UNIVERSITY OF TARTU

Faculty of Social Sciences

Johan Skytte Institute of Political Studies

Klaus-Erik Pilar

DELEGATION AND EFFICIENCY: COMPARISON OF TELECOM SINGLE MARKET NEGOTIATIONS UNDER THE ITALIAN AND LATVIAN PRESIDENCY OF THE COUNCIL OF THE EU

MA thesis

Supervisor: Piret Ehin, PhD

Tartu 2017

Olen koostanud töö iseseisvalt. Kõik töö koostamisel kasutatud teiste autorite seisukohad, ning kirjandusallikatest ja mujalt pärinevad andmed on viidatud.

………………………………..
/Klaus-Erik Pilar/

Kaitsmine toimub ……………………………..*/kuupäev/*   kell
…………..*/kellaaeg/* ………………………….*/aadress/* auditooriumis
……………*/number/*.

Retsensent: ………………………………. */nimi/* (…………*/teaduskraad/*),
…………………………….. */amet/*

Abstract

This thesis aims to study why some Member States are more efficient in mediating the negotiations during the Presidency of the Council of the European Union than others. To fill the gap in current academic research, the emphasis is put on how the model of coordination between the presiding country's capital and Permanent Representation in Brussels affects the performance of the Presidency. Rational choice institutionalism provides the opportunity to conceptualise efficiency of the Presidency as the advancement of the negotiations on a priority initiative, rather than protection of national preferences as defined conventionally. The principal-agent model offers the necessary analytical tools to examine different models of coordination for European Union policies. This theoretical approach provides also the adequate analytical tools to study the link between model of coordination and efficiency of the Presidency, leading to the hypothesis that Brussels-based Presidencies are more efficient in leading the negotiations on a priority initiative than the Presidencies that have adopted capital-based models.

In the empirical part of the study qualitative comparative method is used to compare the performance of Italian and Latvian Presidencies in advancing the negotiations on Telecom Single Market proposal. The analysis of written documents and input from interviews indicate quite clearly that Latvian Presidency was much more efficient in its role as the mediator of the negotiations on this dossier. The findings also demonstrate that there is significant variation in the adopted model of coordination. Whereas Italy opted for a capital-based Presidency, Latvian Presidency was Brussels-based. To large extent the assumptions presented in the theoretical part of the thesis were confirmed. The Latvian Brussels-based Presidency was able to make decisions much faster and on spot, whereas Italian Permanent Representation had to endure extensive interventions from the capital, which made the progress slower. The findings also indicate that Latvian Presidency was able to act as an "honest broker" and go beyond its national preferences in order to reach a compromise. Additionally, it was confirmed that Brussels-based model enables better cooperation with other actors due to higher level of trust. However, the premise that the Brussels-based Presidency is more efficient due to better cooperation with the Council Secretariat was not proven. All in all the findings of the study show that the main hypothesis is correct and Brussels-based Presidencies are more efficient in advancing the negotiations on priority initiative.

Table of content

Introduction

The aim of this thesis is to study why some of the Member States are more efficient in their role as the rotating Presidency of the Council of the European Union. In doing so, this study focuses on how the model of coordination between the presiding country's capital and Permanent Representation in Brussels affects the performance of the Presidency. Building on rational choice institutionalism, the thesis provides a theoretical framework for not only examining the different forms of EU policy coordination models in different Member States, but also basis for conceptualising the efficiency of the Presidency as its success in advancing the negotiations on its priority. This study will essentially focus on the link between how much power Member States delegate to their Brussels representations and how this affects their efficiency in the role of mediating negotiations during the Presidency.

A number of previous studies have examined how different Member States coordinate their European Union policies. As stated by Panke, the differences between Member States are not that clear on formal level, because often the rules of procedure that determine the balance of power between the capital and Permanent Representation are quite similar from Member State to Member State. But there are substantial differences on informal level- on how the Member States in concrete policy fields coordinate their positions.[1] The research so far has focused largely on how the European Union policies are coordinated and how the process of preparing the instructions for presenting Member State's position in the Council of the European Union looks like. I would argue that Permanent Representation to the European Union as an institution, which plays such a vital role in the overall European Union decision-making process, is to some extent understudied. Essentially the models of coordination during the Presidency can be divided into two extremes: the Brussels-based and capital based systems. Focusing on examining the overall coordination between national capital and national representatives in Brussels during the Presidency is necessary and contributes to filling the gap in research.

The second focus of this thesis is to analyse how efficiency of the Presidency has been and how it could be further studied. Numerous research papers have been conducted on

---

[1] Panke, Diana (2010) "Good Instructions in No Time? Domestic Coordination of EU Policies in 19 Small States" *West European Politics*, vol 33 (4), p 773.

how to measure the efficiency of the Presidency. Nevertheless there is a lack of clarity on several issues. For example there is no consensus among researchers even on how to conceptualise efficiency-what constitutes an efficient or successful Presidency. Conventionally researchers have used the term influence of the Presidency instead and conceptualised it as success in advancing the policies that are national priorities. In this paper I will define the success of the Presidency as its ability to advance legislative files that the Presidency itself has indicated to be priority.

