13 THE EUROPEAN COUNCIL

Preview

The European Council is the only one of the five major EU institutions that does not trace its roots back to the early years of European integration. It instead evolved out of need, when the leaders of EEC member states began to realize during the 1960s that their ad hoc meetings might be more productive and effective if they were organized and scheduled more formally and regularly. The result was the creation in 1974–75 of the European Council (EC), which is the meeting place for the heads of government (or state) of the member states, participating in summits at which they make broad strategic decisions and key appointments to other EU institutions.

Headquartered in Brussels, it is the most loosely structured of the EU institutions, and also one of the most clearly intergovernmental in personality. It meets at least four times annually (and more often if needed), focuses on the bigger picture of European integration rather than becoming tied down by details, is not formally part of the EU law-making system, and relies on consensus, flexibility and a degree of informality to make its decisions. Where once it was directed by the member state holding the presidency of the Council of Ministers, it has since 2009 had a president elected to limited terms by members of the Council. The dynamic of the Council is impacted by a variety of pressures, including different election cycles in the member states, the ideological balance of its members, and their political status at home.

Key points

- The European Council is the forum within which the heads of government and state of the EU member states meet to discuss broad strategic issues.
- The Council is much like a board of directors for the EU, meeting multiple times annually in Brussels, using summitry and bargaining, and making decisions on the basis of a consensus.
- The Council evolved out of ad hoc meetings held by the six leaders of the EEC, meeting for the first time as the European Council in 1975, and being given formal legal recognition only in 2009.
- The European Council is headed by a president elected by EU leaders, and whose job is to provide it with direction and consistency.
- Much like the Council of Ministers, the European Council has a mix of intergovernmental, supranational and confederal qualities.
- In addition to providing the EU with a strategic direction, the Council plays a role in the appointment of several senior positions in the EU hierarchy, including the president of the Commission, members of the College of Commissioners, the High Representative of the Union for Foreign Affairs and Security Policy, and the leadership of the European Central Bank.

Summitry

The use of high-level, person-to-person negotiations for the discussion and resolution of international issues. This is usual for bilateral or multilateral discussions among the leaders of states, and has been a regular part of the EU decision-making process since the creation of the European Council. Summits, by definition, are usually short, deal with strategic issues rather than the minutiae of policy, and set the tone and character of intergovernmental relations.

Comparing summitry

At a special meeting of the European Council held in Brussels in late June and early July 2019, there was one main topic on the agenda: filling four of the top positions in the EU hierarchy, including the new president of the Commission, the president of the European Central Bank (ECB), the EU's High Representative for Foreign Affairs, and the president of the Council itself. The leaders of 27 member states took part (the UK being absent because of the prospect of Brexit), and the negotiations continued for three days; this was an improvement on the last such nominating season, in 2014, when it had taken EU leaders three months to reach agreement. It was also an improvement over 2014 in that all 27 leaders were on board with the final choices, and a further improvement in that, for the first time ever, women had been nominated to head the Commission and elected to head the ECB. The Council created a stir, however, when it ignored the principle of nominating as Commission president the *Spitzenkandidat* ('top candidate') of the major political group in the European Parliament, because – as we saw in Chapter 10 – it had been unable to support Manfred Weber of the European People's Party.

The special meeting of the Council was a key example of the underlying principle of its work: **summitry**. The notion of political leaders meeting to take part in high-level diplomacy is far from new: European sovereigns had a long history of arranging such meetings, as did presidents and prime ministers when they replaced those sovereigns. What has changed, particularly since the era of the world wars, has been the frequency of such summits and the growth in the number of international organizations around which they revolve. The institutionalization of summits was heralded with the creation of the European Council in 1974 and of the Group of 7 (G7, the major industrialized countries) in 1975 (Mourlon-Druol and Romero, 2016). They have since been joined by other groupings such as the G20 and summits organized by some of the regional bodies discussed in Chapter 1.

