right-wing of the party is faithful to the heritage of Mitterrand and Delors, whereas the left-wing considers the EU as a vector of liberalisation rather than a shield against globalisation. Polls indicate that a majority of socialist voters tend to support the views of the latter. The crisis of leadership of the PS has not permitted any solution to this European cleavage, but it should be noted that the main contenders, including Ségolène Royal, are not Eurosceptic.
- The allies of the PS are divided between an anti-European *Communist Party* (1.9 per cent) and the federalist *Greens* (1.6 per cent). Unified behind Daniel Cohn-Bendit, the Greens may attract pro-European socialist voters for the next European elections.
- Lastly, the *Trotskyite* extreme left (4.1 per cent) has been gaining ground for several years with a young leader, Olivier Besancenot, and several

movements opposed to globalisation. This radical tendency criticises the pro-market feature of EU policies as well as the democratic deficit of the European policy-making system. Even if they convince only some of the voters, their discourse has a significant influence far beyond the extreme left.

Support for the EU in French public opinion has not been constant in recent years, as indicated by Illustration 1.⁵

Illustration 1. Trend of public opinion support for EU (2001–2008)



Note: spr = spring; aut = autumn

Source: *Standard Eurobarometers*. http://ec.europa.eu/public_opinion/standard_en.htm

⁵ Sauger, N., Attitudes towards Europe in France, in Cole, A., Le Galès, P., and Levy, J., *Developments in French politics* (New York: Palgrave, 4th ed., 2008), 60-73; Evans, J., The European dimension in French public opinion, *Journal of European Public Policy*, 14/7 (2007), 1098–1116; Brouard, S., and Tiberj, V., The French Referendum: the not so simple act of saying nay, *PS: Political Science & Politics*, 39 (2006), 261–268.

A decrease in the general support for the EU followed the refusal of the draft constitutional treaty in 2005. Sarkozy's election in May 2007 changed this trend. In October to November 2007, the level of support was 60 per cent. The situation changed again a few months later with a decrease in the popularity of the EU according to the *Eurobarometer 69*, which assessed the French position from March to April 2008. In the evaluation of the country's membership of the EU, France ranks as the nineteenth member state, four points behind the European mean. Likewise, only 49 per cent of the French estimate that France has benefited from membership of the EU versus 54 per cent, the mean in Europe, and 57 per cent the previous semester. A few days before the start of the Presidency, an opinion poll also indicated that 53 per cent of the French would reject the Lisbon Treaty.⁶ Such a trend can largely be explained by the deterioration of the economic climate during the last few months. Studies have indeed shown that the perception of the EU is dependent on economic growth.

The public perception of the EU emphasised the delicate situation of Sarkozy and the right-wing majorities within opinion polls, and the Irish rejection of the Lisbon Treaty strengthened the belief of the French authorities that the EU should deal with concrete projects that contribute to protect the citizens. 'European protector' and 'protection by Europe' thus became the political creed of the Presidency. The European level is presented as the optimal answer to protecting citizens against global warming, immigration, fuel price rise and, during the Presidency, financial bankruptcy. Such a narrative takes root in the traditional French motivation for European integration and may be regarded as somewhat negative. Highlighting the idea of protection implies recognition that the EU has not been engaged enough in that field. It also gives a negative image of globalisation, presented as a danger against which France and Europe should be protected, rather than as an opportunity.

2.3 French European policy since Sarkozy

After the negative referendum of 2005 and the lack of initiatives at the end of Chirac's term, Sarkozy's priority was to demonstrate that France was back in Europe. For that purpose, he announced rather courageously during the 2007 presidential campaign that he would propose a new European 'mini' treaty that would be approved by Parliament and not by referendum. This decision paved the way for the signature of the Lisbon Treaty. France was one of the first member states to ratify the draft treaty on 14 February 2008. Sarkozy also decided to restore good relations with CEE countries.

⁶ *Sud Ouest*, 22 June 2008.

Those relations had suffered from dissension during the 2003 Iraq war and stressed a certain clumsiness of President Chirac's diplomacy. Above all, the 2004 and 2007 enlargements of the EU were negatively perceived by the political elites as a failure of the project of an integrated Europe. Sarkozy was quite willing to change France's relation with Eastern Europe. For instance, he decided in 2008 to authorise the mobility of EU workers without any restriction. Lastly, the choice of Europe was also symbolic of Sarkozy's visit to Brussels just after his election, and with the invitation to soldiers from the armies of the 26 member states to join the national day celebrations on 14 July 2007.

Despite the willingness of the new President to restore France's position in Europe, several elements of his policy were less appreciated. First, Sarkozy vented publically his opposition to the membership of Turkey during the 2007 electoral campaign. Although he did not try to stop the on-going negotiations after his election, the Union for the Mediterranean was rightly perceived as an attempt to involve Turkey in an alternative project. Second, Sarkozy faced difficulties in reaching a harmonious relationship with Merkel. Those problems can certainly be explained by personal disagreements as much as by the irritation with Sarkozy's propensity to claim paternity of European decisions such as the Lisbon Treaty. The tensions can also be explained by the concerns raised by some statements of French authorities. Sarkozy's European policy actually had its 'dark side' personified by his special adviser, Henri Guaino. Guaino's comments on the 'absurd' EU competition policy and his criticisms of the ECB that 'does not favour growth' were not appreciated outside France. Other statements of Sarkozy appeared populist, such as his criticisms of fishing quotas in Boulogne-sur-Mer on 19 January 2008.

The fact that Sarkozy's European policy was relatively successful regarding institutional questions but faced difficulties in other matters is an illustration of the intergovernmental aspect of his conception of the EU. As with other French leaders who made their career within France, the EU evokes first and foremost the relation with their national counterparts and the European summits. The Community method, rules and institutions are no longer ignored but they do not come first.

2.4 Preparing the Presidency: high or low profile?

Sarkozy's strategy for preparing the Presidency appears as rather ambiguous. On the one hand, Sarkozy was aware of the necessity to break with a certain French arrogance and to adopt a low profile. The choice of Jean-Pierre Jouyet as Minister of State for the Ministry of Foreign and

European Affairs, with responsibility for European Affairs, appears relevant from that perspective since the former adviser to Jacques Delors is a specialist on the EU and popular in Brussels.

At an early stage, France started to define the priorities of the Presidency and to work on them. Those priorities were cleverly chosen since they had strong connections with the European agenda. Regarding agriculture, climate change and migration, several pieces of draft legislation had to be considered by the Council. The importance of the preparation can also be seen in the careful attention paid to several actors that France traditionally used to neglect,⁷ the UK (with a successful visit to London in March 2008) as well as the EP. Whereas French political elite has all but held the EP in contempt, Sarkozy received the presidents of the parliamentary groups on 16 to 25 May 2008. The strategy consisted in using the EP in order to force the member states to reach a compromise was adopted by the Presidency, notably for the climate change package.

These careful preparations contrast with several elements that show a more negative image of France in Europe. The main criticism is probably the propensity to grandiloquence. At a press conference on 8 January 2008, Sarkozy stated: 'At the end of the French Presidency, my objective is that Europe has made progress in the process of a common policy for immigration, a common policy for defence, a common policy for energy and a common policy for environment'.⁸ The declaration caused some consternation among Europeans, since Slovenia was presenting the objectives of its own Presidency at the same time. One week later, the Slovenian Prime Minister, Janez Janša, ironically answered before the EP that his country's presidency would not be as 'grandiose as France', but it would 'focus on substance'. The controversy led Jouyet to declare in Brussels on 23 January that the French Presidency would be 'modest in its style, ambitious in its objectives, and realistic', and that France would adopt a 'collective' approach, adding: 'To win, a team must have a collective game plan, even if that team has a star player'.

