

THE CZECH PRESIDENCY OF THE EU COUNCIL: NO TRIUMPH, NO TRAGEDY

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Abstract. *The text firstly introduces briefly the Presidency as an instrument or tool of the decision-making process within the EU. The article further presents the basic potential criteria for evaluating an EU Council Presidency. Then the course of the Czech Presidency is described according to how it dealt with its functions. In the concluding analysis the Czech Presidency and perceptions of it are evaluated on the basis of the criteria set forth, and the conclusions are developed in the context of their importance for the function of the Presidency in general. Czech Presidency is introduced in the context of both internal and international politics and a special section is also devoted to very unfavorable media coverage of the Presidency. However, the condemnation it received especially from the French and German media was the result of secondary motives unrelated to the Presidency itself. The basic thesis of the text goes against ordinary media conclusions and states that the Czech Republic in carrying out the Presidency – in view of the style chosen – did very well, and fulfilled the basic function of the Presidency.*

Keywords: Czech Presidency, EU Council, EU institutions, EU leadership

“It generally applies that small countries fill the Presidency of the EU Council better than the big countries. They cooperate better with other EU institutions, take a consensual approach, listen to others, and try to get along.” This would tend to summarize the conclusions that usually appear not only in the theoretical literature about the Presidency, but in the analyses of the individual mandates. Even so, with the increasing frequency with which small countries are serving in the EU Presidency, the large and influential actors in the European Union (EU) have displayed attitudes ranging from skepticism to disrespect toward the small country presidencies. A specific case is the recently-

concluded Presidency of the Czech Republic. Probably no other Presidency was anticipated by influential French newspapers with such deep disrespect and unconcealed loathing as in the case of the Czech Republic. But the fault did not lie only with the evident dissatisfaction of France (Münchau 2008), which held the Presidency before the Czech Republic, at having to pass the baton to a country many times less influential. Nor was it merely supposed or real Euroskepticism of some Czech politicians, or concern about the inexperience of Czech diplomacy and its bureaucracy, or the Czechs’ unstable domestic political situation. The following study will attempt to analyze the Czech

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Presidency and determine whether these concerns, expressed prior to and during the Czech Presidency by both the media and by politicians from the EU member countries, were grounded in reality, or were the manifestation of other tendencies.

The study consists of several parts. In the first section, the Presidency is briefly presented as an instrument or tool of the decision-making process within the EU. This part will also present the basic potential criteria for evaluating a Presidency. Then the course of the Czech Presidency is described according to how it dealt with the functions of the Presidency. In the concluding analysis the Czech Presidency is and perceptions of it are evaluated on the basis of the criteria set forth, and the conclusions are developed in the context of their importance for the function of the Presidency in general.

The basic thesis of the text is that the Czech Republic in carrying out the Presidency – in view of the style chosen – did very well, and fulfilled the basic function of the Presidency. The condemnation it received from the media in particular was the result of secondary motives unrelated to the Presidency itself.

The Presidency in theory

At the turn of the millennium the Presidency of the EU Council was one of the least-studied parts of the institutional structure of the EC/EU. Political scientists have long devoted attention mainly to the historical development of European integration, its theory, common policies, or institutions that were regarded as less

inscrutable and most influential. The note about scrutability is not beside the point. Unlike the Commission or the European Parliament (EP), for example, the Presidency still does not have as strong an anchoring in primary law. Its development and the definition of its functions developed spontaneously, and more than the result of reform efforts it was a reaction to the momentary needs of the integration process. Specialized study of the Presidency during the 1970s and 1980s was negligible, with the main exception being reform reports¹.

At the turn of the new century there was a turning point, related to a change in the quality of European integration. In the 1980s what was for a long time mainly economically-oriented cooperation took on a clear political context, and consequently there was a growing demand for institutions that could produce clear leadership. The Presidency clearly had that potential, and it showed a growing tendency to take the lead. Specialized monographs usually dealt with the Presidency in the context of issues related to the EU Council (Sherrington 2000, Westlake, Galloway 2004, Hayes-Renshaw, Wallace 2006). An exception is the monograph by Jonas Tallberg (2006) dealing with the Presidency of the EU Council as an important instrument of leadership and negotiation within the EU.

Studies in specialized journals can generally speaking be divided into two groups. The first category deals mainly with case studies of individual Presidencies (Henderson 1998, Stubb 2000, Kerremans and Drieskens 2002, van Keulen 2004); the second with the

¹ For example the Tindemans Report or The Report of the Three Wise Men.

Presidency in theory, while part of that theory is drawn from a certain set of case studies (Westlake 1999, Sherrington 2000, Tallberg 2001, Bengtsson 2003, Elgström 2003, Schout, Vanhoonacker 2006, Warndtjen 2007, Thomson 2008). The key themes of these studies (of course a certain theoretical aspect or implication cannot be denied even to texts that primarily focus on description of a specific country's term in the Presidency) are above all the function of the Presidency, and the influence of the Presidency or the issues it deals with. The sum of observations that these publications and studies have produced constitutes a description of the characteristics of the Presidency. The Presidency should be above all impartial, which does not necessarily mean neutral (Tallberg 2003: 38–39). The modern Presidency should carry out a certain catalog of functions, the genesis of which, as shown by Fiona Hayes-Renshaw and Helen Wallace (2006: 141), ideally reflects the differing approaches of the member states toward the Presidency. The two authors point out that the nature of the function of the Presidency arose among other things out of competitiveness between chairing countries and the attempt to make one's Presidency stand out; or out of the mandates of small countries that, through conscientious performance in office, seek

to show that the principle of equality among member countries towards the Presidency is justified. Although in the literature there is no unanimous agreement on classification of the functions and their differentiation², the standard demands upon the Presidency include:

- 1) administration and management of the work of the Council,
- 2) determination of political priorities,
- 3) negotiation,
- 4) representation of the Council (Tallberg 2002a: 13, Elgström 2003: 4–7).