The major difference between the European Council and other examples of summitry is that the Council has a deeper degree of institutionalization, and also reaches decisions that are incumbent on all its members – and their governments – to follow. Consider the following contrasts between the Council and the G7, for example:

- The Council is more institutionalized, having both a legal existence and a permanent headquarters building in Brussels. The G7 lacks either a legal existence or a permanent secretariat.
- The Council has its own elected president, while the presidency of the G7 is held in rotation by one of its seven member states, which is responsible for providing the resources needed for the work of the G7.
- Preparations for the Council are ongoing, supported by the staff of the office of the president and by the permanent representatives to the EU, working parties, and the General Secretariat of the Council of Ministers. Preparations for G7 meetings, by contrast, are made by personal representatives of the G7 leaders, known – in a wry nod to the idea of summits – as 'Sherpas'.
- Where the Council makes strategic policy decisions that must be followed by the EU member states, G7 is a forum within which its members discuss and attempt to coordinate policy. They often disagree (the United States during the

Trump years, for example, taking a position on climate change that is contrary to that of the other six countries), and there is an assumption that if a member disagrees enough, it might not be invited back. (Russia joined the group in 1999, for example, and the name was change to G8, but it was suspended in 2014 following the occupation of Crimea, and the name reverted to G7.)

CONCEPT

Consensus

A means of making decisions by which discussions take place until all members of a group are in general agreement on a proposal, or – at least – that no member of the group is sufficiently opposed as to block or veto the proposal. It occupies a middle ground between total agreement and total disagreement, implying different levels of support for a proposal. The term describes both the decision reached and the method used to reach the decision.

The European Council is the meeting place for the heads of government (or the heads of state in the cases of Cyprus, France, Lithuania and Romania) of the EU member states. It holds four scheduled meetings in Brussels each year, with additional extraordinary or informal meetings as needed to deal with a breaking issue or a persistent problem, or involving a country outside the EU. (Since 2010, several euro summits have also been held, involving only the heads of government of the euro member countries.) Meetings took place in the Justus Lipsius building of the Council of Ministers until 2017, when renovations were completed to the Europa building next door.

The Council usually meets (in closed session) for no more than two days, the heads of government or state perhaps being accompanied by a minister (usually the foreign minister). Also present will be the president of the European Council, the president of the Commission (with a deputy commissioner as needed), the High Representative of the Union for Foreign Affairs and Security Policy, and small retinues of staff and advisers, including permanent representatives. The president of the Council chairs the meetings, and decisions are taken on the basis of a **consensus** (except where the treaties provide otherwise).

Although the European Council and the Council of Ministers are often confused, and sometimes interchangeably referred to as 'The Council', their membership, rules, structure and legal personalities are quite distinct. Among the critical differences:

- The members of the European Council are the heads of government (or state) of the EU member states, not the ministers.

Illustration 13.1: After many years of sharing space with the Council of Ministers, the European Council was given its own new offices – the Europa building – in 2016. The lantern-shaped interior has been adopted as an emblem of the Council.

Source: © *European Union*

Figure 13.1 *Structure of the European Council*

- The 'board of directors' of the EU.
- Headquartered in Brussels, where it meets at least four times annually.
- Chaired by a president elected – using a qualified majority vote – by the European Council for a term of two and a half years, renewable once.
- Consists of the heads of government or state of the EU member states.
- Uses mainly the same supporting bureaucracy as the Council of Ministers.
- Takes strategic decisions on the basis of a consensus.
- Intergovernmental in character, with some supranational qualities.

- The Council has its own appointed president, while the presidency of the Council of Ministers is held by a member state on a rotational basis.
- The Council discusses broad strategic issues, while the ministers discuss and vote on proposals for new laws.
- The Council mainly uses only one means of decision-making (consensus) while the ministers take votes.
- The Council has no legislative functions and no direct relationship with the European Parliament.

The Council has multiple personalities. It can be seen as the decision-maker of last resort, an arena in which powers are balanced, a collective presidency in which sovereignty is pooled, a body that parallels other EU institutions by dealing with issues outside their competence, or a true 'council' that can engineer broad package deals (see discussion in Wessels, 2016). There are three keys to understanding the way the Council works and fits into the EU system:

- *Flexibility*: The relative lack of rules, regulations and attendant bureaucrats gives the Council a level of freedom and independence enjoyed by none of the other EU institutions.
- *Informality*: Even while Council summits are built on plenty of advance preparation, agendas are kept general, and meetings are kept as small and informal as possible.
- *Delegation*: Any signs that the Council is becoming bogged down in the routine day-to-day business of the EU are usually resisted. The Council instead focuses on the big picture, leaves other institutions to work out the details, and acts as something like a court of appeal if attempts to reach agreement at a lower level fail.