Even more complicated is determining the factors that influence the efficiency as there are so many of them and their effect is difficult to test empirically. In this thesis I will give an overview about different perspectives, but the main aim of this paper is to study the link between one factor- the level of delegation- and efficiency. The objective is not to draw any final conclusions on the causality between the two variables or on which factors are relevant for ensuring a successful Presidency, rather to examine in greater detail the possible link between those two variables. Essentially, the aim is to find out whether and to what extent can the chosen model of coordination affect the performance of the Presidency. This link between level of delegation and efficiency of the Presidency has been to large extent ignored in in-depth research so far. Authors like Chelotti have focused on the so called micro-foundations of the formulation of European Union policies- on how the national positions are formed. [2] But there is a clear lack of this kind of approach during Presidency. Bunse and Vandecasteele have put some emphasis on the level of delegation as a variable affecting the performance of the Presidency, but the analyses have been rather vague and superficial.[3] Building on the rational choice institutionalism framework the assumption is that it is crucial do acknowledge the difference in Member States conduct when holding the Presidency. The distinction between how the formation of national positions looks like during the period the Member State is not holding the Presidency and when the Member State is the rotating Presidency is crucial. The norm of "honest broker" or in other words neutrality imperative comes

[2] Chelotti, Nicola (2013) "Analysing the Links between National Capitals and Brussels in EU Foreign Policy" *West European Politics,* vol 36 (5), p 1054.
[3] Bunse, Simone (2009) *Small States and EU Governance- Leadership through the Council Presidency*, Palgrave Macmillan: Basingstoke, p 8.
Vandecasteele, Bruno; Bossuyt, Fabienne; Orbie, Jan (2015) "A Fuzzy-Set Qualitative Comparative Analysis of the Hungarian, Polish and Lithuanian Presidencies and European Union Eastern Partnership Policies" *European Politics and Society*, p 4.

into play, which changes the whole nature of the coordination of policies between the capital and Brussels representation. This fits very well into the overall approach of the rational choice institutionalism that allows to claim that the aim of the Presidency is indeed achieving this kind of efficiency as defined in this paper.

In the empirical part of the study two cases will be analysed and compared to draw conclusions about the relevance of the link between the delegation variable and the efficiency variable. The negotiation process of the Telecom Single Market proposal will be traced under the Italian and Latvian Presidency. Although both of the Member States presented this dossier as a priority only the latter made significant progress in the negotiations. This case provides an excellent opportunity to conduct a comparative analysis to indicate whether the main hypothesis offered in this thesis has explanatory power. The findings and analysis indicate that the efficiency of the Latvian Presidency in advancing the negotiations on Telecom Single Market proposal can to large extent be ascribed to the chosen Brussels-based model, whereas the Italian Presidency's more modest performance was also affected by the disadvantages of the chosen capital-based coordination model.

This thesis consists of two main parts. In the first chapter the theoretical framework in presented and examined. Although there are several theoretical frameworks that could be used to analyse the efficiency of the Presidency, the rational choice institutionalism, which in part of the larger new-institutionalism framework, but also encompasses principal-agent approach, provides the best analytical tools to analyse the link between the two variables- level of delegation and efficiency. However this does not of course mean that all other theoretical approaches are completely ignored in this thesis. So in the first chapter the theoretical foundation of principal-agent framework is presented, followed by conceptualisation and discussion on the efficiency of the Presidency. Subsequently an overview on how the role of Presidency has developed into its current institutional form is given. This is salient for understanding all the duties that the Presidency has in the overall complicated decision-making process of the European Union. This will also offer a better basis for apprehending the different factors that have been used to explain the efficiency of the Presidency in different theoretical frameworks. Subsequently the literature review on how different authors using different theoretical frameworks, if any, have tried to explain the factors behind successful Presidency is

presented. I will also give an overview about research on the domestic coordination of EU polices, the role of Permanent Representations in Brussels and policy coordination between capital and Brussels representatives so far. All this will help put the main hypothesis of this thesis into larger picture.

In the second chapter the empirical study of Italian and Latvian Presidencies is presented. Firstly, the research methodology is introduced. In the empirical part of the study two main sources of information are described- examination of written documents and interviews. Interviews are conducted with the persons, who were directly involved in the Telecom Single Market negotiations during Italian and Latvian Presidencies to get additional insights. This is followed by a discussion on the operationalisation of both variables to be tested in this paper- the level of delegation and efficiency of the Presidency. Subsequently the formation of the empirical study is described and examined. Then the findings of the empirical study are presented. The main results from both the written document examination and interviews on the main independent and dependent variable are described. This is followed by the presentation of findings on the relevance of the link between these two variables, describing to what extent the findings support the main hypothesis on this paper- the more Brussels-based the model of coordination, the higher the efficiency of the Presidency. Subsequently I will discuss the results in the perspective of the theoretical framework presented in the second chapter and elaborate about the accuracy and relevance of the main hypothesis. This is accompanied by the discussion on the effect of other conditions for efficiency that are presented in the theoretical framework.