A controversial question is the national function of the Presidency, within which the Presidency must serve as a forum for the defense of national interests or national positions. This function is assigned explicitly to the Presidency by Adriaan Schout (Schout 1998, Schout, Vanhoonacker 2006: 1054) or Philippa Sherrington (2001: 44). It is implied by Martin Westlake and David Galloway (2006: 335) as well, who state that the Presidency offers small countries a chance to promote their political priorities. It is also frequently observed that the presiding country, however hard it tries to be neutral and impartial, is still a part of the political discussion on the Council, in which it continues to have its interests.

² The first and fundamental description of the function of the Presidency was set forth in 1976 by Helen Wallace and George Edwards (Hayes-Renshaw, Wallace 2006: 141), who attributed to the Presidency the following functions:

- 1) manager of the Council,
- 2) representative of the Community for foreign relations,
- 3) policy initiator,
- 4) negotiator of agreements,
- 5) administrator,
- 6) collective representative of the Council.

Martin Westlake and David Galloway (2004: 334) added function of honorary negotiator, which is distinguished from the function of negotiator of agreements. An interesting observation was made in 1984 by Jean-Louis Dewost (1984), who also assigned it the role of arbitrator in the event of political conflict.

Small and medium-sized countries in the Presidency

The current system of roles and tasks for the Presidency, and of course the brevity of the mandate, logically imply that the Presidency cannot devote itself equally to all areas and functions. On the contrary, the condition for success is a rational evaluation of the capabilities of the given country, and determining which particular functions to focus on³. As it is evident from the previous paragraphs, individual authors differ in the emphasis they place on individual functions. For example Philippa Sherrington (2001: 41) considers administrative functions and representation to be the most important; emphasis on the role of administrator-manager is also placed by Fiona Hayes-Renshaw and Helen Wallace (2006: 141). Also Adriaan Schout and Sophie Vanhoonacker (2006a: 1054) add that the Presidency may distinguish itself either by a balanced fulfillment of all roles, or by focusing on some of the dominant ones: in any case a balanced application to every aspect of the Presidency function is therefore not the norm.

It is clear that a fundamental factor underlying the success of the Presidency is the character of the chairing state. Influential and ambitious countries, such as France or Germany, have traditionally launched into complicated topics (in the case of France the Treaty of Nice, with Germany the reform of the so-called European Constitution, which resulted in a mandate to hold the intergovernmental conference) and they tend to be relatively visible in the external representation of the EU. On the other hand the presidencies

of small countries usually rely on carrying out administrative functions and putting the more politically sensitive functions (major initiatives or representation of the EU) on the back burner. Accenting the individual functions of the Presidency logically affects the style in which the Presidency is conducted. Ole Elgström and Jonas Tallberg (2003) speak in this regard of a rational and sociological approach to the Presidency.

Under the rational approach, the Presidency of the EU Council is regarded mainly as another instrument toward the achievement of the interests of the given state. The key elements of this approach are the formulation of the chairing state's priorities, the internal political context or internal political uses of the Presidency, and the strategy of behavior by the chair in interacting with other member state actors (Elgström, Tallberg 2003: 192-198). A Presidency may be successful if it is able to formulate and advance the chair's program, if it makes use of its mandate to achieve desired internal political goals, and successfully manages its interactions and negotiations with the key institutions of the EU.

The opposite of the rational approach to a certain extent is the sociological approach (Elgström, Tallberg 2003: 198-203), in which the behavior of the Presidency is influenced especially by the logic of what it is suited to do. The chair behaves as it is expected to by the other countries and institutions of the EU. The scholars speak in this context not only of expectations connected with fulfilling the function of an impartial negotiator, in other words with expectations connected with the Presidency as such, but also

³ Many of the small countries for example place do not emphasize the function of external representative, and leave this to other actors in the EU political system (European Commission, High Representative for the CFSP).

expectations that relate to the presiding country. Also important in this approach is the actual identity of the presiding country, which may be perceived as a traditional leader, or as a country which is ahead of the rest of the EU in a certain policy context.

Not that most mandates can be defined strictly according to one or the other of the above-described styles in any ideal form. As pointed out by Ole Elgström and Jonas Tallberg (2003: 203–204), the two styles are often combined. With the bigger and more influential EU countries the tendency towards a rational approach prevails, while with the smaller and medium-sized member states tend to opt of the sociological option.

Evaluating the Presidency

The Presidency is not a phenomenon that can be the object of an exact scientific evaluation. Some functions of the Presidency can be measured with a certain degree of exactitude and comparability, but most of the evaluation of a Presidency takes place on the level of qualitative judgment. A comprehensive analysis of a Presidency does not speak the language of numbers, but that of personal impressions, journalistic commentary, and academic study. As Daniel Kietz points out (2008a: 15), a Presidency can fulfill all of the required functions even without concluding any major negotiations. For the chairing state is only one of the actors present in the EU system.