Since the European Council has more power over strategic decision-making than any other EU institution, it has tended to take power away from the other institutions. It can, in effect, set much of the agenda for the Commission, override decisions reached by the Council of Ministers, and sideline Parliament. Any hopes that the Commission might have harboured for developing an independent sphere of action and power largely disappeared with the rise of the European Council. It is competition of this kind that has generated interest in the application of game theory to European integration; see Understanding Integration 9.

UNDERSTANDING INTEGRATION 9

Game theory

Game theory is one of the oldest and most often used theories in the social sciences, and is based on using mathematical models to explain the interactions among decision-makers. It was once limited to zero-sum ideas (gains and losses by participants are exactly balanced), but has since been used in a variety of situations with multiple permutations. One of its more famous proponents was the Nobel Prize-winning American economist John Nash (1928–2015).

Game theory has often been used to help explain events and developments in the European Union, at no time more often or with more glee than in the case of Brexit, when numerous scholars and journalists wrote articles and blogs tying the risks, options, gambles and alternatives involved to the principles of game theory (see, for example, Liang, 2019). In particular, the brinkmanship involved in the political moves within Britain on Brexit were likened to a classic part of game theory known as the 'prisoner's dilemma'. In this scenario, two bank robbers are arrested, and each is placed in solitary confinement. There is not enough evidence to convict the pair of robbing a bank unless prosecutors can get one of the two to testify against the other. If they remain silent, they can both be charged with the lesser crime of loitering, meaning one year in jail for each. If one testifies and the other remains silent, the former will go free and the latter will serve three years in jail. If they both testify against the other, each will have to serve two years in jail. In the Brexit case, both major political parties in Britain faced different risks or benefits depending on the position they took, the end result being a stalemate that left almost no one happy.

Turning to the European Council, Wessels (2016, p. 18) argues that one way to understand the way in which it works is to conceive of it as the 'centrally located and pivotal player in both a vertical multilevel constellation and in a horizontal multi-institutional architecture of the EU system'. Within the multilevel game, he goes on to explain, each member of the Council can be seen as wearing two hats, acting within both the European and the national arenas. By linking their positions at both levels, he concludes, they gain additional power within both the domestic and the European power game, although they have to be careful how they offset the tensions within Council meetings against the demands of voters at home.

How the Council evolved

The idea of holding formal high-level meetings among Community leaders traces its roots back to Charles de Gaulle's ideas about political union. In July 1960 he broached the idea of a European political union that would include periodic summit meetings of heads of state or government and foreign ministers (Morgan, 1976). Although his motives were distrusted by many of his EEC partners, the idea survived and the first formal summits were held in 1961 (Paris in February, Bonn in July). At the Paris meeting, a committee was formed under the chairmanship of Christian Fouchet, French ambassador to Denmark, which produced a draft treaty for a 'union of states', including a suggestion for a council of heads of government or foreign ministers that would meet every four months and take decisions on the basis of unanimity. Because the Fouchet plan appeared to be an attempt to build a Community dominated by France, however, it met with little support (Johnston, 1994).

No more summits were held until 1967 and 1969, by which time it was becoming increasingly obvious to many that the EC had no clear sense of direction, and was becoming bogged down by intergovernmental struggles within the Council of Ministers (Werts, 2008). The end of the Bretton Woods system in 1971 emphasized Europe's inability to respond quickly and effectively to major external crises, as did the Community's half-hearted response to the 1973 energy crisis, which prompted French Foreign Minister Michel Jobert to declare that Europe was a 'nonentity' (Defarges, 1988, pp. 38–9). What was needed, Jean Monnet argued, was 'a supreme body to steer Europe through the difficult transition from national to collective sovereignty'; he suggested calling it the 'Provisional European Government' (Monnet, 1978, pp. 502–3).

Game theory A set of theories about human behaviour based on mathematical principles but with many applications in the social sciences, including the study of power relationships.