The preparation of the Presidency was also characterised by the lack of cooperation regarding the Mediterranean Union project. In December 2007, France announced the project without consulting Germany and the Presidency of the Council. This additional priority also fed the fear of an

⁷ Lequesne, C., *La France dans la nouvelle Europe. Assumer le changement d'échelle* (Paris: Presses de Sciences Po, 2008).

⁸ See <http://www.sarkozynicolas.com/nicolas-sarkozy-conference-de-presse-8-janvier-2008-texte-integral/>

overload of the French Presidency. Sarkozy's propensity to react quickly to the current events therefore added new questions to the agenda. Thus, his controversial proposal to limit the VAT rate on fuel occupied the first weeks of the Presidency and set France against Germany. After some hesitation, however, Sarkozy refused to add social policies as a fifth priority, as proposed by Jouyet in late June 2008.

At the beginning of the Presidency, another problem was the tense relations with two EU institutions, the Commission and the ECB. Regarding the ECB, Sarkozy denied contesting the independence of the ECB but on several occasions criticised the raising of interest rates. He also publicly blamed Peter Mandelson, the European Commissioner for Trade. The violence of his words contrasts with the diplomatic style of the Brussels world. During a press conference in Brussels on 19 June 2008, Sarkozy claimed that a child dies of starvation every thirty seconds and the Commission wanted to reduce European agricultural production by 21 per cent during the WTO talks and that there is only one person that supports that, namely Mr Mandelson. He also indirectly accused the Commissioner of being responsible for the Irish 'no'. In response, Mandelson refused to join the Commission for a dinner at the Elysée Palace on the first day of the Presidency. It should be noted that Sarkozy was in a rather strong position vis-à-vis the Commission, since President Barroso needed his support for a second term.

Thus, France alternated between a high and a low profile during the preparation of the French Presidency. Those contradictions continued afterwards, as illustrated by the financial crisis when Sarkozy patiently succeeded in fostering a common position of the member states but irritated his partners with his pretension to hold the Presidency of the Euro zone. Beyond the traditional reproach of arrogance addressed to France, the difficulty of adopting a consensual style is also rooted in Sarkozy's way of governing, a mix of voluntarism and provocation. The equilibrium between determination and intimidation is sometimes difficult to maintain. The rapid adaptation to events implies the risk of neglecting consultation with French partners. Relations with Germany have suffered particularly from such a presidential style throughout the Presidency.

3 AN AGENDA FOCUSED ON DIPLOMACY

The French Presidency had to cope with several unexpected crises in six months of work, including the Irish rejection of the Lisbon Treaty and the Georgian-Russian crisis. It also pushed for action on two diplomatic fronts: Defence Policy and the relationship with the Mediterranean countries

3.1 The Lisbon Treaty after the Irish 'no'

Two main reasons explain why the Irish 'no' to the Lisbon Treaty is a tricky problem for the French Presidency. The first reason is the limited margin of manoeuvre of the Irish Prime Minister, Brian Cowen, for finding an acceptable compromise with the Irish 'no' voters to overcome the crisis. The second reason is that a majority of EU member states (including France) have ratified the Lisbon Treaty and do not want to accept another failure after the European Constitution.

On the Irish domestic scene, an opinion poll from July 2008 shows that 71 per cent of the Irish voters do not support the idea of a second vote on the Lisbon Treaty. Apparently, 62 per cent would be prepared to vote 'no' in a second vote, compared with 53 per cent in June 2008. The real difficulty for the Irish Prime Minister is the diversity of the arguments used by the opponents of the Lisbon Treaty: the fear that Ireland will lose its Commissioner in Brussels; the fear that a more ambitious European Defence Policy contradicts the Irish neutrality; the fear that the provisions of the European Social Charter support the legalisation of abortion in Ireland; the fear that corporate taxes could be harmonised at the EU level at a rate that is not favourable to the investments in Ireland. An additional difficulty for the Irish government is that some of those fears are clearly built on fiction rather than reality. On corporate taxes, for instance, the Lisbon Treaty is maintaining unanimity and Ireland retains a formal power of veto on this issue in the EU Council of Ministers.

Vis-à-vis the EU member states which have not ratified the Lisbon Treaty, President Sarkozy has decided to show a proactive style. Even if the financial crisis modified the priorities on the agenda, the French President was unhappy that Brian Cowen was not able to propose any concrete proposal for domestic compromise at the European Council in October 2008. The conclusion of the European Council states: 'The Irish government will continue its consultations with a view to contributing to find a way to resolve the situation. On that basis the European Council agreed to return to this question at its meeting in December 2006'. In the press conference which followed the European Council, Nicolas Sarkozy declared: 'Frankly speaking, this paragraph in our conclusions looks like cant (*langue de bois*)

in French)'. This sentence reveals clear signs of impatience, even if Nicolas Sarkozy's activism is constrained by the French failure on the European Constitution at the referendum in May 2005. The French Presidency then supported the work done by the Irish government and the legal services of the Council Secretariat to negotiate either an opting-out (Danish scenario after the rejection of the Treaty of Maastricht in 1992), and/or political declarations (Irish scenario after the rejection of the Treaty of Nice in 2001). As President of the European Council, Nicolas Sarkozy is firmly convinced that he must 'push' the few member states which have not yet ratified the Lisbon Treaty to do so, before asking the Irish citizens to vote on a new compromise. In particular, he insists that the two countries which will take the lead of the EU in the next twelve months (the Czech Republic and Sweden) should ratify the Treaty. He also wishes to convince the Polish President, Kaczynski, to sign the ratification of the Lisbon Treaty agreed by the Polish *Sejm* but blocked by the conflicting relations between PiS (Party of the President) and PO (main party in government).

President Sarkozy's concerns about the commitment of the Czech and Swedish governments to ratify the Lisbon Treaty as quickly as possible do explain his regular references to the necessity for the countries which have not yet ratified the Treaty to do it. Of course, this kind of 'pressure politics' is a bit risky. First of all, it could be considered as 'external blackmail' by all the political forces which are against the Lisbon Treaty in the countries which have not ratified it. Second, it could increase the perception of a hegemonic pressure from 'big' member states on 'smaller' member states. Nicolas Sarkozy's activism also has to be understood in the French context. The President has to show deference to French public opinion after repeating regularly, before the Irish 'no', that the Lisbon Treaty was born from 'his' initiative of a 'mini' treaty. He has now to cope with the difficulty of establishing a hierarchy in his discourses as regards what is devoted to the French clientele and what is devoted to the outside public. For instance, a few days before visiting Brian Cowen, in July 2008, he declared to the French members of his party, UMP, that the Irish citizens had no choice other than voting again. His majority was very happy to listen to such a clear message. But the Irish opponents to the Lisbon Treaty immediately denounced a disregard of their democratic 'no'. Although a lot of studies rightly assume that the EU has a weak public space, speeches delivered by any politician in one member state in a period of crisis can immediately be interpreted negatively in another member state. It puts on any presidency a particular constraint and Nicolas Sarkozy has some difficulty in managing it properly.

3.2 The Union for the Mediterranean

One of the French Presidency's purposes is the launch of the Union for the Mediterranean, a controversial project among the member states. On 13 July 2008 the first Summit of this new institution took place in Paris. It culminated in a co-presidency between France and Egypt and the political commitment to relaunch the Euro-Mediterranean Partnership (Barcelona Process) in certain areas of concern: economic and social development, food security, climate change and desertification, energy, migration, terrorism and political extremism, and intercultural dialogue.