The difficulty or impossibility of objectively evaluating a Presidency,

much less comparing the success of different presidencies, is pointed out by a number of authors (Schout, 1998, Schout, Vanhoonacker, 2006, Hayes-Renshaw, Wallace, 2006). Martin Westlake and David Galloway (2004: 336) point out that successful and productive negotiations in the European Council can overshadow an otherwise contentious and poorly-run Presidency and vice versa. They also point out that politicians from the chairing state can rate the success of a Presidency differently than the independent analysts, officials of EU institutions, or the mass media do. The Presidency combines within itself a number of functions, for example the organizational function of the Presidency, as well as representation of the EU. An objective evaluation (or comparison) of the individual mandates is seriously complicated by the fact that every country begins from a different starting position. The fact must be kept in mind, for example, that the course of a Presidency can be diverted by an unexpected foreign policy event⁴. The atmosphere that momentarily prevails in the EU also has a major influence.

However, we cannot give up on a comprehensive evaluation of Presidencies. According to Adriaan Schout (1998: 5), a good Presidency is one that is successful in its program goals, shows good organizational and media ability, and is perceived in a positive light. An unsuccessful Presidency is one that fails to achieve its program goals (or at least an important part of them), fails to manage the organizational and negotiation tasks of a Presidency, and is regarded generally in a negative light.

⁴ Such as the events during the Belgian Presidency in the second half of 2001 which was marked by the September terrorist attack on the World Trade Center in New York.

What are the criteria for evaluating the individual functions? As has been said, the organizational function of the Presidency is a key measurement of the success of a Presidency. Meanwhile there are no clear criteria for its evaluation. Preparation of negotiations, functional/non-functional logistics, understandable or confused communications (and other aspects and dimensions of organizational functioning) are of course very evident and easily communicable personally. A successful Presidency from the organizational side should be capable of flexible and constructive communication with other EU institutions, and correct handling of the meetings of the EU Council on all levels.

In the representative function of the Presidency lies the success or failure of Presidency. Successful carrying out of this function requires the combined ability to coordinate the Presidency with other EU institutions (especially when it comes to EU representation), while being able to de-emphasize potential national interests (at the level of internal representation on the Council; in other words, where the chairing state is the spokesman for the EU Council in its dialogue with other EU institutions). While EU representation requires the Presidency to take into account the position of the entire EU, in the context of the inter-institutional representation of the Council the Presidency represents a particular interest, and not the position of the home country.⁵

From the standpoint of evaluating priorities it is important (aside from general principles) to take into account a number of factors. The first of these is the measurability of results attained. In this context we can point out the Swedish Presidency of the EU Council in 2001, when it set EU expansion as one of its main priorities. The success of the Swedish mandate was measurable for example by the number of chapters closed. The success of the Presidency is evaluated according to other, qualitative categories as well. A successful Presidency should be able to accent the needed priorities of the EU, to address the continuing theme of European integration, to tie into the content agenda of their predecessor, and not favor their own national themes at the expense of EU priorities.

Evaluating the success or lack of success in the negotiating function, i.e. the ability of the Presidency to serve as an architect of compromise on the EU Council, is to a significant degree subjective. This does not consist of merely counting up the number of approved procedural measures, for example. In evaluating the negotiating function there is a need to take account of the demands that are brought mainly from the side of the EU and the member states. Other member states and EU institutions demand from the negotiating function of the Presidency a number of mutually-related demands, by which they judge its success. These are mainly the nature of the issues taken up, the a

⁵ For an example of the unhappy relationship between the Presidency and the institution we can recall the Italian Presidency in 2003, which failed to manage its communications with the EP. At the beginning of the Italian mandate the Italian premier compared a German member of the EP to a Nazi concentration camp guard; later the Italian Presidency during the discussion on the so-called European Constitution tried to limit the influence of the EP on approval on the EU budget (Quaglia, Moxon-Browne 2006: 360).

priori judgment of the negotiator, the potential presence of other negotiators, and the sensitivity of the problem being discussed. The fundamental important prerequisite is the removal of issues that could be contentious from the standpoint of the national interests of the presiding country. An important prerequisite for success in the negotiating function is advance preparation, which should consist of following the development of legislation well prior to assuming the Presidency, and coordination with the predecessor and successor countries in the Presidency (Kietz 2008a: 15–16).

Comparison of individual presidencies is, as the above analysis makes clear, an extremely difficult matter. The success of a Presidency is directly determined by the basic characteristics of the individual chairing countries. It would be hard to expect Malta or Estonia at the head of the EU to have the same influence on the international scene as when the Presidency was held by Germany or permanent members of the UN Security Council France and Great Britain, with their colonial past and languages used by large parts of the world. Likewise the size of a country, its economic development, length of membership in the EU, and number of people in important posts in the EU structures, affects the possibilities of a presiding country. A Presidency can be significantly influenced by the momentary political constellation – if for example 20 of 27 current governments do not share the ideological leanings of the government of the chairing country, then we can expect it to be harder to find compromise. Because of these variables affecting the fate of individual presidencies, it would seem extremely difficult to compare the relative success of different countries in conducting the Presidency.

The context of the Czech Presidency

The Czech Presidency cannot be evaluated or understood without understanding its context. The context of the Czech Presidency can be divided into foreign policy and domestic policy aspects. Both in the first and second contexts, the Czech Republic, or rather its political elite, did not find itself in an easy situation. From the foreign policy standpoint the Czech Republic took up the Presidency during an era of turbulent events in the world and the EU. The world scene was dominated by an economic crisis of global dimensions, and the continuing emergence of the BRIC powers (Brazil, Russia, India, and China). High expectations were attached to the new administration of American President Barack Obama, who took office after eight years of government under George W. Bush left the USA with a damaged reputation. The beginning of the Czech Presidency was strongly affected by the violent conflict in Gaza and the energy crisis caused by an interruption in natural gas deliveries to Central and Eastern Europe from Russia through the Ukraine.

