

An Anglo-German Foundation Report

**The EU Presidency:
'Honest broker' or driving seat?
An Anglo-German comparison in the
environmental policy field**

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Executive Summary

This report analyses and compares the British 1992 and 1998 and the German 1994 and 1999 EU Presidencies. It focuses mainly on the Environmental Council. However, because environmental policy is a cross-cutting policy, technical Council of Ministers formations other than the European Council and the General Affairs Council are also assessed. The report concludes that Anglo-German differences in holding the Presidency were overall surprisingly small for the Environmental Council, when considering the differences in national attitudes towards the EU and environmental policy as well as the diverse EU policy co-ordination structures and national environmental regulatory styles in Britain and Germany.

The number and timing of formal Environmental Council meetings were similar, while the common positions adopted on legally binding dossiers during each of the four Presidencies ranged between six and nine. There was more variation in terms of the informal Environmental Council meetings. The British 1998 Presidency was alone in organising (Environmental/Transport) Joint Council meetings which, however, produced little more than vague statements.

The workload for the Presidency in the Environmental Council has increased significantly over time. Moreover, as EU environmental policy has matured, some dossiers have become more complex. As a consequence, there has been an increase in the number of meetings by the Committee of Permanent Representatives (COREPER) and the Council Environmental Working Group whose preparatory work is crucial for the Environmental Council. The changes to the decision-making process, growing complexity of dossiers and the principle of subsidiarity did not, however, lead to a slowing down of the adoption of EU environmental laws under British and German Presidencies.

Overall, member states are more likely to accept compromises on dossiers of national interest when holding the Presidency than when not in office. Blatant violations of Presidency norms are rare. Only the German 1999 Presidency openly flouted the 'honest broker' rule when, after heavy lobbying by the automobile industry, Chancellor Schröder intervened on the end-of-life vehicles (ELV) directive by instructing his Environmental Minister, Jürgen Trittin, to revoke Germany's support for this directive. By offering a package deal, Chancellor Schröder successfully lobbied the British Prime Minister, Tony Blair, and the Spanish Prime Minister, José María Aznar, to form with Germany a blocking minority on the ELV dossier. The German government's conduct on the ELV directive was widely considered as an abuse of the office of the Presidency. However, it was the exception to the rule and not representative of the German 1999 Presidency which was highly successful overall.

Clearly, the office holder must juggle conflicting Presidency norms and domestic political demands. Holding the Presidency usually grants member states *agenda-shaping* rather than *agenda-setting* powers.

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Notes to the editor:

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