The project of the Union for the Mediterranean has a tumultuous legacy. The idea was launched on the evening of Nicolas Sarkozy's election in May 2007. In his first speech after his electoral victory, the new President of the Republic declared his deep desire to build a Mediterranean Union. In its original conception, the project was seen as a substitute for a failing Barcelona Process, strictly limited to the bordering countries of the Mediterranean Sea. For its instigator, Sarkozy's special adviser Henri Guaino, the main political objective of the Union for the Mediterranean was to build a privileged partnership between France and the countries of the southern bank of the Mediterranean. Different concerns were probably behind Henri Guaino's idea: (1) balancing the so-called political influence of Germany in CEE after the enlargements of 2004 to 2007; (2) contributing to a normalisation of the relations between Israel and some moderate Arab countries; (3) finding an alternative solution to the full membership of Turkey opposed by President Sarkozy.

Supported with little enthusiasm by Greece, Italy and Spain, the French proposal of a Mediterranean Union was launched by the Elysée Palace in spring 2008, but was rapidly stopped by the opposition of Angela Merkel. The German Chancellor contested a project which was clearly competing with the existing Barcelona Process and did not include all EU member states. Several other member states, as well as the Commission and the EP, supported the German reluctance. In Paris, Jean-Pierre Jouyet, the Secretary of State for EU affairs, considered that the conflicts around Guaino's proposal could jeopardise the launch of the French Presidency. He pushed Nicolas Sarkozy to accept a *communitarisation* of the initial project conceived as a reinvigoration of the Barcelona Process.

In the European Council held in March 2008, a compromise was found in a relaunch of the Barcelona Process which has never worked properly. The policy objectives and the budget were strictly framed. No fewer than 44 countries, of which half border the Mediterranean, agreed to participate in the project. To stress the evolution from the initial project, the Mediter-

anean Union was renamed Union for the Mediterranean.

A new dynamic for the Euro-Med Partnership is an important issue that many of EU member states are prepared to support. The reason is that a large number of problems remain between the two sides of the Mediterranean: (1) huge economic differences; (2) absence of formal democracy in most of the countries of the southern bank of the Mediterranean; and (3) unresolved diplomatic conflicts (in particular between Israel and the Arab countries). The French Presidency has now accepted that any new policy vis-à-vis the Mediterranean countries should be part of a broader EU external policy, and more precisely the EU neighbourhood policy. Just to take one example, it makes sense to have a joint management of the migration flows coming from the Mediterranean area only if Germany, the main recipient country of the EU, is included. Because goods and people are moving globally, EU countries can no longer concentrate their policies only on their immediate neighbourhood. All EU countries are concerned by what is going on in the Mediterranean, just as the Southern EU member states are concerned by developments in Eastern Europe. In 2008, migrants from Ukraine constitute the third working community after Brazilians and Cape-Verdians in Portugal.

The meeting of the foreign ministers of the Union for the Mediterranean which took place in Marseille in November 2008, was obstructed by the disagreements between Israel and the Arab countries. It is the reproduction of a scenario that prevented the Barcelona Process from proceeding efficiently. In Marseille, the Israeli government would not allow the Arabic League to attend the preparatory meetings at expert level. Another conflicting issue was where the General Secretariat of the Union for the Mediterranean should be based. Syria and Lebanon were against the idea of setting up the General Secretariat in an Arab country because it could be interpreted as a normalisation process with Israel. A last conflicting issue was between the EU member states about the future of the Presidency. Henri Guaino declared that France should remain co-president with Egypt until the next Summit of the 44 in 2010. But the Czech Republic and Sweden were not prepared to accept such a solution, which they held to be a violation of the Treaty rules on the rotating Presidency of the EU. In the end, a compromise was found in Marseille on most of the issues. Barcelona was chosen as the location for the Secretariat General. No Secretary General was appointed but six Deputy Secretary Generals were elected. One seat was attributed to the Palestinian Authority as well as Italy, Greece, Malta, Turkey and Israel.

3.3 The Georgian crisis and Russia

The unexpected war between Georgia and Russia started during the French Presidency after the Georgian forces invaded South Ossetia on 7 August 2008. Following the Russian military reaction, President Sarkozy went to Moscow on 12 August 2008 to negotiate a ceasefire on behalf of the EU. The extraordinary European Council, held in Brussels on 1 September 2008, condemned the unilateral recognition of Abkhazia and South Ossetia and the disproportionate reaction of Russia. The negotiation of the ceasefire could be considered as a success in a context where American diplomacy was relatively weak. The EU, led by the French Presidency, was definitely more proactive in the search for a settlement between Georgia and Russia than the US.

Despite this European recommendation, Russian tanks made their way inside Georgia. On 8 September 2008, a European delegation obtained from Moscow a partial withdrawal from the areas and an agreement to deploy observers in the buffer zones. It was only on 8 October 2008 that a partial Russian withdrawal of troops began.

As a consequence, the EU negotiations with Russia to conclude a new partnership agreement were frozen. The opposition of some EU countries, especially the Baltic States, was particularly strong. Three months after the events in Georgia, the French Presidency proposed the start of new talks with Moscow to the EU partners on the partnership agreement. The French Presidency, supported by Germany and Italy, appears clearly in favour of a warming of the relationship with Moscow. This view is not shared by all the member states, especially by the new member states of CEE neither by the UK and Sweden, at a time when Russia proposes to deploy new missiles in the Russian enclave of Kaliningrad. The dilemma of how to deal with Russia is probably greater at the end of the French Presidency than it was at the start. The UK and Sweden insisted that the French Presidency respect the view of the EU meeting held on 10 November 2008 that any process of negotiation with Russia should not legitimise the status quo in Georgia.

The French Presidency is confronted with a classical dilemma vis-à-vis Russia. On the one hand, it cannot accept the real arrogance of Russia vis-à-vis its neighbours in the Caucasus as well as the Ukraine. On the other hand, it wants to keep a good relationship with a 'big' country whose diplomatic support could be useful in some other regions of the world (especially in the Middle East and in Iran). The French Presidency is probably less sensitive to the question of the dependence of the EU vis-à-vis Russian gas and oil than the question of Russian help in global

diplomacy. The French had to cope with a non-EU policy on Russia and were not really able to go beyond the divisions. The Czech Presidency, starting on 1 January 2009, will probably adopt a tougher line vis-à-vis Moscow, even if a tough discourse from Prague does not necessarily mean a tough policy.

3.4 Improving the European Defence Policy

Nicolas Sarkozy favours a full reintegration of France in all the military structures of NATO, standing a clear distance from the Gaullist legacy. At the NATO Summit of Bucharest, in April 2008, he declared: 'After the French Presidency [of the EU] the moment will arise to take the necessary decisions to reintegrate all the structures of NATO'. To President Sarkozy, this decision has, however, a clear counterpart: reinforcing the operational capabilities of the EU so that Europeans can play an increased role in parts of the world (like Africa) where NATO and the US have no interest in intervening. France is pushing for the creation of a European Operational Headquarters, on the model of NATO. Traditional Atlanticists inside the EU (like the UK or some CEE countries), as well as neutral countries, are not particularly interested in this perspective.

The important point, however, is that the Bush administration has pushed the idea and the Obama administration will have to consider whether or not to continue on the same line. Nothing is really possible in the development of a European Defence Policy if the UK is not supportive. Gordon Brown seems disturbed by the new French activism which could change the special relationship of London with Washington. A future Conservative government would be even less supportive of a European Defence Policy. This explains why Nicolas Sarkozy would like to take decisions before the British elections of 2009.

From a more short-term perspective, the French defence minister invited his 26 EU counterparts, Javier Solana, the High Representative for the Common Foreign and Security Policy, and the European Commission to a two-day working meeting from 1 to 2 October in Deauville. This meeting illustrates France's desire, in line with the aims of the French President, to revive Europe's Defence Policy.

First, the defence ministers reviewed the military operations conducted by the EU and considered that:

- The European force (EUFOR) operation in Chad and the Central African Republic has managed to restore security for refugees, displaced persons and humanitarian organisations. Minister Morin proposed to his counterparts that they meet together in Chad on 22 November next.