But for the Czech Presidency, it was the European context that was determinant. Its dominant feature was the fact that the Czech Republic took over the function from France and its extremely active and media-savvy President Nicolas Sarkozy. During the Czech Presidency there was also movement on the ratification of the Lisbon Treaty; it was little to the advantage of the presiding country that at the end of 2008 it was still among the few member states that had not ratified this reform of the founding treaties. The Czech Republic has still not adopted the common currency, the Euro; there is not

even a deadline for when preparations should begin to adopt Euro. There was also a certain irregularity in that the mandate of the European Parliament (EP) and European Commission⁶ ended in June 2009, with European elections to follow thereafter.

The domestic political situation in the presiding countries was determined some time before the beginning of the term. Since parliamentary elections in 1996 the Czech Republic has suffered from weak and fragile governments that have not enjoyed a sufficient (or any) majority in the Chamber of Deputies. Besides having to struggle to implement its program, the government had to constantly fight for its very existence. The Czech party scene is grouped around two dominant actors: the Civic Democratic Party (ODS) on the right, and the Czech Social Democratic Party (ČSSD) on the left. Other traditionally relevant party actors are the Communist Party of Bohemia and Moravia (KSČM) and the Christian Democratic Union – Czechoslovak People’s Party (KDU–ČSL). The latest parliamentary elections in 2006 resulted in the situation in which the left-wing parties (ČSSD a KSČM) won the same number of seats in the Chamber of Deputies as the center-right formations (ODS, KDU–ČSL, and most recently the Green Party) – an even half. In January 2007, six months after elections, a coalition was formed between the ODS, KDU–ČSL, and the Greens, further relying on the support of two defectors from the ČSSD. This non-standard method of constructing a government

majority resulted in an atmosphere of pure antagonism between the ČSSD and ODS, which continued to dominate Czech politics during the period before the Czech Republic assumed the EU Presidency. In the spring of 2008, ČSSD chairman Jiří Paroubek made statements to the effect that during the EU Presidency the government would continue to be the target of attacks by the opposition (Kaniok 2008). This was very much unlike the situation in Slovenia, where the government and the opposition made a “cease fire” agreement for the duration of its Presidency.

There were also concerns over the figure of President of the Czech Republic Václav Klaus, who is regarded as a critic of deeper European integration. Both the Czech and foreign media feared Klaus’s possible activism and his controversial statements. Klaus’s sharp edges were to be softened during the EU Presidency by a careful choice of key foreign policy positions in the Topolánek government – the new post of vice-premier for European affairs was filled by former dissident Alexander Vondra, an experienced foreign-policy pragmatic; and the foreign minister was Karel Schwarzenberg, an internationally-respected politician with strong European ideological roots.

Other domestic structural conditions shaping the Czech Presidency included a low degree of enthusiasm for the EU on the part of Czech citizens. According to the latest survey by Eurobarometer at the end of 2008, 46% of Czechs regarded EU membership as beneficial⁷, which placed the country in 19th place

⁶ From the standpoint of the EU legislative cycle, it must be noted that during election years both institutions stop working around the end of April.

in Europe (Eurobarometer 2008: 32). In other parameters, such as trust in European institutions for example, Czech citizens were mildly above average in their positive responses. Czechs do not take a great interest in European affairs; for example nearly 80% of Czechs are uninterested in events related to the Treaty of Lisbon; nearly 80% of Czechs do not know or know very little what the term Treaty of Lisbon actually refers to (CVVM 2008: 2, 4).

Both the external as well as the internal context of the Czech Presidency led to extremely low expectations (Kaczynski 2009). Foreign experts, members of the EP, and analysts all questioned the ability of the government of Prime Minister Mirek Topolánek to manage the Presidency of the EU Council in view of the uncertain domestic political situation. For example, an analysis by Newton Media from November 2008⁷ shows that in October political instability in the Czech Republic was the most frequent media argument for the failure of the Presidency⁹ (Mediainfo 2008). At the end of October 2008 there even appeared speculation in the Czech and European media that it would be better if France continued to exercise the Presidency after January 1, 2009, or if the Czech Republic would hand the Presidency

over to Sweden.¹⁰ It must be noted that the Slovene Presidency did not have to overcome such low expectations.

Priorities of the Czech Presidency

The Work Programme of the Czech Presidency carried the subtitle “Europe without Barriers”, which was intended to describe the Czech Republic’s vision of a Europe “without internal, economic, cultural and value barriers for individuals, entrepreneurs and economic entities” (2009: v). This slogan clearly refers to continuing barriers to free movement, especially limits on the free movement of persons from the new member states, and Europe’s cautious policies on the liberalization of services. The Czech Presidency openly displayed its liberal tendencies when it said that in a time of crisis “excessive regulation and an increased level of protectionism must be avoided” (2009: v). The Czech Republic presented its program through the media abbreviation “3E – Economy, Energy, and the EU in the World”. In the introduction to its Work Programme it did not set concrete goals in these key areas, but instead confined itself to general proclamations, over which the Czech Presidency had little real influence anyway, such as “to prevent

⁷ Domestic surveys actually showed an even lower degree of satisfaction with EU membership; according to the Center for Public Opinion Research only 40% of Czechs regarded EU membership as a good thing, while a plurality (43 %) took a neutral stance (CVVM 2009: 2).