At a summit in Paris in 1974 it was agreed to formalize the links among the heads of government, and a declaration was issued committing heads of government to meet at least three times annually and emphasizing the need for 'an overall approach' to the challenges of integration and the importance of ensuring 'progress and overall consistency in the activities of the Communities and in the work on political co-operation'. The wording of the declaration was kept deliberately vague, saying nothing about the exact powers of the new body or its relationship to the other institutions, giving it no legal standing, and being careful not to allow its creation to disturb or complicate the existing EC decision-making system. Concerns among the Benelux states that the summits would weaken the supranational qualities of the Community were offset in part by an agreement to hold direct elections to the European Parliament (Johnston, 1994). The new body even lacked a name until Giscard d'Estaing's announcement at a press conference at the close of the meeting that 'the European summit is dead, long live the European Council' (Defarges, 1988, p. 35). Given the surfeit of councils in the European system (including the European Council, the Council of Ministers and the Council of Europe), this was an unfortunate choice.

The new body met for the first time as the European Council in Dublin in March 1975 under the lumbering title of 'the Heads of Government Meeting as the Council of the Community and in Political Cooperation'. It then met more or less triennially until 1985, then biannually every June and December, with additional meetings as needed. The Council usually convened in the country holding the presidency of the Council of Ministers, either in the capital city or in one of its regional cites or town, such as Cardiff, Venice, Strasbourg or – in December 1991 – Maastricht in the Netherlands, where the Treaty on European Union was agreed. The Greeks used their summits to mix business and pleasure, convening them on the islands of Rhodes (1988) and Corfu (1994). The major goal of each meeting of the Council was to agree to a set of Conclusions of the Presidency. An advanced draft of this document usually awaited the leaders at the beginning of the summit, and it provided the focus for their discussions.

With time, the organization and security needed to set up summits became too onerous, so since 2003 all scheduled or extraordinary European Council meetings have been held in Brussels. The European Council was finally given formal recognition as an EU institution with the passage of the Treaty of Lisbon in 2009. Summits have since become a more common feature of the EU landscape, with at least five and as many as nine annual meetings of the EU leaders in different configurations.

Leadership: The president

For most of its history, the European Council was simply the grandest of the Councils of Ministers, meaning that it was overseen by the leadership of the member state holding the presidency of the Council of Ministers. As the EU changed and its membership expanded, this arrangement caused more problems: six months was too short a time to learn on the job, there was a lack of continuity between presidencies, the workload became more onerous, and the job provided no permanent face or voice for the EU on the international stage (Wessels, 2016). Each state was also having to wait longer and longer for its turn at the helm, eastern enlargement in 2004–07 placing the rotation on a thirteen-and-a-half-year cycle.

The solution proposed under the draft constitution was to take the position of Council chair out of the hands of the head of government of the member state

President of the European Council The head of the European Council, elected by the Council for a term of two and a half years, renewable once, and charged with giving it direction.

holding the presidency of the Council of Ministers, and to give it instead to a president appointed by the European Council and approved by the European Parliament for terms of two and a half years (renewable once). Britain, France and Germany all favoured the idea, but smaller states were less enthusiastic because they feared a loss of influence. There was also a concern about the complications that could arise out of having two leaders of the EU: the president of the Commission and the president of the Council. In spite of the objections, the proposal survived in the Lisbon treaty, and the new office of president of the European Council was created in 2009.

The **president of the European Council** is elected using a qualified majority vote, the incumbent cannot hold national office while serving as president, and can be removed by QMV 'in the event of an impediment or serious misconduct' (Article 15(5)). The office is still relatively new, meaning that the manner in which it impacts the Council's leadership dynamic is still evolving, the possibilities broadened by the remarkably vague terms of the job as they are outlined in the Treaty of Lisbon:

- The president shall chair, 'drive forward' and 'ensure the preparation and continuity' of the work of the Council.
- The president shall 'endeavour to facilitate cohesion and consensus' in the Council.
- The president shall 'ensure the external representation of the Union on issues concerning its common foreign and security policy, without prejudice to the powers of the High Representative of the Union for Foreign Affairs and Security Policy'.
- The president must report to Parliament after each meeting.

The debate over who should be the first person appointed to the job in 2009 says much about the nature of the office. The hope in some quarters at the time was that the president would be someone with charisma and strong leadership experience who could help strengthen the international profile of the EU, and perhaps be a 'boss of bosses'. What the European Council needed, suggested then-British Foreign Secretary David Miliband, was someone who could 'do more than simply run through the agenda', who was guaranteed access to political leaders at the highest level, and who could bring traffic to a halt when they landed in Beijing or Washington or Moscow (Marr, 2009). Early speculation focused on former British Prime Minister Tony Blair, who had the necessary credentials but whose candidacy was sullied by his support of the unpopular US-led invasion of Iraq in 2003, and by Britain's refusal to adopt the euro. There was also a preference among the leaders of smaller EU member states for the job to go to one of their own.