- The ‘Althea’ military mission in Bosnia-Herzegovina has fulfilled its tasks, paving the way for a different type of European presence. Among the various options studied, consideration was given to a military education and training mission.
- The planning of an EU military naval operation to fight piracy off the coast of Somalia will be accelerated.

Second, to respond to the needs for increased, robust, flexible and interoperable European military resources, the French President obtained the agreement of his counterparts on several specific initiatives:

- European helicopters would be overhauled and their pilots trained to be deployed to the most demanding theatres of operations. Financial and in-kind commitments were made. Morin announced a French financial contribution of five million euros to this initiative, which brings the total of France’s contribution to around eight million euros.
- A multinational air transport fleet will be established, initially involving the A400M aircraft, to increase the EU’s air transport resources.
- A European air and sea group could be set up, in case of need, for military naval interventions. This would consist of an aircraft carrier and all the required escort and support vehicles, which would be interoperable.
- New military capacities for spatial observation will complement European’s means of gathering information. Several military satellites will supply images to the EU Satellite Centre. The new generation of satellites will be developed with European cooperation.
- In the area of armaments, the role of the European Defence Agency will be reinforced, notably with regard to conducting European armaments and research programmes. The defence ministers supported the creation of a real internal market for defence procurement to encourage the consolidation of the European industry.
- Existing European forces will be made more reactive. The need to deploy them in operations was emphasised, in particular for the Battle Group’s 1500 forces.

Third, the EU defence minister also obtained the agreement of his counterparts to the proposals aimed at European citizens:

- The coordination of operations to evacuate EU nationals will be increased to strengthen the protection of European citizens throughout the world.
- Military contributions to maritime surveillance will be consolidated to respond to intensified illicit trafficking and acts of piracy. The minister’s

proposal to create a European maritime surveillance network received support.

- Exchanges between young European officers will be developed through an initiative inspired by the ERASMUS programme.

4 ECONOMIC ISSUES

4.1 Reaction to the financial crisis

The financial crisis was the second major unexpected event that the French Presidency had to cope with in six months. The perception of a crisis really started with the collapse of the American bank Lehman Brothers on 15 September 2008. The world then realised that a bank with a high international reputation can be declared bankrupt. Immediately after the failure of the Paulson 1 Plan in the US, President Sarkozy tried to elicit a common answer of the crisis from the members of the Euro zone.

A consensus on the solutions to support the European banks was not immediately obvious. The crisis in the US had rapid consequences for the EU financial firms: collapse of the Belgo-Dutch bank Fortis, a Plan of State intervention for the main banks in the UK, a government plan to support the financial solvency of the banks in France were among a few major actions taken by governments of the member states. President Sarkozy's first instinct was to ask the European members of the G8 (Germany, Italy, the UK and France) to launch European financial support for their banks. The German Chancellor, Angela Merkel, did not agree with such a proposal, preferring a coordination of national action plans. Interestingly enough, the German government did play more a national card vis-à-vis the financial crisis than the French or the British governments. Usually, it is the converse that is the general rule.

President Sarkozy's strategy consisted of the step-by-step approach in the functionalist tradition. After a meeting with the G4, he decided to meet the members of the Euro zone plus Slovakia (which should become a member in 2010). He then put the question on the agenda of an extraordinary meeting of the European Council in October 2009. The final decision was an agreement on a plan of 1800 billion euros to support the financial institutions and to protect consumers. The main objective of this financial plan was to calm the financial markets in a period of severe liquidity crisis where the stock exchanges were all coping with a dramatic decrease of stock market values.

President Sarkozy's idea is to go beyond the remedy to the crisis and to think about a reform of the world capitalist system. This is precisely a perspective that some EU member states, like Germany, the Czech Republic, and to a certain extent also the UK, welcome with caution. In his speech to the EP on 21 October 2008, Sarkozy evoked the importance of having 'a new Bretton Woods'. Sarkozy is a man who, like most of the French liberals, believes in a regulated capitalism. His wish would be to impose

not only on the other Europeans but also on the US a general reflection on a regulated capitalism. His ideas are modern but his 'pushy' style sometimes does not help him to create confidence. Some EU member states would immediately consider that this kind of plan is just a revamp of the old French Colbertism, which is not the case. Sarkozy believes in market economy but also considers that the defence of a 'pure' market is ideology. Markets need institutions.

This view, which is shared by most of the French politicians, does explain why President Sarkozy came back with the idea of an 'economic government' for the Euro zone. He is not against the independence of the ECB in the management of monetary policy but nevertheless believes that the independence of the ECB should be balanced by a coordination of the economic policies at the level of the Heads of State and Government. As President of the EU, he suggested a meeting of the Eurogroup at the highest level, and not just at the level of the ministers of finance. The German Chancellor, again, is not on the same wavelength as the French President regarding the 'economic government'. She does not see the necessity for such an institution. The Eurogroup has no legal value but is more of an informal setting. The French position is that an informal setting could decide to organise its presidency without adopting any institutional treaty. A possibility expressed informally by the French Presidency on the Eurogroup would be for it to hold the chair until a Euro-member takes the Presidency of the EU, and that would be Spain in 2010. Another solution would be to have an elected President for the Euro zone. If the idea of an elected President for the Euro zone is approved, France would probably not support the Prime Minister of Luxembourg, Jean-Claude Juncker, as a candidate. Sarkozy's view is that Juncker was not reactive enough during the financial crisis and also that he has the disadvantage of coming from a country where the banks suffer from a lack of transparency.

4.2 Trade policy and World Trade Organisation

As a French liberal, Nicolas Sarkozy does not believe in the virtues of 'pure' free trade. For him, this idea of free trade is just an invention of academic economists or naïve ideologists. Sarkozy is convinced that trade exchanges have to do with politics, that every country in the world uses protection when its interests are at stake, and that the EU should do the same when necessary. This view explains why the EU Commissioner for Trade, Peter Mandelson, became a target for Sarkozy's criticism. But this is not because it is Peter Mandelson. In the past, many other trade commissioners, pushing for more free trade, also became the target of the French Presidents of the Republic.

In July 2008 in the beginning of the French Presidency, Nicolas Sarkozy did not support the conclusion of an agreement at the WTO. The main argument not to agree was that the EU could not accept that agricultural products are managed with the same rules as industrial products or services (a demand from countries like Brazil). The decision not to support the agreement at the WTO was a clear political one, especially in a context where 19 member states out of 27 were prepared to meet other world partners halfway.

5 THE INITIAL PRIORITIES OF THE PRESIDENCY

5.1 Immigration and asylum

Why were immigration and asylum a priority?

President Sarkozy chose the issue of immigration as a priority of the French Presidency for several reasons.

First, as the Home Affairs minister of President Chirac (2002–2004 and 2005–2007), he developed a good knowledge of that sector and expressed his concerns for the lack of cooperation in Europe regarding migration as well as asylum policies. In 2005, he particularly opposed the decision of Spain to regularise 600,000 illegal workers. According to him, the Schengen agreement implies that unilateral decisions of this kind should be avoided within the EU. According to Sarkozy's views, immigration and asylum thus constituted two issues for which cooperation was needed in Europe. During a meeting of the Home Affairs ministers of the six biggest member states in September 2006, he asked for the adoption of a European Pact on immigration. This priority was also in accordance with his idea that European integration could only progress by pragmatic steps and concrete results.