1. Theoretical framework

1.1 Rational choice institutionalism

Before examining both the conditions for efficient Presidency and how the overall EU policy coordination is functioning in different Member States, the theoretical foundations of explaining the link between the two variables- level of delegation and Presidency's performance, need to be presented. The rational choice institutionalism, more precisely principal agent approach, offers the adequate theoretical tools to demonstrate this link. As argued by Bunse the most crucial merit of the new institutionalism is that it seeks to determine how and under which conditions institutions are successful in pursuing their goals, which involves examination of the resource/constraint structure within which the Presidency operates as well as the skill of the office holder to exploit the opportunities which present themselves with the chair position.[4] But rational choice institutionalism offers the opportunity to combine this element with the delegation variable, the central element of principal-agent approach. And as such the rational choice institutionalism provides a good theoretical framework to imply descriptive and causal hypothesis of the link between the two, which is the main objective of theory as stated by King, Keohane and Verba in their seminal book on research design.[5] In this section an overview about the new-institutionalism, under which also the rational choice institutionalism belongs, is given. This followed by elaboration on the principal-agent model and how this exactly helps to explain the linkage between the two variables.

Although initially rational choice institutionalism began with the effort by American political scientists to understand the origins and effects of US Congressional institutions on legislative behaviour and policy outcomes, rational choice institutionalism insights "travelled" to other domestic and international contexts and were quickly taken up in EU studies as well. These authors argued that purely intergovernmental models of EU decision-making underestimated the causal importance of EU rules in shaping policy outcomes.[6] Thus the new institutionalism attributes a crucial role to institutions in

---

[4] Bunse 2009: 8.
[5] King, Gary; Keohane, Robert O.; Verba, Sidney (1994) *Designing Social Inquiry: Scientific Interference in Qualitative Research*, Princeton University Press: Princeton, p 19.
[6] Pollack, Mark „Theorizing EU Policy-Making" in: Wallace, Helen; Pollack, Mark; Young, Alasdair (2010) *Policy-Making in the European Union*, New York: Oxford University Press, p 21-22.

explaining political behaviour and outcomes- the central assumption being that institutions make a difference.[7] Or in other words, rational choice institutionalism combines the individualistic cornerstone found in rational choice and the acceptance of institutions as important entities in explaining politics and the behaviour of political individuals, which translates into a theoretical school which puts an emphasis on how institutions can help rational, utility-maximising actors to actually reach optimal results.[8] New institutionalist definition of institutions is useful here because it is not only based on formal rules, but also on informal procedures- so far hardly touched upon in the Presidency literature. So in addition to the formal, structural aspects of institutions, it focuses on actual behaviour.[9] And like Panke has stated, than the latter has been understudied so far.[10]

New institutionalism tries to combine the main elements of both major European Union integration schools. From new functionalism it accepts that institutions "take a life on their own" influencing policy choices in ways that cannot be predicted from the preference and power of the Member State alone.[11] Thus in a way institutions also increase the predictability of the involved actors.[12] From intergovermentalism the new institutionalists borrow insights about the centrality of national governments and their preferences in the European Union's development.[13] Hence, in principle the Member States have their national interests and exogenous preferences, but institutions may affect the behaviour of these Member States. Contrary to other versions of rational choice theory, rational choice institutionalism accepts that the sources and definitions of personal interests may not all be exogenous as individuals and institutions also interact to create preferences and to be successful they have to accommodate certain norms and institutional values.[14] And the Member State holding the Presidency, which has its own set preferences, has several norms during its time at the office that it has to accommodate-

---

[7] Bunse 2009: 6.
[8] Larue, Thomas (2006) *Agents in Brussels. Delegation and Democracy in the European Union*, Ph. D. dissertation, Department of Political Science, Umeå University, p 36.
[9] Bunse 2009: 7.
[10] Panke 2010: 773.
[11] Bunse 2009: 7.
[12] Galuškova, Johana; Kaniok, Petr (2015) „I Do It My Way: Analysis of the Permanent Representation of the Czech Republic to the European Union" *Politics in Central Europe*, vol 11(2), p 26.
[13] Bunse 2009: 8.
[14] Ibid: 7.

like the norm of honest broker.[15] Institutions like the norm of neutrality thus not only shape the actors strategies, but also their goals. And looking through the lenses of rational choice institutionalism, it is possible to claim that the goal of the Presidency is to be perceived efficient in its role. So it is also possible to argue that the conceptualisation of Presidency's efficiency used in this thesis captures the essence more adequately than just describing the efficiency as advancement of national preferences.