⁸ The cited analysis focused on the national dailies *Aha!*, *Blesk*, *Haló noviny*, *Hospodářské noviny*, *Lidové noviny*, *Mladá fronta Dnes*, *Právo*, *Šíp* and selected weeklies (*Ekonom*, *Euro*, *Reflex*, *Respekt*, *Týden*). The analysis covered the period from 1 to 31 October 2008.

⁹ Political instability as a cause of failure was the subject of 15% of the studied articles, 14% contained the very similar argument of questioning the competence of the Czech government/mandate for the conducting of the Presidency, and the same percentage consisted of the argument that the Czech Republic had not yet ratified the Treaty of Lisbon (Mediainfo 2008).

¹⁰ This idea originated in an article in the Austrian daily *Kurier* “Mach’s nochmal, Sarko” of 21 October 2008. On the political level it was articulated for example by German MEP from the CDU/CSU Ingo Friedrich (Idnes 2008).

any further deepening of the crisis and to revive economic growth“ (2009: vi). The introductory passages clearly indicate in which direction the long-term development of the EU should go, according to the Czech Republic. There should be a general liberalization, removal of all remaining barriers to movement and the development of human capital through support for education and for research and development. In the area of energy, the Czech Republic called for an overall diversification of sources of commodities, development of renewable resources, reducing the economy’s energy intensity, and creation of a unified internal energy market. As for external relations, the Czech Presidency favored further EU expansion, and reaffirmed the value of transatlantic ties with the USA (2009: vi–viii).

The Czech Republic avoided discussion of two very current topics that are usually dominated by the big countries – agriculture, and the budget. Just before the beginning of the term a “health check” of the CAP was carried out, which set forth how this policy was to function until 2013. As for the European budget, the year 2009 was the time when the debate was supposed to start on the budget for 2013. However, the right to begin this initiative falls to the Commission, which as of the end of June had brought forth no proposal (Mora 2009).

The course of the Czech Presidency

The course of the Czech Presidency was foreshadowed by the preceding campaign to promote it. While the official slogan “Europe Without Barriers” was uncontroversial, the intentionally double-edged slogan for its domestic campaign “Evropě to osladíme” raised eyebrows.¹¹ A much greater stir over the Czech Presidency was caused by the installation at the headquarters of the EU Council of the work “Entropa” by non-conformist artist David Černý; in an often controversial way, the work played on some of the stereotypes that are applied to the individual member countries. The depiction of Bulgaria as a Turkish toilet led to a formal note of protest and the subsequent covering of that part of the installation¹². Černý also found himself in trouble with the Czech government because the artist in his official presentation falsely claimed that artists from all 27 member states took part in the work: a few days later it was discovered that the list of co-authors was entirely fictional.

The Czech Republic began the Presidency at a very tense moment amid two major crises: the violence in Gaza and the closing of the natural gas pipeline from Russia through the Ukraine to some of the EU member countries. On the Israel-Palestine conflict, a team led by Czech Foreign Minister Karl Schwarzenberg accompanied by colleagues from Sweden and France succeeded in having a humanitarian

¹¹ “Evropě to osladíme” allows for a double interpretation – on one hand, “We will sweeten Europe”, but also “We will give Europe a hard time”. After a lukewarm reception the slogan was changed to “Sladíme Evropu”, which was also subject to a double interpretation, but this time positive – “We sweeten Europe” or “We will coordinate Europe”.

¹² Which of course led to increased interest in what was under the canvas...

corridor opened and deliveries made. Meanwhile, French President Sarkozy was making parallel attempts to mediate the conflict. The natural gas crisis was very actively addressed by PM Mirek Topolánek, and after two weeks of intensive negotiations in Moscow and Kiev, deliveries of gas were restored. For the rest of its mandate the Czech Presidency was not forced to confront such urgent foreign-policy issues as the "2G" (Gas and Gaza).

The subsequent course of the Presidency was dominated by the economic crisis. On March 1, 2009 an extraordinary summit was held in Brussels devoted to protectionism. The topic of the economic crisis continued to dominate the agenda at the spring summit of the European Council, when on the initiative of the Czech Presidency the topic of energy security and the Eastern Partnership with six countries of the former Soviet Union was addressed as well. On March 24 hopes for a positive evaluation for the Czech Presidency were dashed when the Chamber of Deputies voted no confidence in the government; thus the two big events in April – the G20 summit in London and the visit by American President Barack Obama were conducted by a government in resignation. Even so, in April it was successful in negotiating EU legislation on tightening the regulation of ratings agencies, which were singled out as one of the causes of the crisis. Before Topolánek's cabinet resigned on May 8, Prague hosted three more big

summits – on the Eastern Partnership, a summit on employment, and a summit on the Southern Corridor¹³. The new "technocratic" caretaker government under chairman of the Czech Bureau of Statistics Jan Fischer continued to conduct the Presidency, and represented the EU at summits with China, Russia, Korea, and Pakistan; it was especially successful at the June summit of the European Council in Brussels in negotiating a compromise on four key points – guarantees for Ireland in relation to the Treaty of Lisbon, a new framework for European financial regulation, a common approach to protection of the climate, and on filling the post of chairman of the European Commission for the next term.