Second, such a priority was also driven by an internal political agenda. As Home Affairs minister and during the 2007 campaign for the Presidency, Sarkozy put the question of immigration at the top of his agenda. His successful electoral strategy was to capture the extreme right voters to the detriment of Jean-Marie Le Pen's National Front.⁹ After his election in May 2007, he chose to continue in this direction, as indicated by the creation for the first time of a minister for 'Immigration, Integration, National Identity and Mutually-Supportive Development', a post held by his closest companion, Brice Hortefeux. Placing immigration and asylum on the European agenda was indeed a way of continuing his national policy at a high level. Additionally – and somewhat paradoxically – the European level has been used in order to answer human rights associations' criticisms of the French immigration policy. The idea was that if 'our European neighbours' agreed with Sarkozy's views on immigration, then those views could be regarded as moderate and reasonable. At the beginning of the French Presidency, those internal considerations became all the more relevant in that a report ordered by Sarkozy conceded the irrelevance of one of

⁹ Tiberj, V., *La crispation hexagonale: France fermée contre « France plurielle », 2001–2007* (Fondation Jean Jaurès, Paris: Plon, September 2007).

his projects for immigration: the national quotas of migrants by countries of origin.¹⁰

Those various motivations explain both why immigration and asylum were a leading priority and why French authorities were ready to compromise on them. The cautious preparation of the dossier indicates how significant that issue was. Sarkozy gave his instructions in 2007 just after his election.¹¹ Minister Hortefeux visited a large number of member states in the first half of 2008. The negotiation has shown, however, that France was ready to accept concessions on the issue. This willingness to compromise can be explained by Sarkozy's sound knowledge of the views of his partners on immigration, given his Home Affairs background, but it can also be derived from internal communicational motivations on behalf of the President. As for the Union for the Mediterranean, the objective was first to show that the EU was doing something, and second actually to do something. Eventually, this communicational motivation led French authorities to assert that they were developing new European policies in the field of immigration and asylum whereas the European agenda had emerged for years through the agendas of Tampere (1999) and The Hague (2004).

What has been decided regarding immigration and asylum?

Brice Hortefeux started months before the French Presidency to negotiate a 'European Pact on Immigration and Asylum'. This Pact is a political agreement and not a set of directives. The European Council has, however, expressed the wish for the Pact to be transposed into concrete measures. The Pact was presented at the beginning of the Presidency during the Justice and Home Affairs Council held at Cannes on 7 July 2008. At that stage it had already been amended in order to comply with the views of some member states such as Spain, Germany, Sweden and Finland – the two Scandinavian countries being concerned by the image of a 'fortress Europe'. The Justice and Home Affairs Council of 25 September 2008 eventually approved the Pact. To stress its political significance, the document received the support of the European Council of 15 to 16 October 2008.

¹⁰ The Committee was chaired by Pierre Mazeaud. *Commission sur le cadre constitutionnel de la nouvelle politique d'immigration*, « Pour une politique des migrations transparente, simple et solidaire », July 2008.

See http://www.immigration.gouv.fr/IMG/pdf/Rapport_Mazeaud.pdf

¹¹ Lettre de mission of the President of the Republic to the minister for Immigration, Integration, National Identity and Mutually-Supportive Development, 9 July 2007.

The Pact comprises five basic commitments:¹²

1. ‘To organise legal immigration to take account of the priorities, needs and reception capacities determined by each Member State, and to encourage integration’.

This first point develops the idea that legal immigration constitutes an appropriate tool for economic growth. The stress on ‘the need of the labour market’ and on ‘the attractiveness of the EU for highly qualified workers’ tends to legitimise the principle of selective legal immigration according to which member states should select the immigrants that can foster their economy. This principle had been developed by Sarkozy during the 2007 elections with the slogan ‘chosen immigration’. The French version of the Pact uses the same words but the English one tends to be more consensual, with the notion of ‘managed immigration’. Similarly, the controversial principle of national quotas supported by Sarkozy is evoked. This first point also insists on the need for ‘harmonious integration’ of the migrants into the society of the host countries. France’s original purpose was to promote the signature of integration contracts by legal migrants. The proposal was quickly removed as it raised the opposition of Spain but also Germany and Austria. The reference made in the Pact, however, to the importance of knowing the host country language and of ‘respecting the identities of the member states and of the EU’ can be seen as the opposite of a multicultural vision of society and more favourable to the so-called French Republican model of integration. The French Presidency also organised the third ministerial conference on immigration at Vichy on 3 to 4 November 2008. On that occasion a draft statement on integration was examined.

2. ‘To control illegal immigration in particular by ensuring that illegal immigrants return to their country [...]’.

This second point indicates that the Council agrees ‘to use only case-by-case regularisation, rather than generalised regularisation, under national law, for humanitarian or economic reasons’. This commitment can be seen as the cornerstone of the Pact, given the past disputes between Sarkozy and the Zapatero cabinet on national amnesties for large numbers of illegal workers.

¹² Collett, E., The EU Immigration Pact – from Hague to Stockholm, via Paris, *EPC Policy Brief* (October 2008).

After some discussions with Spain, the final compromise is undoubtedly favourable to the French views. The second point also enumerates several instruments for developing cooperation against illegal migration as readmission agreements concluded at the EU level, biometric identification of ‘illegal entrants’ and joint flights for the expulsion.

3. ‘To make border controls more effective’.

In the follow-up to the border package table by the Commission in February 2008,¹³ the Council proposes to strengthen the role and operational resources of the Frontex agency created in 2004. Apart from this general expression of will, the only concrete option evoked is the possible creation of specialised offices for the land border of the East and the sea border of the South.

4. ‘To construct a Europe of asylum’.

The member states’ positions on asylum are generally divided and the previous decisions on that question had been limited to the definition of a few minimal standards. For that reason, France had to revise the initial objective of promoting a centralised system for processing refugee applications. The final proposal evokes the establishment of a single asylum procedure ‘in 2010 if possible and in 2012 at the latest’ without mentioning the common standards that should be adopted.¹⁴ The Vice President of the Commission, Jacques Barrot, indeed announced at a ministerial conference held in Paris on 8 to 9 September 2008 that the European directives on asylum will be modified before the end of 2009. The creation by 2009 of a European support office is also mentioned in the Pact. This office will have the task of facilitating the exchange of information and developing practical cooperation. The reluctance of Germany led to spell out clearly that the office will not have the power to examine applications or take decisions. The creation of this structure, however, constitutes significant progress, given the difficulty of reaching agreement on that topic, and is seen by the French authorities as a first step towards the creation of a

¹³ On 13 February 2008, the Commission presented several communications on border control (COM/2008/67 final, COM/2008/68 final, COM/2008/69 final).

¹⁴ This objective was already evoked by the work programme of the European Commission for 2008 (COM/2007/640 final). See also the Green Book presented on 6 June 2007 (COM/2007/301 final).

European agency. Lastly, the Pact promotes the politics of resettlement of refugees within the EU which is practised only in a minority of member states. The Swedish government has let it be known that asylum will be among the priorities of the 2009 presidency.

5. 'To create a comprehensive partnership with the countries of origin [...]'.¹⁵

This last point invites migration policies to become a major component in member states and EU external relations, notably for the conclusion of re-admittance agreements with countries of origin. Development funds are to be deployed in order to strengthen these countries social and economic development.

Finally, the Pact mentions the decision of the Council of Ministers to hold an annual debate on immigration and asylum policies. The Commission is also invited to present an annual report.

A success?

The activity of the French Presidency regarding immigration and asylum may be regarded as a success. Even if the provisions of the Pact are not binding and even if most of the dispositions remain general, Sarkozy and Hortefeux have succeeded in getting a unanimous agreement on a highly controversial issue. Several elements may explain such a success:

- The Pact was carefully prepared well before the Presidency and France agreed to water down several initial objectives.
- The whole process is in its character communicative and demonstrative rather than aimed at changing legislation in the short term. In addition, Sarkozy's domestic agenda found some resonance with other member states such as Italy.
- The Council and the EP agreed on the proposal for a directive on the return of illegal immigrants in June 2008, just before the French Presidency.¹⁵ Also called the 'returns directive', the text lays down a maximum period of custody of six months for illegal migrants, which can be extended by a further period of twelve months in certain cases.