Next, I shall give an overview about one of the key concept of rational choice institutionalism- principal-agent approach- which sets the theoretical framework to study the coordination models and explain the link between successful delegation and efficient Presidency. Central to rational choice institutionalism is the concept of principal-agent (PA). PA is a model, initially borrowed from the new economics of organisation, that assumes that the principal enters into a contractual relation with a second party, the agent, and delegates responsibility to the latter to fulfil certain responsibilities or a set of tasks on behalf of the principal. The key concept of PA is thus delegation, which is realised when one person (or group of individuals) selects another person (or group) to act on their behalf.[16] In the classic representation, the principal is the shareholder of a company that contracts an executive to manage the business on day-to-day basis, but in general the principal can be any individual or organisation that delegates responsibility to another in order to economise on transaction costs, pursue goals that would otherwise be too costly, or secure expertise.[17]

But before elaborating on the possible difficulties that may arise in a principal-agent relationship, the incentives behind delegating should be further examined. As noted above the main rationale is the desire to minimise transaction costs for which delegation provides the following means. First and foremost, delegation improves the quality of policy-making in technical areas by delegating responsibilities to an agent with specialist knowledge. Secondly, it has been argued that delegation has been used to displace responsibility for unpopular decisions. Difficulties arise on account of the asymmetric distribution of information that favours the agent, including the adverse selection and

---

[15] Tallberg, Jonas (2004) „The Power of the Presidency: Brokerage, Efficiency and Distribution in EU Negotiations" *Journal of Common Market Studies*, vol 42(5), p 1006.
[16] Larue 2006: 29.
[17] Kassim, Hussein; Menon, Anand (2003) „The principal-agent approach and the study of the European Union: promise unfulfilled?" *Journal of European Public Policy*, vol 10(1), p 122.

moral hazard.[18] The asymmetry of information can allow the agent to engage in opportunistic behaviour – shirking - that is costly to the principal, but difficult to detect. The likelihood of shirking is increased by slippage, when the very structure of delegation "provides incentives for the agent to behave in ways inimical to the preferences of the principal". Hence, assuring control and limiting shirking is the principal's problem.[19] Three main ways of avoiding shirking has been identified in the literature:

- Providing incentives for the agent to avoid opportunistic behaviour;

- Contractual restriction;

- Monitoring. [20]

Larue has offered additional variables to be considered in minimising the possible negative effects of delegation, naming 6 possible factors- contract design, screening and selection mechanisms, reporting and monitoring requirements, institutional checks, domestic coordination, preference formation.[21] The same variables will be used in this thesis to examine the level of delegation between the capitals and Permanent Representations, but most emphasis will be put on the monitoring and reporting factor, which encompasses most extensively the level of accountability that Permanent Representations have to ensure and which may be time and resource consuming, thus hampering Presidency's capability to perform in its duties. Other variables, i.e. contract design, will not be given so much attention, but nevertheless it will still be involved in the overall assessment of the level of delegation between the capital and Permanent Representation, when adequate and necessary. As argued by Panke, informal functioning has gained much less attention and thus should be scrutinised more extensively.[22] And examining the monitoring and reporting practices of different Presidencies will give a better overview about this.

Monitoring is one of the most salient instruments to tackle the central element of principal-agent problem- the information asymmetry. Lupia has distinguished three ways

---

[18] Larure 2006: 46.
[19] Pollack, Mark (1997) "Delegation, agency, and agenda setting in the European Community" *International Organization*, vol 51(1), p 108.
[20] Kassim; Menon 2003: 122.
[21] Larue 2006: 47.
[22] Panke 2010: 773.

in which the principal can exercise monitoring in order to minimise the informational asymmetry and thus assuring control and limiting shirking:

- Direct monitoring;
- Attending to the what the agent says about his activities;
- Attending to third party testimony about agents actions.[23]

Direct monitoring has the advantage of supplying the principal with direct information, but it is very rarely practiced, mostly due to its high cost for the principal. Although the other two options are less costly, the most evident problem with them is the risk for principal of being misled by erroneous information.[24] But all of these monitoring options also have effect on the performance of the agent. The monitoring process may be cumbersome for the agent and thus hamper the quality of its performance. At issue, in other words, is the effectiveness of delegation: the choice is either minimize the risk of agency loss or allow the agent the independence to carry out its responsibilities efficiently.[25]

Thus the PA approach provides adequate tools to explain how the level of delegation affects the performance of the Presidency. The main emphasis will be put on examining the communication between the capital (principal) and Permanent Representations (agent). This includes both providing strict instructions as a mandate for negotiations from the capital as well as monitoring the daily functioning of the Permanent Representations. Scrutinising these elements will give the necessary level of understanding how cumbersome the principal-agent relationship is for the agent, but also if and how the different levels of involvement from the capital or Permanent Representation's independence influence the success of the Presidency. Hence, rational choice institutionalism provides a necessary level of flexibility to involve various aspects, e.g. involvement of informal rules and procedures, into the analysis. Principal-agent framework will give sufficient analytical tools to assess the level of delegation and thus

---

[23] Lupia, Arthur (2003) "Delegation and its Perils." *In Strøm, Kaare; Müller, Wolfgang; Bergman, Torbjörn Delegation and Accountability in West European Parliamentary Democracies*, Oxford: Oxford University Press, p 49.
[24] Larue 2006: 50.
[25] Kassim, Menon 2003: 125.

also the link between which model of delegation is adopted by the Presidency and its efficiency.