Table 13.1 *Presidents of the European Council*

Beginning of term	Name	Member state	Background
Dec 2009	Herman van Rompuy	Belgium	Christian democratic prime minister of Belgium
June 2012	Herman van Rompuy	Belgium	
Dec 2014	Donald Tusk	Poland	Centrist prime minister of Poland
June 2017	Donald Tusk	Poland	
Dec 2019	Charles Michel	Belgium	Liberal prime minister of Belgium

PROFILE

Charles Michel

Source: © European Union

Charles Michel (1975–), the Belgian prime minister, was chosen in July 2019 by the leaders of the EU member states to be the third president of the European Council, and the second Belgian to hold the job. He took office in December that year, replacing former Polish prime minister Donald Tusk, who had served the maximum possible two terms of two and a half years each. Michel began his political career when he was elected a provincial councillor at the age of 18. He was elected to the Belgian national parliament in 1999 as a member of the liberal and pro-EU Reformist Movement (MR), entered government as minister for home affairs in 2000 when he was just 25, was elected leader of the MR in 2011, and in 2014 became the youngest prime minister of Belgium, aged just 38. Michel developed a strong record in Belgian politics as a compromiser and a leader of a fractious coalition government, qualities that are expected to suit him well as president of the Council.

In the end, the job was given to Herman van Rompuy, the incumbent prime minister of Belgium, who was known much less for his charisma than for his record in helping bring the fractious elements of Belgian government together. Supporters argued that he was the perfect deal-maker, in the sense that he would not rattle the egos of more than two dozen national leaders meeting in committee, while others argued that the appointment of the so-called 'grey mouse' was a missed opportunity to provide the EU with a new sense of leadership. However, van Rompuy's skills as a negotiator and consensus builder helped give more shape to the nature of the position, and when he was succeeded in 2014 by Donald Tusk – prime minister of Poland – that shape continued to evolve. In reflecting on his years in the position, van Rompuy (2014) made the following observations:

> [Paradoxically,] the European Council is generally considered to be the highest political authority in the Union but the job description and formal competences of its President are rather vague, even meagre. A lot therefore depends on what you do with it or make of it! I can put it differently: everything what was not foreseen formally, had to be created informally.
>
> It starts with something simple: building trust. Building trust is in my view perhaps the most important task of a European Council President. Building trust among leaders, among institutions, among countries: it is basis for political decision-making. Especially when decisions are difficult and when they have to be taken by consensus, as normally is the case in the European Council.
>
> How does one build trust? By meeting people, by listening to people, by taking their views into account.

The president is in the unusual situation of having to lead by facilitating. Unlike the president of the Commission, who is clearly the most public and most powerful member of the Commission, with extensive powers over setting its agenda and making senior appointments, the job of the president of the Council is to help the members of the Council reach decisions. In this sense, presidents should not have their own agenda or a strong sense of self-importance, but should instead have the ability to read the balance of opinion in meetings and work to bring discussions to a conclusion.

Members of the Council

The formal description of the membership of the European Council, as outlined in the Lisbon treaty, states that its membership includes 'the Heads of State or Government of the Member States', a distinction that needs a brief explanation:

- In parliamentary systems (found in most EU states), the **head of government** is the head of the political party with the most seats in the national legislature, or the head of a party within a multi-party coalition government. Political heads of government – chancellors in Austria and Germany, and prime ministers everywhere else – work with a mainly symbolic **head of state**, who might be a monarch (as in Belgium, Denmark, and the Netherlands, for example) or a non-executive president.
- In semi-presidential systems (three EU states), executive powers are shared by an elected president and an appointed prime minister, the power of the president depending to a large extent on how many seats the president's party or coalition has in the national legislature.
- In presidential systems (one EU state), the president is both head of state and head of government.

Head of government The elected leader of a government, who comes to office because of the support of voters who identify with their party and platform.

Head of state The figurehead leader of a state, who may be elected or appointed, or – in the case of monarchs – may inherit the position.