¹⁵ Proposal for a directive of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally third-country nationals (COM/2005/391). The proposal was approved by a centre and right-wing majority at European Parliament on 18 June 2008.

As explained by an external observer, ‘agreement on this directive was another key condition for concluding the wider immigration pact’.¹⁶

- French authorities developed close cooperation with the European Commission on the issue. In May 2008, the right-wing Frenchman Jacques Barrot had been appointed Vice President of the European Commission in charge of Justice, Freedom and Security. The services of the Commission were all the more open to the Pact on immigration and asylum as they were seeking support for their Policy Plan on Legal Migration¹⁷ and notably on the draft directive on the migration of highly-qualified employers, also known as the ‘Blue Card directive’.¹⁸
- Yet discussions over the Pact were separated from the negotiations of the Blue Card directive as some member states, like Germany, were hesitant about the Commission proposals. Progress was made during the Presidency regarding the definition of qualified workers, however, and the Justice and Home Affairs (JHA) Council of 25 September 2008 recognised the support of the entire delegation for the draft directive. After the finalisation of the text by the Coreper on 22 October 2008, a political agreement is very likely to be reached at the JHA Council at the end of November 2008.

In conclusion, it can be observed that even if the member states have expressed their ability to agree on some principles, doubts may be formulated about the relevance of this agenda, partly driven as it is by electoral considerations. Member states appeared more focused – not to say more obsessed – by the question of illegal rather than legal immigration whereas demographic as well as economic considerations show the necessity for organised immigration and promotion of the attractiveness of the EU. For instance, it can be seen that two of the priorities of the Presidency, immigration and the Union for the Mediterranean, have been treated independently and somehow contradictorily when in fact they are obviously linked.

¹⁶ « The CER guide to the French Presidency », July 2008. See <http://www.cer.org.uk/>

¹⁷ Communication from the Commission - Policy Plan on Legal Migration (COM/2005/0669 final).

¹⁸ Proposal for a Council directive on the conditions of entry and residence of third-country nationals for the purposes of highly-qualified employment (COM/2007/637final). See Setton, P., Les enjeux de la présidence française du Conseil de l’Union européenne en matière migratoire, *Regards sur l’actualité*, 340 (2008), 29–39.

5.2 Climate change and energy

The background to the climate change package

During the German Presidency, the European Council on 8 to 9 March 2007 agreed on an Action Plan for an 'Energy Policy for Europe'.¹⁹ One year later, the plan was continued under the Slovenian Presidency with the ambitious 'Climate action and renewable energy package' presented by the Commission on 23 January 2008.²⁰ Three '20 per cent' objectives by 2020 were then defined: the reduction of greenhouse gas emissions, the improvement of energy efficiency and the share of energy from renewable sources. As concerns greenhouse gas emissions, a reduction to as much as 30 per cent would even be envisaged if other developed countries also committed to the same efforts under a new global climate change agreement. Part of those efforts should be realised through the development of the Emissions Trading Scheme (ETS), an original instrument devised in order to reduce emissions cost-effectively.

The climate change package opens up a huge amount of discussion and negotiation between the member states. How will they share the burden? Which obligatory targets will be defined by country? How should each of the '20 per cent' be calculated? The EU leaders agreed at the European Council on 13 to 14 March 2008 that they should reach an agreement on the package before the end of 2008. Such a timetable would enable the EP to pass the package before the European elections of June 2009 and prepare the EU position in view of the Copenhagen United Nations Climate Change Conference in late 2009.

If Sarkozy was under pressure from the European and global timetable, he also played on the convergence between the European climate package and his own domestic agenda. During the 2007 presidential campaign, the environmental issues had been more developed than in the past, which reflected a growing concern of the public and non-governmental organisations (NGOs) with respect to global warming. After his election, Sarkozy instigated an important Environment Round Table.²¹ From September to October 2007, this conference brought together all the actors of this sector to define the key points of government policy on ecological and sustainable development issues for the coming years. As for immigration, the

¹⁹ Kurpas, S., and Riecke, H., *The 2007 German EU Presidency: A Midterm Report*, SIEPS 2007:10p, 24; and Henningsen, J., EU energy and climate policy – two years on, *EPC Issue Paper* 55 (September 2008).

²⁰ Fink-Hafner, D., and Lajh, D., *The 2008 Slovenian EU Presidency: A New Synergy for Europe?*, SIEPS 2008:20p, 48.

²¹ Called in French, the *Grenelle environnement* with reference to the conference on wages held in May 1968. See <http://www.legrenelle-environnement.fr/>

European level was thus a way of legitimising and pursuing Sarkozy's domestic agenda. Another result of the 2007 election was the creation for the first time of a minister for the environment to bring together a large variety of governmental departments: ecology and sustainable development but also energy, transport, town and country planning (i.e. regional development).²² A single minister is thus responsible for a variety of sectors that have a bearing on climate change and energy in contrast to the majority of governments in Europe – about one hundred members of government are involved in different aspects of the climate change package. Moreover, Jean-Louis Borloo, the office-holder, is second in the government according to the ministerial protocol.

Finally, another pressure on the French Presidency to reach an agreement is the fact that the Czech Republic will take over the Presidency after France. Like the other CEE countries, the Czech Republic has expressed concerns about the economic sustainability of the climate package. In contrast, it can be said that France's position on the energy and climate package is middle-of-the-road, which is supposed to be a condition of success for a presidency. In the follow-up to the 2007 campaign, French authorities are supposed to be concerned with the environment. The country is not, however, on the level of the truly green countries, for instance Sweden, because of the strong French industrial interests.

The challenges of the Presidency

'It is probably the most delicate issue of the Presidency'.²³ Sarkozy's judgement indicates not only how difficult the challenges are concerning the climate change package but also that the success of his Presidency will be judged primarily on that issue. Several points of negotiation can thus be distinguished:

1. CEE countries fear that the climate package could slow their economic growth. They are still in a transitory period and largely rely on fossil fuels. They insist that the CO₂ emissions targets should take into account the progress realised in the last fifteen years whereas the Commission's proposal takes 2005 as a term of reference for the three 20 per cent targets (instead of 1990 initially proposed). CEE countries do not reject the principles and objectives of the climate change package but they ask

²² Jean-Louis Borloo is officially Minister for Ecology, Energy, Sustainable Development and Town and Country Planning. See *Un air de Grenelle dans la négociation européenne*, *Le Monde*, 29 June 2008, and the website of the ministry: www.developpement-durable.gouv.fr/

²³ Nicolas Sarkozy, interview in *France 3*, 1 July 2008.

for derogatory clauses in the shape of transitory periods or the attribution of free CO₂ quotas – particularly for their most effective electric power plants.

Since the Commission proposed that some countries could benefit from Community solidarity, several CEE states expect clearer commitments and precise offers on that point. The Commission proposal stipulates that 10 per cent of the profit realised by the sale of CO₂ quotas after 2013 could be used at that end which precludes the establishment of a precise amount.

Moreover, some of the CEE member states, for instance the Baltic States, express specific concerns about energy security. A reduction of greenhouse gas emissions comes on top of the planned closure of their nuclear power plants which makes them more dependent on Russian gas. Knowing that Russia played the energy security card when cutting gas supplies to Ukraine in 2006 such a prospect makes the Baltic States and Poland worry.

