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EU TRIO PRESIDENCY REWIND

From Germany, over Portugal, to Slovenia

The complex system of governance of the European Union often blurs the distinction between where decisions are made and who is responsible for them. One of the major institutions that steer the direction of EU policies is the Council of the EU which is run by member states based on a model of rotation. In order to ensure continuity in the Council's decision-making process, the notion of the Trio Presidency was **introduced** with the Lisbon Treaty in 2007, which defines it as "pre-established groups of three Member States for a period of 18 months taking into account their diversity and geographical balance within the Union". The Trio sets long-term goals and prepares a common agenda with the major issues that will be addressed by the Council over an 18-month period. In order to better grasp the recent key developments in the Union, the work of the Council in the last year and a half is the focus of this CEP Presents (July 2020 – December 2021).

As part of rewinding the past year and a half, the paper sets out to examine the policies adopted during the watch of Germany, Portugal, and Slovenia, as well as to provide an overall assessment of the degree to which the 18-month Programme of the Council was accomplished. Moreover, it argues that although the COVID-19 pandemic has caught the EU off-guard, the tenth

Trio has managed to push for an effective and joint response to the health crisis thus making the Union more united than before. As these activities corresponded with the Conference on the Future of Europe, European debates also served as a good platform to explore additional avenues for better equipping the Union to address future crises. In the context of the enlargement and the pandemic, although the Union has kept sending medical and financial assistance, the Trio was ultimately less successful than originally expected in accelerating the pace of the countries of the region on their path to the Union.

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Towards the Health Union and Resilience

The term of the tenth Presidency trio was crucially marked by the COVID-19 pandemic that has engulfed Europe and has had grave consequences on health, economy, and everyday life of people. As the three countries assumed the Presidency in the midst of the pandemic, their joint Programme and actions were overwhelmed by the fight against COVID-19. As expected, the words *pandemic* and *COVID-19* were among the most frequently repeated words in the Trio programme titled: “**Taking forward the Strategic Agenda**”. Not only did the pandemic shape the three presidencies, but it challenged the way the EU functions, and led it to reassess its attitude towards all policies which may have direct or indirect links to public health and institutional coordination in this area.

In essence, health policy was the key area that the pandemic put in the **foreground** of the previous Trio Presidency. Although healthcare essentially falls under member states’ competence, practice has shown that decisive collective action is necessary in order to overcome the consequences of a global pandemic. Even though the supporting role of the EU in health policy has not changed with the adoption of the Lisbon Treaty, the idea of a European health union has nevertheless gained support amid the pandemic. In fact, the European Commission decided to make it its **official policy** in 2020, with **legislative initiatives** to follow that would strengthen EU institutions, revitalise cross-border healthcare and strengthen European emergency preparedness and pharmaceutical policy. With the aim to improve Europe’s health resilience and tackle the pandemic, it was thus up to the Trio to take the Council through the process of turning them into laws and complement the work of the Commission towards achieving the set goals.

As the first Presidency that started and ended during the COVID-19 pandemic, Germany was faced with great expectations in dealing with the crisis. Germany’s pandemic-related policy efforts had begun even prior to its Presidency, notably as it struck a **deal** with France in March 2020 to put on the EU’s agenda the idea of introducing joint borrowing on financial markets and an unprecedented recovery package. Fast-forward a few months, following intensive negotiations between EU27 leaders, the Council managed to secure the agreement on the Next Generation EU (NGEU) instrument for recovery, with unprecedented €338 bn in grants and €386 bn in loans. Simultaneously, the EU managed to reach a provisional agreement on the 4th **EU-4Health** Programme – the largest individual health programme so far, worth €5.75 bn (2021-27), and intended to complement the NGEU to tackle the pandemic and pave the way for the Health Union. The fact that agreements on these delicate issues were made in a very short amount of time, without any pre-existing consensus on how they should be tackled, demonstrated German Presidency’s leadership when it was most needed.

Although the concept of the Health Union was not entirely new when Germany took over the Presidency, it was, in fact, first officially referred to in the **Portuguese Presidency Programme**. This Iberian member state’s approach to realizing the Health

Union would rely on the implementation of the decisions taken during its predecessor’s term. Namely, its top priority was to ensure smooth implementation of the NGEU and the EU4Health. In that context, not only did the Council oversee each member state sending their **national recovery and resilience plans** to the Commission, but it also worked on reaffirming the EU’s full commitment to ensuring global access to vaccines via the **COVAX** initiative. Moreover, the Council **agreed** during the Portuguese Presidency to extend the mandate of the European Medicines Agency (EMA), the EU agency responsible for the process of verification and approval of the vaccines, while also **adopting** the EU’s Digital COVID-19 Certificate. Altogether, the Council made tangible progress in the public health area during the Portuguese presidency.