1.2 Presidency of the Council- setting the scene

Most of the academic accounts on the EU Council Presidency are either theoretically descriptive or case studies of individual Presidencies, but the general discourse on EU Council Presidency is, nevertheless, extensive. In theoretical discussion the prevailing debate is between rational choice and sociological institutionalist approaches. Whereas rationalist approaches, like already argued above, see the Member States as rational actors trying to maximise their influence in negotiations and the Presidency is an additional power resource, the sociological approaches assume that negotiators behave according to norms and role concepts, which they believe to be appropriate.[26] In a way, this thesis tries to build a bridge between those two approaches. But in order to understand the academic discussion on Presidency's efficiency better, the institutional setting and values have to be examined.

As the ambition of this study is essentially to analyse the policy making process of the European Union, but concentrating only on one part of it- the role of Presidency- it is nevertheless reasonable to examine the larger picture of actors in the whole policy making process. There are seven official institutions of the European Union according to the treaties and European Commission and European Parliament have a prominent role in this process and thus the Presidency, which is representing the interest of the Council of the European Union, has to take them into account in order to achieve efficiency during its term.[27] The six-month rotating Presidency of the Council of the European Union is an integral part of the European Union's institutional system since the very beginning, although of course the context and role has altered significantly. When in earlier phase of European integration the role of the Council's Presidency was mainly symbolic and administrative, the main task being the chairing of meetings, then gradually this institution has gained new functionalities, including in the interinstitutional sphere.[28] In

---

[26] Vandecasteele, Bruno; Bossuyt, Fabienne (2014) "Assessing EU council presidencies: (conditions for) success and influence" *Comparative European Politics*, vol 12(2), p 235.
[27] Bunse 2009: 60.
[28] Kaniok, Petr; Šteigrova, Leona (2014) "Presidency and State Administration in the Czech Republic: Planting a Seed or a Shattered Chance?" *Journal of Contemporary European Research*, vol 10(3), p 339.

fact, the basic structure of the Presidency from the 1950s has not changed substantially, only the repertoire of tasks has increased significantly over time.[29] Nevertheless this transformation has been informal as the formal treaties up until Lisbon Treaty were quite modest on the exact role of the Presidency.[30] The Presidency institution increased its visibility and importance informally, gradually becoming the mediator body also in the interinstitutional affairs.[31] But trying to analyse the role of the Council of the European Union, which the Presidency represents inter alia in interinstitutional matter that eventually will lead to political decisions that determine the efficiency, is not an easy task. Most of the work is still done behind the closed doors making the Council of the EU least accessible part of the EU decision-making process.[32] Already identifying the actors in the Council, which is multi-layered, is complicated as not only the ministers and their positions are relevant, but also national officials representing Member States on lower level have to be taken into consideration. This is mainly so, because of the fact that most decisions are reached or- or at least "pre-cooked"- at the lower levels of decision making.[33] Thus it is clear that when analysing the Council it is also necessary, due to its unique institutional setting, to take the lower levels more into account. And that is exactly what this study will do.

An important aspect in examining the role of the Presidency is also analysing the norms that the Presidency is expected to follow. In the context of this thesis it is especially relevant as this is connected on how the term efficiency is conceptualised. The "Handbook of the Presidency of the Council of the European Union" published by the General Secretariat of the Council states that Presidency is by definition neutral and impartial, and is the moderator for discussions and cannot therefore favour either its own preferences or those of a particular Member State.[34] Some researchers see a dichotomy between neutrality and efficiency, because they treat efficiency or success of the

---

[29] Cunha, Alice; Magone, Jose (2015) "The changing role of the rotating presidency of the Council of the European Union: Setting the context for the study of the Iberian cases" *International Journal of Iberian Studies*, vol 28(2), p 139.
[30] Kaniok et al 2014: 339.
[31] Cunha, Magone 2015: 140.
[32] Bunse 2009: 263.
[33] Versluis, Esther; Mendeltje, Van Keulen; Stephenson, Paul (2011) *Analyzing the European Union Policy Process*, Palgrave Macmillan: Basingstoke, p 37.
[34] "Handbook of the Presidency of the Council of the European Union" (2015) *Council of the European Union*, p 12.

Presidency as pushing the national agenda of the Member State holding the Presidency. But as elaborated more closely in the next sections then following the neutrality can indeed lead to more efficient Presidency. In sum, it is the Presidency that shapes and manages the decision-making process between the institutions. The Presidency is a strategic agent, which is at the same time constrained by the rules of the "game".[35] The underlying argument of this thesis is that adhering to the rules of the game will ensure the efficiency of the Presidency. In the following section I will elaborate more on the conceptualisation of the dependent variable- efficiency- and give an overview about which kind of conditions for efficiency are proposed and studied in the academic literature so far.