2. Member states argue on the degree of flexibility offered to each of them in order to achieving the objectives of the plan. Sweden suggested that cuts from sectors not included in the ETS (transport, housing, agriculture and waste) could count as their renewable targets. Likewise, the Commission proposed that the efforts to reduce emissions by a member state realised in another could be taken into account. Even though, a certain level of flexibility may be reasonable, the danger is that some member states could refrain from making domestic investments because of the way the system works.
3. Member states are aware of the danger of transferring the most polluting industries outside the EU, which could damage employment. They diverge on the answer to that problem. Germany is in favour of free CO₂ quotas for the most exposed sectors of industry like the iron and steel industry. France wants to develop protection at the border of the EU. Firms that import products from outside the EU would have to buy CO₂ emission quotas. Such a position may invoke the traditional accusation of protectionism in regard to France. Member states and EU institutions also diverge on identifying the industrial sectors that would be most exposed to unfair competition and the time frame within which the process of identification should be completed.
4. The use of the revenues generated by the ETS after 2013 sets some member states against the Commission. The Commission argues that those billions of euros could in part be used to fight against global

warming, particularly in developing countries. The EP has a more precise objective, formulated in October 2008, that half of the profits should be devoted to the developing countries. Without being opposed to such investments, some member states argue that the decision about how to use the funds should not be taken in Brussels.

5. In October 2008, the EP took a position in favour of a system of sanctions against member states that do not respect their commitment while the Council was not willing to endorse it.

Developments during the Presidency

At the beginning of the French Presidency, the two major problems for the adoption of the climate and energy package were Germany and the Eastern countries. Whereas the German Presidency was characterised by a strong commitment towards the environment, the German government has expressed concerns since the presentation of the Commission package regarding the consequences of the plan for German industry (particularly for the car industry, as Germany produces bigger cars than France and Italy). One year before the general elections of September 2009, Chancellor Merkel is also being pressurised by her coalition partners. Seven CEE countries have also expressed concerns by drafting a joint letter presented on 5 June 2008 (Hungary, Bulgaria, Romania, Slovakia and the Baltic States).

In his speech before the EP on 10 July 2008, Sarkozy insisted on the ‘absolute priority’ of the energy and climate package, saying ‘we are the last generation that can prevent disaster’. He tactically asked for the support of the EP, stating that he was refusing to open state by state bargains. He also supported the idea of protecting European industry by imposing CO₂ quotas on imports. That idea is linked to the common denominator of the French Presidency that is to protect European citizens.

Since September 2008, the climate agenda has faced two major challenges, one expected and the other less so. The first opposition to the energy and climate package came from the industry sector that initiated a huge lobbying effort against both governments and Members of the EP (MEPs). That lobbying found an important echo in the European People’s Party (EPP) parliamentary group and particularly among German Christian Democrats. On 24 September 2008, the EPP group put pressure on the rapporteur of the environment committee, Avril Doyle (EPP, Ireland), to water down her views before the committee meeting. During that meeting on 7 October 2008, however, a majority of MEPs voted against softening the package. The second challenge came from the financial crisis. The crisis gave

credence to the fear that the energy and climate package could damage economic growth. Banking and financial matters appeared so urgent that they became the priority of the heads of government at the expense of other issues.

From this perspective, the results of the European Council of 15 to 16 October 2008 are rather ambiguous. On the one hand, the Council confirmed that the negotiations were becoming increasingly locked. Italy and Poland threatened to veto the overall package. Silvio Berlusconi even characterised the principle of an ETS ‘ridiculous’. Poland, joined by the same seven new members that signed the letter in June, asked for free emissions quotas for electric power plants and for a mechanism that could limit the volatility of the quotation of the trading system. Regarding financial solidarity, they insisted on the necessity to discuss precise offers. It should be noted that the two groups of opponents – Italy and CEE countries – are not exactly following the same line since CEE countries plead for 1990 as a term of reference whereas Italy is in favour of a more recent date. Without mentioning the possibility of a veto, Merkel, followed by the Czechs, also asked for industrial interests to be taken into account.

On the other hand, the results of the Council are less negative than expected. Sarkozy claimed that, despite the financial crisis, global warming was still a major priority of his presidency: ‘I haven’t seen a single argument intimating that things are improving in the world from an environmental standpoint because we’ve had the financial crisis’.²⁴ A group of member states composed of the UK, Spain, the Netherlands, Belgium and the Nordic countries insisted on their adhesion to the package. The Presidency Conclusions thus confirm the ‘determination [of the European Council] to honour the ambitious commitments on climate and energy policy’ in order to find an agreement at the European Council of December 2008. The reluctant states accepted those Conclusions because the text implied that the decisions on the package will be taken unanimously by the European Council rather than with the qualified majority in force at the Council level. As noted by an external observer: ‘this could [...] become a recipe for further paralysis in December’.²⁵ The mentioning in the Conclusions, however, of the will to have ‘regard to each member state’s specific situation’ actually indicates that a compromise could still be found before the December Summit.

²⁴ Speech at the European Parliament, Strasbourg, 21 October 2008.

²⁵ Post-Summit Analysis: A change of climate, *European Policy Centre*, 20 October 2008.

In a speech before the EP on 21 October 2008, President Sarkozy explained that he refused to go back on the three 20 per cent goals of the climate package but that some flexibility was possible, especially for national economies that are 95 per cent coal-based. After the Environment Council of 20 to 21 October 2008, it seems that a compromise could be formed along the following lines:

- To agree on the principle of free emissions quotas for some industrial sectors particularly exposed to international competition.
- To include a review clause for 2009.
- To let the member states decide how to use revenues from the ETS.

The latest developments relating to that question has been the decision of the EP to bring forward the plenary session on the package from 15 to 18 December to 3 to 4 December 2008, that is, before the European Council. The strategy consists of formulating first an ambitious solution rather than having to ‘rubber-stamp’ a lame compromise of the Council. Even if the interests at stake are so significant that member states will not accept being deprived of their prerogatives, this decision could stimulate trilateral negotiations. It can also be seen as a confirmation of the Presidency strategy to use the EP in order to reach an agreement.

In conclusion, even if the outcome of the negotiations is still uncertain, the French Presidency deserves credit for pursuing a very delicate dossier, despite the financial crisis. Discussions over the emission targets have tended, however, to take precedence over the debate about how to meet them.

5.3 The Common Agricultural Policy

The CAP health check

The French decision to consider the future of the CAP as a priority of the Presidency stem from the Commission’s communication of 20 November 2007 about reforming the CAP, followed by the legislative proposals of 20 May 2008.²⁶ The so-called CAP health check is supposed to evaluate the CAP reform of 2003 and to prepare the next reform of 2013. The Commission proposes subsidy cuts for several sectors. The CAP still covers 40 per cent of the EU budget. As the discussions over the EU financial perspectives will start in 2009, there are growing pressures for fewer resources to be allocated to agriculture – in particular from the Commission, the UK

²⁶ The draft package proposes three Council regulations and a Council decision (COM/2008/306 final).

and Northern countries. Member states have been called to take position on the Commission's proposal.

Debate also took place in the context of increasing global food prices. For the French authorities, the rise in prices is connected to the foreseen increase in world population and support upholding the CAP. As claimed by President Sarkozy at the EP on 10 July 2008: 'This is not the time to scale down Europe's food production'. Backing the UK, several other member states and NGOs argue on the contrary that the surge in food price partly results from protectionism in the agricultural sector and that developing countries count among the first victims of the CAP. Moreover, the future of the CAP was challenged by the Doha round of multilateral trade talks. By putting that issue on the agenda, Sarkozy showed to the international community – but also to the Commissioner Peter Mandelson – his readiness to protect French agricultural interests.

Regarding the CAP health check, the Agriculture Council of 15 July 2008 highlighted that:

- A majority of member states expressed concerns that the rate of modulation (i.e. financing rural development) proposed by the Commission was too high – Germany being particularly attached to that policy.
- A majority of member states was in favour of retaining the efficient supply regulation mechanisms – France being particularly opposed to the Commission's proposal to reduce the Community intervention in the markets.
- The ministers agreed to phase out milk quotas but only gradually.