Although heads of government and heads of state have a different political and constitutional status, the membership of the Council is still a meeting of equals, who can make the same kinds of commitments and decisions as their peers. At the same time, the dynamics of the Council are impacted by several factors that are beyond the reach of the formal rules of the body (to the extent that these rules can be tied down):

- Every EU member state is subject to a different election cycle, and hence membership of the Council constantly changes as national leaders fall or rise with the outcome of elections, and with their political standing at home. The membership of the Council will change from year to year, and sometimes from meeting to meeting.
- Council meetings will be impacted by the political ideology of its members and by the changing ideological balance among them. Like the Commission, each is identified with an EU political group, and as the political winds in the EU member states blow in different directions, so the ideological balance will shift, bringing a changing variety of political values to the discussion. A snapshot of the Council in mid-2019, for example, revealed that there were

Table 13.2 *Members of the European Council, by political system*

Type	Member state	Representatives to the Council
Parliamentary	Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, Greece, Hungary, Ireland, Italy, Latvia, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden	Prime minister
Parliamentary	Austria, Germany	Chancellor
Semi-presidential	France, Lithuania, Romania	President
Presidential	Cyprus	President

Illustration 13.2: Members of the European Council gather for one of their regular summits. The place of each member in the Council depends on a combination of experience, personality, ideology, and the size and wealth of the states that each represents.

Source: © EC - Audiovisual Service

nine members of the Council associated with the European People's Party, seven with the Party of European Socialists, six with the Alliance of Liberals and Democrats, four classified as independents, and two associated with the Conservatives and Reformists in Europe.

- Council meetings are impacted by the sheer variety to be found among the EU member states: the leaders of the bigger, wealthier, and/or more stable and/or more democratic member states of the EU will have a different status from the others. The political significance of the Franco-German axis has often been critical, for example, given additional influence by the strong personal relations that have usually existed between the leaders of the two states. Meanwhile, British leaders were often undermined by the resistance of many in the UK to the EU, a problem that peaked after the 2016 Brexit referendum when British prime ministers David Cameron, Theresa May and Boris Johnson each had one foot out of the EU door.
- Council meetings involve participants with contrasting personalities: some leaders will have respect and strong credibility, while others might not. For example, German Chancellor Helmut Kohl became a towering presence on the EU stage during his 16 years in office (1982–98), helped, of course, by the dominating economic power of Germany. Angela Merkel had a similar role during her several terms in office, beginning in 2005. By contrast, Hungarian Prime Minister Viktor Orbán – in office 1998–2002 and again after 2010 – was controversial because of his authoritarian tendencies.
- Leaders who have been in office for a relatively long time or who have a solid base of political support at home will be in different negotiating positions from those who have not, or who are unpopular, or who lead weak or unstable coalition governments, or who are facing a new election that they may lose. As an example, the June 2007 European Council meeting

was notable for suffering from a vacuum of leadership and experience: the leaders of Austria, France, Germany, the Netherlands and Sweden were all relatively new, and the leaders of several other countries – including Bulgaria, the Czech Republic, Finland, Poland and Romania – governed in uneasy coalitions. Greece, Hungary, Ireland, Latvia and Spain were among the few EU countries at the time whose governments had both stable majorities and some longevity.

With a few exceptions, the Council has been dominated for most of its history by men, a function of domestic political forces rather than EU-level decisions. Margaret Thatcher was the first woman to be a member of the Council, following her first election as British prime minister in 1979, and she continued to play a leading role in its work until her resignation from office in 1990. As noted above, Angela Merkel played a leading role in its affairs after first becoming German chancellor in 2005, while British Prime Minister Theresa May had a trouble-filled tenure in 2016–19. Since 2010 there has been a modest growth in the number of women heads of government, most of them in eastern Europe. As of mid-2019, nine other member states had been represented by women in European Council meetings: Austria, Croatia, Denmark, Finland, Latvia, Poland, Romania, Slovakia and Slovenia.

Supporting structure

The European Council is the least complex of the EU institutions in structural terms, its ties with the Council of Ministers persisting even though it is now legally a separate organization. For support, it shares the General Secretariat of the Council (GSC) with the Council of Ministers – see Chapter 11. It helps coordinate the work of the European Council and the Council of Ministers, prepares draft agendas for Council meetings, and provides the Council with logistical support. The president of the Council is, like most senior officeholders in the EU system, given a *cabinet* of advisers and administrative assistants, and can also draw on the resources of the European External Action Service (see Chapter 26) on matters related to EU external relations.