From the standpoint of legislative activity, the Czech Presidency was above-average in terms of productivity; in the summary of its activities it declares that it saw through the successful completion of negotiations on more than 80 concrete measures (Czech Presidency 2009a: iv). Representatives of the Czech Republic chaired more than 3000 meetings; over six months the country was visited by some 30 000 foreign delegates and more than 2000 foreign journalists. Some 1500 civil servants worked on the Presidency; more than 600 cultural events were held, and the bill for the Presidency came to some 1.9 billion CZK (around 75 mil. EUR) (Czech Presidency 2009b), which is a sum comparable to that spent by other smaller countries, though nearly three times less than what was spent by France.

¹³ This dealt with the possibilities for alternative delivery routes for oil and natural gas, with the aim of limiting energy dependence on Russia.

Criteria Application to the Czech Presidency

As already indicated in the theoretical section, the Presidency can be evaluated from a number of perspectives. In our analysis we will concentrate on two of these. Firstly we will examine to what extent the Czech Republic was successful in achieving its own priorities, and to what extent it was successful in “crisis management” or coping with unexpected events. Secondly, we will examine the Presidency from the standpoint of its function.

Under the general slogan of “Europe Without Barriers”, during the Czech Presidency the number of countries not allowing free movement for employment to citizens of countries joining in 2004 fell by half, with limitations on the labor force being retained only by Germany and Austria. In regard to the 3E priorities, the Czech Republic enjoyed mixed success. In promoting its economic proposals, the possibilities of a smallish state that is not a member of the G20 or the Eurozone are relatively limited by the nature of things. Meanwhile, the first reaction of the Union was outlined via the proposals of the Larosière Report, in which no Czech representatives took part. The Presidency did reach its main goal, despite the disapproval of France, when it succeeded in striking out protectionist language and inserting language warning against excessive state intervention. The Czech Republic was not as affected by the crisis; therefore it fought against excessive intervention; it put priority on solutions not involving further strengthening of powers on the European level, which of course brought

criticism from left-wing politicians and other actors preferring deeper integration. At Czech urging, after long years of dispute reduced VAT rates for locally supplied labor-intensive services were permitted. On the other hand, the Czech Republic failed to initiate on the European level any working group of respected economists that would explore the possibilities for an economic revival. In sum, the Czech Republic was not able to solve the economic crisis, but it roughly achieved its goals, although it is questionable whether the crisis could have been approached in any other way.

Energy policy proved to be the predominant theme of the Czech Presidency. On the initiative of the Czech vice-premier for European affairs Alexander Vondra, the energy issue was brought up as an important theme on the European agenda, a theme that should be given increased attention in the future. The Presidency was praised for the diplomatic efforts it devoted to the renewal of natural gas deliveries from Russia via Ukraine. There was an increase in EU financial support for energy security, and more detailed discussions were begun on the Southern Corridor, which is planned as one way to diversify sources of energy. Last but not least, a third liberalization package was adopted which is intended to contribute to the building of the common energy market.

From the standpoint of European priorities in the world, success was achieved especially in the launching of project Eastern Partnership, through which the EU has formed closer ties with six post-Soviet republics. In Prague, new President of the USA Barack Obama delivered a speech on nuclear disarmament, but this produced

no development in the USA – EU relationship. Likewise there was no progress in reviving membership talks with Croatia, which are blocked by a dispute with Slovenia. The membership process with Turkey was resurrected at the last minute.

From the standpoint of reaction to unexpected events, the Czech Republic fared much better during the natural gas crisis, while evaluations of its activities during the Israel-Palestinian conflict are mixed, on one hand because its course was more pro-Israeli than is the norm in the EU, on the other because of the meager results of the mission, which was not successful in settling the conflict as a whole. However, to expect great success by the Czech Presidency in settling a problem that has foiled international diplomacy for decades would be entirely unrealistic.¹⁴

A clear turning point in the conducting of the Presidency was the fall of the government in March, as a result of which the Czech Republic lost its chance to achieve anything further than seeing to the bare functioning of the Presidency. A government under a vote of no confidence, followed by a caretaker government, does not enjoy great authority within the Union or outside it. An active Presidency trying to lead affairs in a certain direction becomes a mere “honest broker” at best, the task of which is above all to promote compromise. While Mirek Topolánek

himself acknowledged that given the constantly tense relations with France he relied especially on the help of Germany, the Netherlands, and Sweden (Topolánek 2009: 12), external observers noted that after the fall of the government the influence of Germany on the Presidency was even greater.

The Czech Presidency was successful in the organizational role.¹⁵ During the term over 3000 meetings were held at various levels of the EU Council, summits, and negotiations with third countries, which it prepared and conducted in cooperation with the General Secretariat of the EU Council. No criticism of the organizational side of the Presidency was raised during the term. The Czech personnel were praised by their partners from the other EU countries for their preparation and flexibility (Conversation with official from the Czech Embassy to the EU, 14 July 2009; Kaczynski 2009). Aside from the prevailing positive evaluation, sporadic minor complaints dealt with insufficient prior consultation, the quality of the “Reflection Papers” on complex foreign affairs issues, or delays in decision-making on the Council (Rettman 2009, Král, Bartovic, Řiháčková 2009: 69–71).

By managing the organizational function, the Czech Presidency fulfilled the basic demands placed on the Presidency by a new member state. As in the case of the Scandinavian countries, which entered the EU in 1995 and first

¹⁴ Many commentators were also confused by Nicolas Sarkozy, who at the same time was trying to tamp down the conflict, which otherwise might have been interpreted as bad faith towards the Czech Presidency. The fact is, however, that at the same time France was chairing the UN Security Council, so the increased activity on the part of the French president was completely logical.