1.3 Efficiency of the Presidency

1.3.1 Conceptualisation of efficiency

Studying the Presidency has become part of the mainstream research of the EU political system and the main focus, apart from the descriptive case-studies, has been on analysing and measuring the performance of the Presidency during its term. But the debate on whether the Presidency exerts additional influence on EU decision-making or not is still ongoing. While some researchers claim that holding the Presidency is of limited or no relevance for the influence of a Member State in the EU, the others have shown that Member States holding the Presidency do exert additional influence on decision-making.[36] But there is still no clarity on how to exactly conceptualise efficiency. Vandecasteele and Bossuyt have attempted to distinguish between success and influence of the Presidency. They conceptualised "influence" as the extent to which the Presidency made a difference in decision making and "success" as how the Presidency behaved and/or how much of its goals were reached.[37] The conventional approach is to define efficiency through the perspective of Presidency advancing its own national preferences as much as possible. This is more or less tied to the term influence as described by

---

[35] Cunha, Magone 2015: 139.

[36] Vandecasteele, Bruno; Bossuyt, Fabienne; Orbie, Jan (2013) „Unpacking the influence of the Council Presidency on European Union external policies: The Polish Council Presidency and the Eastern Partnership" in: Servent Ripoll; Busby, Ariadna; Busby, Amy "Agency and influence inside the EU institutions" *European Integration online Papers (EIoP),* Special Issue 1, Vol. 17 (5), p 1.

[37] Vandecasteele; Bossuyt, 2014: 243.

Vandecasteele and Bossuyt. Less research has be devoted on studying the success of the Presidency.

One way of looking at the same issue would be creating a continuum of efficiency during the Presidency, on which on the one end are the "silencers" and on the other end "amplifiers", as Bengtsson et al. have put it.[38] The "silencers" are conceptualised as those Presidencies, which ignore their own national interest during the period chairing the Council, the amplifiers are advancing their own policies as much as possible. And for the amplifiers the Presidency offers a good possibility for example through agenda setting to put emphasis on issues that are relevant to them. The rationales of the other side of this dichotomy, the "silencers", is so far mostly explained with the arguments from the sociological institutionalism and logic of appropriateness. The norm of neutrality is playing a crucial role in affecting the conduct of the Presidency. The core of literature on the efficiency of Presidency has used to large extent the same conceptualisation of efficiency like the term "amplifiers" described here. But linking efficiency directly with how much the Member State holding the Presidency can advance its own national agenda is problematic in many ways. As already noted above, the Presidency is expected to accommodate the norm of neutrality of honest broker. It could be argued that this very visible non-compliance with this norm of neutrality will affect the overall reputation of the Presidency and thus also how successful the Presidency is perceived to be in its role. But this will also influence the behaviour and complaisance of other Member States in the Council during the negotiations.

Thus the underlying reasoning in this thesis is that efficiency is defined as success of Presidency in ensuring progress on negotiations of the priorities it has set for itself in consultation with other EU institutions. The definition provided by Smeets and Vennix is adopted, who have conceptualised success of the Presidency as: "the amount of progress a Presidency manages to achieve in those issue area(s) on which it chooses to focus its attention".[39]

---

[38] Bengtsson, Rikard; Elgström, Ole; Tallberg, Jonas (2004) „Silencer or Amplifier? The European Union Presidency and the Nordic Countries" *Scandinavian Political Studies*, vol 27 (3), pp 311-312.
[39] Smeets, Sandrino; Vennix, Jac (2014) „How to make the most of your time in the Chair: EU presidencies and the management of Council debates" *Journal of European Public Policy*, vol 21(10), p 1437.

1.3.2 Conditions for efficiency

As the literature on Presidency's efficiency is quite rich and nuanced then for the sake of clarity it is reasonable to divide the factors into categories, similarly to how Vilpišauskas et al. have divided the conditions for Presidency influence into three categories.[40] This kind of approach provides a good basis for analysing the effect of different conditions for the whole Presidency. However as the focus of this thesis is to examine in greater detail one of the conditions- level of delegation- in one specific policy field and to compare two cases, it is better to divide the conditions into following categories:

- The preconditions/control variables (which have to be similar for valid comparison);
- Level of delegation (the main independent variable);
- Background variables (both issue-specific and country-specific).

The following section is structured according to this categorisation. First an overview about the preconditions will be given. The preconditions have to be similar for both researched cases, otherwise the comparison would not be very valid. Two main elements can be considered to be preconditions for conducting comparison. First, the external context, including the legislative phase the Presidency takes place, has to be similar. Secondly, both the Presidencies have to have indicated this particular dossier or initiative a priority. If the cases meet these conditions, then a valid comparison can be conducted. The elaboration on the theoretical relevance of preconditions is followed by the examination of the main independent variable- level of delegation. The main benefits of both capital-based and Brussels-based Presidencies will be listed. Subsequently other background variables, which have been discussed in the academic literature, will be presented. The latter will not be examined in great detail in the empirical part of this thesis, but they are used to put the main independent variable into the larger picture.