What the Council does

The Treaty of Lisbon is notably vague in describing the job of the Council, saying only the following (in Article 15):

> The European Council shall provide the Union with the necessary impetus for its development and shall define the general political directions and priorities thereof. It shall not exercise legislative functions.

Figure 13.2 *Powers of the European Council*

- Responsible for taking strategic decisions.

- Responsible for making nominations or appointments to senior positions: nominates president of the European Commission; appoints College of Commissioners; elects High Representative for Foreign Affairs and leadership of European Central Bank.

Figure 13.3 *Workflow of the European Council*

Summit agenda set by president of the European Council with the help of the president of the Commission and the General Affairs Council of the Council of Ministers.

Agenda items are discussed at a meeting of the European Council.

Drafting of the Conclusions of the European Council.

Conclusions agreed, announced at press conference, and published.

Although it met for the first time in 1976, its membership was only confirmed by the Single European Act, and its role was only given a basis in the treaties by Maastricht (Westlake and Galloway, 2004). Broadly, its job is to rise above the kind of detailed work undertaken by the other EU institutions and to focus on key decisions about the strategic direction of political integration. More specifically, it is involved in making decisions on several key appointments at the top of the hierarchy of the EU.

Making strategic decisions

The core tasks of the Council include launching policy cooperation in new areas, helping drive the EU policy agenda, ensuring policy consistency, and promoting the development of a common EU foreign policy. The strategic approach can sometimes seem vague, with emphasis on generalities and an absence of specifics, but it provides direction and guidance. This is illustrated by the five-year strategic agenda for the EU agreed in the Council in June 2019, which included the following goals:

- *Protecting citizens and freedoms*, ensuring a Europe 'where people feel free and safe' thanks to effective control of external borders, fighting illegal immigration and human trafficking, protecting against malicious cyber activities, and increasing the EU's resilience to terrorism and to natural and human-made disasters.
- *Developing a strong and vibrant economic base* via – among other goals – deepening economic and monetary union, completing the banking and capital markets unions, strengthening the international role of the euro, strengthening EU cohesion and ensuring fair competition.
- *Building a climate-neutral, green, fair and social Europe* by accelerating the transition to renewable sources of energy, improving air and water quality, and encouraging other countries to step up their climate action.
- *Promoting European interests and values on the global stage* through the support of the UN and other multilateral organizations, ensuring a robust EU trade policy, and cooperating closely with NATO (European Council, 2019).

These are all well and good, but the challenge – of course – is to translate general goals into specific achievements, a challenge that has been at the heart of the work

Table 13.3 *Selected summits of the European Council*

Date	Venue	Highlights
1975 March	Dublin	First meeting of the Council
1978 July	Bremen	Creation of European Monetary System
1985 December	Luxembourg	Signature of Single European Act
1991 December	Maastricht	Signature of Treaty on European Union
1995 December	Madrid	Naming of the euro
1997 June	Amsterdam	Signature of Treaty of Amsterdam
2000 December	Nice	Signature of Treaty of Nice
2003 February	Brussels	Discussed growing crisis over Iraq
2003 October	Rome	Initiated IGC leading to EU constitutional treaty
2007 December	Lisbon	Signature of Treaty of Lisbon
2008 March	Brussels	Climate change
2008 September	Brussels	Crisis in Georgia
2010–11	Brussels	Several summits to address the euro crisis
2014 March	Brussels	Crisis in Ukraine
2015 April	Brussels	Migration crisis
2016–19	Brussels	Several summits to address Brexit

Note: For a full list of meetings, see European Council website at www.consilium.europa.eu.

of the Council since its creation. Some of its agenda issues (particularly economic problems) have been perennial, while others have come and gone in response to emergencies, crises and changes in the international environment (Table 13.3 lists some key summits). Between 1957 and 2019 there were nearly 200 meetings of EC/EU leaders, dealing with a wide variety of needs and problems:

1. Launching major new initiatives, including every new EC/EU treaty.
2. Addressing key economic matters, including the steps leading to the launch of the euro, and the EU responses to the global financial crisis and the euro zone crisis.
3. Giving momentum to the development of an EU foreign policy.
4. Resolving budget disputes.
5. Making decisions on new member applications.
6. Making appointments at the top of the major EU institutions – see later in this section.
7. Agreeing critical institutional reforms.