¹⁵ This was attested to in an article by Tony Barber in the Financial Times (2009: 11), which was widely distributed in other media, but quite accurately reflected the attitudes of the participants in the Czech Presidency in interviews. Barber cites one Brussels-based ambassador: “Their officials were very good. Their politicians were catastrophic”.

chaired the Council at the turn of the century, in the case of Slovenia the main expectations placed on its term were efficient organization and correct conducting of negotiations. No major demands were placed on the political dimension of its Presidency. With the exception of a gaffe at the beginning of the crisis in Gaza¹⁶, the Czech Presidency was also successful in fulfilling the representative function. Its actions in addressing the natural gas crisis in January of 2009 were judged as very successful (Moore 2009, Willoughby 2009, Rettman 2009). Also praised was the Eastern Partnership initiative, which was meant to strengthen the role of the EU in the east. On the other hand, there was little or no progress in the dispute between Slovenia and Croatia affecting the negotiations between the EU and Croatia. The Presidency conducted itself in the standard manner in representing the EU Council in negotiations with the EP and the European Commission. According to officials of the Czech embassy to the EU, the impartial fulfillment of the Presidency role was easier because the legislative proposals handled did not deal with strong national interests that would differ from the consensus achieved in the Council (Conversations with officials of the Czech Embassy to the EU, 14–15 July 2009).

The priorities of the Czech Presidency as they were set prevent a meaningful quantification. From a qualitative standpoint it is possible to say that the Czech Presidency was successful in advancing the themes it regarded as important. As pointed out by Piotr Kaczynski (Kaczynski 2009), the Presidency was active in all the three E's. The Czech Republic was

especially successful in promoting its declared liberal approach in economics; important legislature in the area of energy policy was adopted as well.

In regard to negotiating compromise in the EU Council and subsequent interaction with the EP, the Czech Presidency succeeded in reaching agreement on more than 80 items (Rettman 2009). Meanwhile a number of the legislative initiatives were controversial, making compromise difficult to achieve. If we eliminate a number of agreements that were only simplifications of previously existing legislation, then the Czech Presidency achieved significant progress on 50 items. In these terms the Czech Presidency did better than the preceding French and Slovenian Presidencies (Conversation with official of the Czech Embassy to the EU, 15 July 2009). There were two reasons for the success of negotiations. The first is the fact that during the period of the Czech Presidency the term in office of the EP and the European Commission were coming to an end. Both institutions were thus more willing to make compromises and come to agreements. The second reason was the quality of preparation by the Czech negotiators. During the summer of 2008 they prepared a list of legislative items that could potentially come to the floor during the Czech Presidency. Thus the progress of the legislation in the Council and the EP during the French Presidency could be carefully monitored, and items updated as they occurred (Conversation with official of the Czech Embassy to the EU, 15 July 2009). For example the French representatives on the EU Council were

¹⁶ Specifically, the unfortunate statement by the premier's spokesman for the Presidency Jiří F. Potužník, who at the beginning of the crisis labeled the actions of Israel as defensive, which did not correspond with the prevalent opinion in the EU.

surprised by the professionalism of the meetings and the efficiency with which they were conducted (Pur 2009).

Media image of the Czech Presidency

An integral part of the evaluation of a Presidency is its presentation in the media. In this context it must be said that the Czech Republic, or rather its officials, seriously underestimated the media dimension of the Presidency.¹⁷ In view of the controversial promotional activities described above which accompanied the Presidency, it would seem that a more moderate, if somewhat greyer, tone would have been more suitable. Media criticism, given the low expectations and skepticism which predominated during the fall of 2008, might have been expected. The French media in particular were sending clear signals that every false step of the Presidency would be pounced upon. As Andrew Rettman points out (Rettman 2009), “Paris took every opportunity to let it be known that a small and new member country could not handle the leadership of the European Union”, and that “many people were hoping for the Czech Presidency to fail”.¹⁸

The media view of the Czech Presidency, both during its course and after its conclusion, would suggest that

this was true. Besides criticizing the objective mistakes of the Czech Republic, for example the difficulties caused by hesitation at the beginning of the Gaza crisis, the majority of commentaries contained elements that had nothing to do with the conducting of the Presidency. One example is the pictures taken of former premier Mirek Topolának during his stay at the villa of Italian premier Berlusconi in May 2008, which appeared in the Spanish newspaper *El País* in June 2009, and added an entirely irrelevant hue to the image of the Presidency (Moore 2009, Taylor 2009). Another example of media incorrectness and stereotyping was the perception of Czech president Václav Klaus. The supposed or actual Euroskeptic Klaus was, as has been said, regarded as one of the greatest threats coming out of the Czech Presidency. The result of this bias was, for example, the vulgar simplification of a February speech by Václav Klaus in the European Parliament. Klaus’s speech was interpreted as “comparing European integration to a Communist dictatorship” (EUBusiness 2009). But in his speech Klaus merely said that the European Parliament lacks the classic [division of power] between government and opposition MPs¹⁹.

Perhaps the ultimate in hypocrisy was the reaction to Entropa, the installation

¹⁷ P. Drulák commented that a good reputation is one of the most important resources of a smaller country, but that the Czech Republic has, especially because of President Klaus, a rather burdened reputation on European affairs (Drulák 2008: 136–137).

¹⁸ The same observation was made by a number of personnel of the Czech Embassy to the EU during the personal visit by one of the authors of this text to Brussels in July 2009.