In addition, France and other members were reluctant to accelerate the shift from subsidising production to paying income subsidies to farmers as proposed by the Commission. On 7 October 2008, the agriculture committee of the EP called on the Commission to limit the reforms, the Parliament acting merely in a consultative capacity. After considering more than one thousand amendments, the committee called for a cut to subsidies and to maintain the link between subsidies and production. The MEPs did not, however, reach a compromise on the question of milk quotas. It was expected that the member states arrive at a political compromise on the CAP health check at the Agriculture Council of 17 to 18 November 2009 and that the agreement will be closer to the status quo than the Commission's proposals.

The future of EU agriculture

The French Minister for Agriculture, Michel Barnier, is a former commissioner, familiar to Brussels. It is said that he would be interested in joining the next Commission in 2009. Therefore, he is trying to soften the French image regarding the CAP: after years of autism under Chirac, France may be open to dialogue. The French strategy was to get around the financial question by debating the changing political finalities of the CAP. The intention is to get agreement to the idea that the CAP is not just a financial burden but a crucial investment for the future. Barnier also recognised at a meeting at Annecy that the model of agriculture focusing only on productivity was obsolete. Despite the cleverness of the minister, however, it was clear to everyone that placing the CAP among the priorities of the Presidency was obviously a way for France to defend its traditional position.

Barnier organised an informal meeting of agriculture ministers at Annecy on 22 to 23 September 2008 on the 'future of CAP after 2013', putting into perspective the discussions on the health check. On that occasion, France presented a working document entitled 'How best to prepare tomorrow's CAP'. Barnier recognised that there were two opposing camps among the member states: the first between members in favour of protection versus members in favour of more free market, and the second between members that regarded food production central to the CAP and others that prioritised environment. Although the views were convergent on the question of food safety, the ministers did not agree on the necessity for food independence of the EU. The French authorities argued that food safety should become a priority of the CAP as concern support to farmers as well as importation of agricultural products. The principle of Community preference for agriculture based on the issue of sanitary norms, however, raised strong opposition from the Commission and some member states. As for the climate package, France is again suspected of preferring protectionism as opposed to a free market. The Czech Agricultural Minister anticipates continuing the dialogue over the future of the CAP but the Czech Republic, unlike several CEE countries such as Poland, is favourable to opening up the agricultural sector to the market forces.

Concurrently with the CAP health check, the French Presidency also tried to make progress on the question of genetically modified organisms (GMOs). Agriculture ministers argued particularly over the question of protecting sensitive and protected territories and establishing GMO-free zones. Some progress was expected at the Environment Council in December.

6 CONCLUSIONS

Three years after the rejection by referendum of the draft constitutional treaty, the French Presidency was regarded as a means of proving that France was back in the EU. For the new President, Nicolas Sarkozy, this was also an opportunity to take the lead in Europe. Four priorities – immigration, defence, climate change and energy – were thus carefully selected by the French government in line with the European agenda but also with national interests. A fifth unofficial priority has been added to this list with the Union for the Mediterranean. Two unexpected issues emerged during the Presidency: Georgia and the financial crisis. The French Presidency did its best to face these huge challenges. The swiftness and the vigour of its reaction are to its credit. A certain lack of cooperation with other member states, particularly Germany, has been the price to be paid for such activism. Above all, the outcomes of the numerous presidential initiatives are, to date, just impossible to identify.

It is now an open question whether or not the Czech Presidency, starting on 1 January 2009, will pursue the priorities of the French Presidency. There are huge differences between Paris and Prague on many issues. These differences emerged during the French Presidency and gave rise to tensions:

- The Czech government is very NATO-oriented and not particularly interested in the development of a European Defence Policy. When President Sarkozy criticized the installation of US antimissile bases in the Czech Republic and Poland, the reaction from the Czech Deputy Prime Minister Aleksandr Vondra was immediate.
- The Czechs have not yet ratified the Lisbon Treaty while the French Presidency has pushed in favour of quick ratifications in all EU member states, including Ireland.
- Prague seems to be very ‘cool’ towards a common EU policy in the sector of climate change whereas this policy was one of the priorities of the French Presidency.
- Prague is in favour of a tough position with Moscow after the Georgian crisis whereas Paris favours a reopening of the negotiations on the partnership agreement between the EU and Russia.

All these differences show that the continuity of the dossier management from one presidency to another will not be obvious. There is good reason to support a permanent presidency of the European Council, proposed in the Lisbon Treaty. Even if the Treaty is not ratified, this is a reform to the current practice that the Heads of State and Government can decide by virtue of their status as representatives of the member states.

SVENSK SAMMANFATTNING AV RAPPORTEN

Tre år efter att fransmännen röstade nej till det konstitutionella fördraget i en folkomröstning, ses ordförandeskapet 2008 som en möjlighet för Frankrike att göra comeback i EU. För Frankrikes nye president, Nicolas Sarkozy, var ordförandeskapet i EU även ett sätt för Frankrike att ta ledningen i EU. Fyra prioriteringsområden – invandring, försvar, klimatförändring och energi samt jordbruk - valdes omsorgsfullt ut av den franska regeringen i linje med EU:s befintliga dagordning men också med nationella intressen i åtanke. En femte, inofficiell, prioritering, Medelhavsunionen, lades sedan till listan. Trots starka protester från Tyskland, lyckades Sarkozy till slut nå en överenskommelse kring en version av Medelhavsunionen som ligger nära den befintliga Barcelonaprocessen.

Försvar och den gemensamma jordbrukspolitiken utgör de två långsiktiga frågorna där Frankrike gärna vill signalera sina ställningstaganden inför framtiden. Diskussioner kring den europeiska försvarsfrågan motiverades av Frankrikes återinlemmande i den atlantiska försvarspakten, NATO, men i och med att irländarna förkastade Lissabonfördraget var det franska ordförandeskapet tvunget att dra ned på sina ambitioner på det området. När det gäller den gemensamma jordbrukspolitiken, valde ordförandeskapet att gå längre än den pågående hälsokontrollen genom att öppna upp en debatt om Europas framtida jordbruk. Meningarna går emellertid fortfarande vitt isär inom denna, högst strategiska, sektor. Ordförandeskapet rönste större framgång i sitt arbete med att upprätta en ”Europeisk pakt om invandring och asyl” där flera icke-bindande gemensamma principer fastlades. Energi- och klimatförändring utgör sannolikt de svåraste och mest betydelsefulla frågorna som ordförandeskapet har gripit sig an. Trots en överlastad dagordning, visade Frankrike prov på en stark beslutsamhet när det gäller att driva frågor kring klimatpaketet innan ordförandeskapet lämnas över till Tjeckien i januari 2009. Det slutliga resultatet av diskussionerna är fortfarande osäkert, i synnerhet på grund av motståndet från Italien och de central- och östeuropeiska länderna.

Diskussionerna kring klimatpaketet påverkades negativt av den globala finanskrisen som har tagit europeiska politiska ledares uppmärksamhet i anspråk sedan september månad. Finanskrisen var endast ett av de oväntade problem som drastiskt ändrade det franska ordförandeskapets dagordning. Irlands nej till Lissabonfördraget i juni 2008 öppnade återigen frågan om reformer av EU:s institutioner. Frankrike svarade på detta främst genom att sätta press på irländska företrädare att beakta möjligheten att kalla till ytterligare en folkomröstning. I augusti 2008 ledde den väpnade krisen i Georgien en energisk Sarkozy att förhandla fram ett eldupphör

med Ryssland å EU:s vägnar. Vad Irland, Georgien och finanskrisen anbelangar gjorde det franska ordförandeskapet sitt yttersta för att möta dessa enorma och oförutsedda utmaningar. Snabbheten och kraften i det franska handlandet ska tillerkännas Frankrike. Att samarbetet hade brister ibland i synnerhet vad gäller Tyskland är priset för en sådan aktivism. Framförallt ska vi komma ihåg att det ännu är för tidigt att dra slutsatser om den slutgiltiga bedömningen av ordförandeskapet.

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