Efforts to make the Health Union a reality became particularly concretised in the **Slovenian Presidency Programme**, whose highlight was the creation of the *European Health Emergency Preparedness and Response Authority* (HERA). Intended to be a **central pillar** of the Health Union, its purpose is to prevent, detect, and rapidly respond to health emergencies while also ensuring the development, production and distribution of medicines, vaccines and other medical countermeasures – such as gloves and masks – when an emergency hits. Considering the importance of this body, **established** as part of the Commission in September 2021, with a budget of €6bn for 2022-2027, the Council has reached a political **agreement** on operationalising HERA’s crisis powers. Moreover, the Council also **agreed** on strengthening the role of the European Centre for Disease Prevention and Control (ECDC). With this updated mandate, the aim was to enhance the ECDC’s work in the areas of surveillance, early warning, preparedness and response. Considering these developments, it can be concluded that the Council managed to round up the work on the Health Union in an effective manner during Slovenia’s Presidency.

The pandemic has, as all other external threats usually do, made Europe more united. The 27 EU members have not forgotten the Western Balkans aspirants in these hard times, as Germany, Portugal, and Slovenia have all respectively as chairs of the Council coordinated EU’s help for the Western Balkans. In the first wave of the pandemic EU has secured **support** for the Western Balkans through its civil protection – RescEU programme jointly with Croatia which is already a member state. Through this programme EU helped the Western Balkans by donating face masks, infrared thermometers, PCR tests, intensive care monitors and respirators which were at the time the most wanted medical equipment on the market. Moreover, when vaccines became available in 2021, the EU has donated around **4 million doses** to its Western Balkan partners thus starting vaccination campaign just months after the vaccines against COVID-19 were invented. On top of that, the EU supplied almost €42 ml for immediate support to the Western Balkans health sector. Therefore, the Western Balkan region could feel as being part of Europe united in fighting the pandemic.

Setting the Stage for Reforms via the Conference on the Future of Europe

Organising and implementing the Conference on the Future of Europe (CotFoE) is one of the key highlights of the discussed Trio, particularly as it was supposed to place the debates on key policies on the citizens' level. As the Conference was officially launched on Europe Day, 9 May 2021, it covered the period of Portugal's and Slovenia's chairing. Originally, it was planned for the Conference to start during the German Presidency, but it was postponed due to the outbreak of the pandemic. During Portugal's watch, the **Joint Declaration** on the Conference was signed by the heads of the European Parliament, the Commission and the Council. Furthermore, to ensure citizen participation across Europe, the multilingual **digital platform**, which serves as Conference's hub, was launched. The platform created a virtual space for the citizens of the EU to share their ideas and initiatives online which are collected, analysed, monitored and published throughout the Conference. While Portugal and Slovenia have done their part in the Conference organisation, now it is up to France bring it to an end and during its presidency.

Meanwhile, Slovenia's chairing of the Council was marked by the **invitation** for the citizens from the Western Balkans to join the Conference and the organisation of first European citizens' panels. Six citizens' panels were **held** in the Western Balkans by the end of 2021, both online and in-person, covering enlargement, migration, climate change and environment, health, economy, social justice, democracy, and the rule of law, and European values. As part of the CotFoE, the conference entitled "**EUROPE COMPLETE**" was a noteworthy cross-European event organised by a Western Balkan think tank. The highlight of the discussions held in Belgrade was the proposal of the **model of staged accession** to the EU which envisions replacing the existing "in/out" approach to enlargement with a model based on the graduation of degrees of participation in the institutions and access to increasing financial assistance for those who meet the conditions for each integration stage. Considering that the CotFoE has instigated such relevant debates, the process has proven to be a valuable exercise in building bridges between citizens and experts from the Western Balkans and their EU counterparts. The key missed opportunity, however, is that there was no systemic approach to the region from the previous Trio, although civil society had **called for** it even before the CotFoE was officially launched.

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Was there a Place for Enlargement?