The preconditions

No matter how well prepared the Member State is for the Presidency it is difficult to foresee possible external crises that could bring a lot of confusion and difficulties in

---

[40] Vilpišauskas, Ramunas; Vandecasteele, Bruno; Vaznonyte, Auste (2013) „The Lithuanian Presidency of the Council of the European Union Advancing Energy Policy and Eastern Partnership Goals: Conditions for Exerting Influence" *Lithuanian Foreign Policy Reviews*, p 20.

focusing on priority issues. However, the external context may also provide additional opportunities to make considerable advancements in initiatives that would otherwise have been ignored. One obvious example is how the energy crisis in Ukraine made possible to develop the European Union's security of supply proposals in a much faster pace than it would have been possible otherwise. The external crises do not necessarily constitute an unfavourable external environment if the issue is well-handed and it will provide opportunities for leadership, thus allowing the Presidency to steer EU policies.[41] This capability to use the crises to show leadership can of course be perceived as efficiency of the Presidency. Nonetheless, rapid external changes are often inevitable, but rather seen as obstacles than opportunities from the perspective of the Presidency.

Additional external context related factor, which has been analysed to some extent in connection with Presidency's efficiency is the overall economic situation in the European Union and its key Member States. Bunse has argued that in periods of prosperity the Member States may be more inclined to make costly compromises than in periods of economic hardship.[42] Thus during periods of economic difficulties the Presidency may have certain additional limits on reaching a compromise.

A salient variable, which is confirmed by various studies, is also the stage of European Union legislative process the Presidency takes place in. The efficiency of the Presidency is dependent on how many initiatives are on the table. It has been claimed that nearly 95% of Presidency's agenda is inherited. The legislative cycle of the European Union is determined by the European Parliament elections taking place every five years, which *inter alia* determines the head of the European Commission. European Commission is the only institution that has the right to propose legislation. As the term in office for the European Commission President and its team is five years, the first year is normally devoted to setting the agenda and developing the proposals. In the initial stages of the legislative processes, the examination of files is usually explanatory (by the Commission), exploratory (by the Member States) and generally preparatory for the next and crucial stages.[43] In the second half of its term the Commission usually releases its

---

[41] Vilpisauskas 2013: 32.
[42] Bunse 2009: 57.
[43] Andžans, Maris (2015) „Practical Aspects of the EU Presidencies: the Latvian Presidency and its Digital Priority" *Latvian Institute of International Affairs*, p 4.

priority proposals and asserts pressure on other institutions- the Council and the Parliament- to proceed with the negotiations as quickly as possible. Thus, the Member States, which Presidency is in the second half of the legislative cycle tend to have more on their table and also backing from other EU institutions, most notably from the Commission, to advance the negotiations. Therefore the efficiency of the Presidency is dependent on the timing of the Presidency as argued by many authors.

Therefore two type of preconditions are ascertained- the external context and salience for the Presidency. Only if these are similar, it is possible to compare the performance of the Presidencies on a specific negotiation. In the next section the theoretical foundations of why the main independent variable should affect the efficiency of the Presidency is introduced.

1.4 Model of coordination between capital and Permanent Representation

In analysing the level of delegation between the two actors- national ministries in the capitals (principals) and Permanent Representations in Brussels (agents)- the coordination process between the two should be scrutinised. For that we first have to take a look on what the literature has to say about both ends of this coordination- the national ministries EU policy coordination practices and the role of Permanent Representation in formation of policy positions. Subsequently it is reasonable to examine how the level of delegation should affect the efficiency of the Presidency.

The salience of the domestic inter-ministerial coordination factor has been stressed in some academic literature, although the research has not focused on it very extensively. Bunse has argued that the size of the Member State, which is conventionally regarded as the paramount factor, is not as relevant as inter-ministerial coordination for concluding dossiers.[44] And even though efficient inter-ministerial coordination is not seen as the key element in success in the literature, it has been acknowledge that the lack of efficient coordination represents a major weakness for the Member States.[45] The inter-ministerial coordination of EU policies is formally quite similar in most of the European Union

---

[44] Bunse 2009: 64.
[45] Bindi, Federica (2011) *Italy and the European Union*, R.R Donnelley: Virgina, p 7.

Member States. In many of the European Union Member States the Prime ministers' roles and resources in EU affairs have grown significantly since the mid-1980s. Although the Foreign minister still play a central role, their dominance has eroded. Yet their central role is based on the fact that most often they act as coordinators of EU affairs, not least because the Permanent Representations in Brussels respond to them.[46]

But of course there are a lot of dissimilarities on how the Member States conduct their EU policy coordination. The best overview about the differences gives the seminal book "The National Co-ordination of EU Policy-The Domestic Level" by Kassim et al.[47] Although slightly outdated, this still gives a great outline to analyse the coordination systems of Member States. One of the most salient conclusions of their comparison of ten different cases is that Member States have different coordination ambition- whereas some aim to construct an agreed position on every issue and to ensure coherent presentation by all national representatives at every stage of the EU policy process, others have more modest ambition that may be substantive- limited to particular policy types or issues- or procedural- ensuring that more important information is exchanged.[48] Thus the coordinating mechanisms vary significantly in shape and goals- while some Member States (like France, the United Kingdom, Portugal, Denmark) use them to define their national positions, the others have more modest aims and ambition.[49] And this level of ambition is also one of the key elements in understanding the dynamics and power relations between the capital and Permanent Representations in Brussels.