¹⁹ The exact citation: “The present decision making system of the European Union is different from a classic parliamentary democracy, tested and proven by history. In a normal parliamentary system, part of the MPs support the government and part support the opposition. In the European Parliament, this arrangement has been missing. Here, only one single alternative is being promoted and those who dare thinking about a different option are labeled as enemies of the European integration. Not so long ago, in our part of Europe we lived in a political system that permitted no alternatives and therefore also no parliamentary opposition. It was through this experience that we learned the bitter lesson that with no opposition, there is no freedom. That is why political alternatives must exist.” (Klaus 2009).

by David Černý, which was unveiled at the EU Council headquarters. European integration seriously needs to use all possible channels to build the interest of citizens, which Černý's sculpture succeeded in doing – according to eyewitnesses, people stood in line in the Justus Lipsius EU Council building to see the sculpture (Conversation with official of the Czech Embassy to the EU, 15 July 2009; Charlemagne 2009). However, the controversial work was criticized for its borderline tastefulness (Moore 2009, Taylor 2009).

On the other hand, analysts and the media pointed out the senselessness of the no-confidence motion in the Topolánek government right in the middle of the Presidency. Although from a domestic political standpoint the actions of the opposition can be regarded as legitimate, the timing was very poor, and illustrated the provinciality of Czech politics. The successful conducting of the Presidency, for which the Czech Republic had laid good foundations, was in the long-term national interest of the Czech Republic. The positive image of Czech politics in the EU could in subsequent years have been of benefit to any cabinet no matter what its composition. The Presidency of the EU Council is seen by member states as well as by EU institutions as the task of a country, not just a particular government. The left-wing opposition and some of the government MPs at the time failed to accept this fact, and their effort to bring down the government was all the more mystifying because the opposition did not have a prepared alternative. The caretaker government of Jan Fischer, which took over after the government had been in resignation for a month, was an emergency measure, not a solution.

It is also interesting that the media,

especially the French, but also the German, diverged from the opinion of the analysts from the think-tanks and academia, who were noticeably more tolerant towards the Czech Presidency. Let us cite for example a recognized expert on European politics Peter Ludlow, founder of the Centre for European Policy Studies in Brussels: "Topolánek was a very successful chairman of the European Council. The caretaker government worked as well as could be expected" (Ludlow 2009). Ludlow basically criticizes one fundamental flaw: weak coordination between Prague and its Brussels embassy, partly caused by a change in ambassadors in 2008.

But regardless of the actual reality of the matter, the Czech Presidency failed in its media presentation. The question, given the expectations and stereotypes it was confronted by, is whether it ever had a chance to succeed.

Conclusion

Czech commentator Adam Drda in his relatively favorable analysis of the Czech Presidency of the EU Council for the weekly *European Voice* said: "It is almost meaningless to look at how many meetings the Czechs successfully conducted and how many decisions the EU made under their leadership. Likewise it's hardly worthwhile to point out that politics is not just newspaper headlines, but painstaking work behind the scenes, which the public never sees. It is a waste of time because – and this is the heart of the Czech failure – politics is simply not a technical discipline. Politics is the art of capturing people's interest, a question of reliability and trustworthiness" (Drda 2009).

It would seem that Adam Drda's view not only of the Czech Presidency but of European integration and politics, is generally the prevalent one. It is not important what you do or how you do it, but how you look doing it. Times are accelerating; there is no time for detailed and conscientious analysis. If we apply to the Czech Presidency the standard criteria, we find that they did about as well as the previous mandates. From the standpoint of the expectations that are usually placed on smaller and newer countries, that is to manage the logistics and negotiations, the Czech Presidency was actually excellent. Its one major mistake was the March fall of the government, which instead of the Presidency pointed up the immaturity of Czech politics as such.

The history of the Czech Presidency provides a number of important conclusions and lessons. The media picture of this complex event is completely simplified and selective, down to a couple of symbols: the EU flag not flying over Prague castle. Topolánek's and Klaus's statements are taken out of context. Old photos from Berlusconi's villa, a spokesman corrected too late, the scandalous Entropa – these symbols, which say little about the reality, are the basis for judgments that this was the worst Presidency of all time. Interviews with the actors, or their statements for the press, do nothing to dissipate such negative conclusions. The European

media, moreover, recycles itself to an amazing degree – one catchy statement is immediately spread, and wire reports resemble one another to a very high degree.

The media summary says: smaller member states are unable to cope with the Presidency; after the French activist Presidency the Czech Presidency was a failure; therefore it is necessary to change the system; the Lisbon Treaty, which would introduce the office of the President of the European Council, offers a partial solution. It can be assumed that the presidents would usually come from the larger countries, and guarantee a pro-integration approach, which would eliminate the "harmful" effects of the Czech Republic and similar countries, which are not completely convinced of the benefits of decision-making on a European level. Instead, despite the proclaimed respect by the European Union for the principle of subsidiarity, there has been a continuous centralization of decision-making. Deeper integration is favored by the larger states; for example the population criteria for decision-making in the EU Council. On the basis of this most recent experience, the only presidencies that are presented as successful are those that work to deepen integration, which have tried to settle as many things as possible on the European level (as at so many various summits). But is this really the proper measure of success?

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²⁰ We present only a very restricted list of the most important and direct sources. Our article is based on a study of hundreds of materials whose complete list would be almost as long as the article itself. In case of doubts, we are ready to present disputed sources.

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