Although Germany is the most significant country in terms of political leverage and economic capital in the region, it has produced rather moderate results when it comes to the Western Balkans. The fact that the Common Regional Market was **inaugurated** as part of the Berlin Process, an initiative head-spearred by Germany, proves Germany's continued **encouragement for** integrative projects of regional importance during its Presidency. Yet, as the pandemic has overtaken this presidency's agenda, Germany's focus was largely limited to damage-control. That is why it was unsuccessful in placing more efforts to convince Bulgaria to drop its veto on the opening of accession talks with North Macedonia, while no other country has made notable progress during this period. This has left a sense of **disappointment** in the air, as many were expecting it to use its leverage, as the most influential EU member state, to introduce real enlargement breakthroughs.

Meanwhile, although geographically the farthest EU state from the Western Balkans, Portugal has also shown some commitment to enlargement during its term - however, not enough to break the impasse. In fact, the Council **approved** the revised enlargement methodology, while it also made a political **agreement** with the European Parliament on the new Instrument for Pre-accession Assistance (IPA III). Moreover, the fact that the funds were increased (with additional €800 mn as compared to the total sum of IPA II) even at the times of pandemic, was a somewhat positive development. Yet, as none of the Western Balkan countries made any step forward towards the EU, while the Bulgarian veto has remained in place, this showcases that the enlargement results has continued to be **underwhelming**.

The enlargement dynamics changed to an extent during Slovenia's term, particularly as the Western Balkans **featured** prominently in its Presidency programme. As a former Yugoslav republic, with strong economic and cultural links to the region, Slovenia's accentuation of enlargement was only natural. Not only did Slovenia regularly express vocal support for enlargement, but it was also the only member of the Trio to organise an **EU-Western Balkans Summit**. Under Slovenia's guidance, EU27 leaders agreed as part of the **summit declaration** to reaffirm the Union's **commitment** to the 'enlargement process' which added more substance to the previously expressed "European perspective" of the region. Moreover, the Council also reiterated its support, in its 2021 enlargement **Conclusion**, to implementing the Economic and Investment Plan for the Western Balkans and the Green Agenda for the Western Balkans. On top of that, and following a two-year-long stalemate, the Council decided to **open** Cluster 4 with Serbia ("Green Agenda and Sustainable Connectivity", containing four chapters). In sum, although Slovenia, too, failed to change Bulgaria's reservations vis-à-vis North Macedonia, it did manage to move the enlargement agenda to a greater extent than the other two members of the Trio.

Trio's Impact on EU's Overall Trajectory

When it comes to fulfilling the key priorities of the Trio, the presiding member states made sure that the joint Programme did not remain a dead letter. It is evident that each Presidency strongly prioritised adopting and implementing initiatives whose aim was to fight the pandemic and mitigate its consequences. Building the European Health Union, by establishing the Recovery and Resilience Facility and HERA, and managing the crisis, by introducing the COVID-19 certificates and strengthening the mandate and powers of the existing health agencies, represented the most notable results of the tenth Trio. Nonetheless, organisation of the Conference on the Future of Europe was smooth and so far successful, rendering Trio's agenda goals fulfilled.

As the enlargement was not displayed initially as a top priority of the Trio, it cannot be assessed on the same merits as other accomplishments. Despite a comparatively lower level of interest in this matter by its Trio partners, Slovenia managed to push the enlargement into the spotlight. This is noteworthy considering the EU27 leaders had already had their hands full with the ongoing health crisis. Taking a look at enlargement status at the end

of this Trio's term, the frontrunners Serbia and Montenegro continue negotiations as Serbia recently opened Cluster 4 whereas Montenegro had already opened all six Clusters. On the other hand, candidates Albania and North Macedonia remain blocked by other member states despite the Commission's recent **recommendation** to open negotiations with those two states, while Bosnia and Herzegovina and Kosovo¹ remain far from becoming candidates. These are the issues that the outgoing Trio will confer to the upcoming one.

In sum, it is evident that the tenth Trio has had its hands full with tasks of unprecedented difficulty. Nevertheless, the legacy of this Trio lies in the fact that the Union has become, during their term, more united in finding joint and effective measures to handle the pandemic and prevent the emergence of the future ones. Although this has consequently limited the Union's scope of attention when it comes to finding ways to make breakthroughs in the Western Balkans, the region has nevertheless been a notable area of Union's ongoing medical and financial assistance. This fact demonstrates that the Western Balkans is seen by the EU as future part of the European community, while it remains on upcoming presidencies to complete this goal.



¹ This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

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