The Council must also often address emergencies and rapidly unfolding events, such as developments in eastern Europe in 1989, rifts over the impending invasion of Iraq in 2003, the crisis in Ukraine in 2014, the immigration crisis in 2014–15, and Brexit. Decisions must often be made in a pressure-cooker environment, with meetings lasting longer than planned, running on into the small hours, and dominated by the expectation of agreements being reached at almost any cost for fear that summits will be declared to be failures.

Because summitry is only loosely institutionalized, if at all, the rules are informal and meetings of the Council take place using a combination of brainstorming, intensive bilateral and multilateral discussions and bargaining. The outcome is a formal set of Conclusions, whose content depends on a combination of the management skills of the president, the quality of organization and preparation, the negotiating skills of the individual leaders, the personal relationships among those leaders, how they choose to balance their defence of national and European interests, and the prevailing international environment.

Much like meetings of the Council of Ministers, national delegations are ranged around a room, their numbers limited in order to keep meetings manageable; typically, only the heads of government and their foreign ministers are allowed to be present, along with representatives of the Commission and the Council of Ministers, and no more than one adviser per member state, making a total of about 90–100 people. Additional members of national delegations are restricted to nearby suites that they use as a base. Summits combine plenary sessions with breakouts involving different combinations of leaders, officials from the Council of Ministers working hard to draft a set of Conclusions whose content is usually announced at a closing press conference.

Council summits are almost always major media events and are surrounded by extensive security. In addition to the substantive political discussions that take place, great symbolism is attached to the Conclusions, which are assessed according to the extent to which they represent breakthroughs or show EU leaders to be bogged down in disagreement. Failure and success reflect not only on the presidency but on the entire process of European integration. The headline-making nature of the summits is enough to focus the minds of participants and to encourage them to agree. A 'family photo' is also taken of the national leaders and the president of the Commission, symbolizing the

Table 13.4 *The European Council and senior appointments*

Institution	Offices	Council role	Appointment process
European Council	President	Election	Vote by qualified majority vote (QMV)
European Commission	President	Nominates candidate taking into account results of EP elections	Vote by QMV. Final confirmation needs support of majority of MEPs
	College of Commissioners	Appoints candidates nominated by member states	Vote by QMV. Final confirmation needs support of majority of MEPs
European Commission and Council of Ministers	High Representative of the Union for Foreign Affairs and Security Policy	Election, and removal if desired	Vote by QMV
European Central Bank	Six members of Executive Board, including president	Election after consulting with Council of Ministers, EP and ECB Governing Council	Vote by QMV

process of European integration. The smiles on their faces would look shallow if major disagreements had not been resolved.

Making appointments

Beyond policymaking, the Council is also involved in appointments to several of the key positions in the EU hierarchy, either through nomination or a direct vote (see Table 13.4). Aside from the Council's own president, the most important of these is the president of the Commission. The decision was once based on a review of potential candidates by the Council, considering a variety of political factors. In 2014 the *Spitzenkandidaten* method was used (see Chapter 10), but then it was apparently abandoned in 2019, in the process leaving the relative roles of the Council and Parliament up in the air.

Discussion questions

1. Is summitry an effective and efficient way of reaching decisions, and how does it compare to the often lengthy discussions that take place in committees of the Council of Ministers?
2. Who is the more convincing 'leader' of the EU: the president of the Commission or the president of the European Council?
3. Do the varied interests, ideologies, levels of experience and personalities the different leaders bring to meetings of the Council balance one another, or are some leaders inevitably at an advantage over others?
4. Is the vague outline of the responsibilities of the Council a strength or a weakness?
5. What impact does the Council's role in making key appointments have on the quality of democracy in the EU system?

Key terms

Game theory
Head of government
Head of state
President of the European Council

Concepts

Consensus
Summitry

Further reading

- Foret, François, and Yann-Sven Rittelmeyer (eds) (2014) *The European Council and European Governance: The Commanding Heights of the EU* (Routledge). Edited collection of studies of the European Council as an institution and as a policymaker.
- Mourlon-Druol, Emmanuel, and Federico Romero (eds) (2016) *International Summitry and Global Governance: The Rise of the G7 and the European Council, 1974–1991* (Routledge). A study of the rise and the effects of summitry, placing the European Council within its broader context.
- Wessels, Wolfgang (2016) *The European Council* (Palgrave Macmillan). The only current textbook assessment of the Council, including chapters on its history, structure and dynamics.