The formal procedure of EU policy coordination, for example in developing the national positions on certain policy issues, can in simplified terms be described as follows. First the Commission's proposal will be distributed to relevant experts. In most Member States the Ministry of Foreign Affairs or an EU coordination unit in the Government Office, attached to Prime Minister has a formal coordinating function.[50] The domestic procedures prescribe whether and how lead ministries consult with other affected ministries.

---

[46] Bindi 2011: 106.
[47] Kassim, Hussein; Peters, Guy; Wright, Vincent (2000) "The National Co-ordination of EU Policy-The Domestic Level" *Oxford Scholarship Online*, available at:
http://www.oxfordscholarship.com/view/10.1093/0198296649.001.0001/acprof-9780198296645.
[48] Ibid: 243.
[49] Bindi 2011: 106.
[50] Dimitrova, Antoaneta; Toshkov, Dimiter (2007) „The Dynamics of Domestic Coordination of EU Policy in the New Member States: Impossible to Lock in?" *West European Politics*, vol 30(5), p 975.

Parliaments are formally involved to varying degrees, ranging from receiving mere ex-post information to holding veto rights.[51] In most the European Union's Member States however the national executives tend to dominate their legislatures in EU affairs.[52] In simplified terms this is how the domestic coordination of EU policies looks like.

To understand the overall model of coordination between the capital and the Permanent Representation, it is also important to give an overview about how the Permanent Representations are involved in the overall EU policy coordination. The Permanent Representations have not gained much attention in academic literature, mainly only as part of looking at the bigger picture of EU policy coordination. And this is also reasonable as the Permanent Representation should not in essence be described as something too separate from the national ministries. This is especially so in the recent years as the modern technological capabilities ensure swift possibilities for communication whenever needed. Although the "distance" between capitals and Brussels has decreased due to that significantly, the relevance of dissimilarities between the two should nevertheless not be disregarded wholly. The two bodies still function in relatively different information spheres, as the Permanent Representation staff has the opportunity to acquire information often directly from the source, whereas the capital officials still have to rely mainly on information received through reporting. Additionally the socialisation factor apply, which have been proved by various studies.[53]

To better examine the role of Permanent Representation in overall EU policy coordination it is reasonable for the sake of clarity to distinguish between two extremes of the level of delegation. On the one end there are the capital-based models, where the national ministries have the greatest ambition to control every stage of EU policy coordination, whether centrally or from specific ministry level. On the other end there are the so called Brussels-based systems, where most of the decision-making and position development has been delegated to the Permanent Representation in Brussels and national capital exercises only minor scrutiny over Permanent Representations actions.

---

[51] Panke 2010: 772.
[52] Bindi 2011: 106.
[53] Surubaru, Neculai-Cristian (2010) „Between Hammers and Anvils: The Socialization of European Permanent Representatives" *Romanian Journal of European Affairs*, vol 10(1), p 77.

Most of the studies have been descriptive case studies, focusing mainly on the functions of the Permanent Representations. But some emphasis has been put on other factors like the size of Permanent Representations and staffing policies. In their book "The National co-ordination of EU policy: The European level" by Kassim and Peters focused on four organizational aspects of the Permanent Representation: size, composition, personnel policy, and internal co-ordination.[54] As noted by Panke there is considerable knowledge about the formal coordination procedures in EU Member States, but we have limited knowledge about the informal coordination practices for the working party and the COREPER level on which the vast majority of legislative acts are actually decided.[55] Thus even formally the role of Permanent Representation may not be so extensive, informally the Brussels representatives can be more involved than conventionally described.

To examine the main research problem raised in this paper- how does the level of delegation affect the efficiency of the Presidency- we have to take a look at how this balance between the capital and Permanent Representation alters during the Presidency. The same continuum of Brussels-based vs capital-based applies.

1.5 Link between the model of coordination and efficiency

The central research question of this thesis- which role does the level of delegation play in determining the efficiency of the Presidency- is elaborated here. The level of delegation is reflected in how the inter-ministerial coordination is set up and what functions does the Permanent Representation have in this process during the Presidency. Each system of inter-ministerial coordination has its own merits and faults.[56] As argued above the level of delegation can be visualised as a continuum. On the one extreme are countries that keep tight control in the capital. They tend to select people from ministries as chairpersons and tightly circumscribe the decision power of working group Chairs.

---

[54] Kassim, Hussein; Peters, Guy (2003) "The National Co-ordination of EU Policy-The European Level" *Oxford Scholarship Online*, available at:
http://www.oxfordscholarship.com/view/10.1093/0199248052.001.0001/acprof-9780199248056, p 300.
[55] Panke 2010: 773.
[56] Bunse 2009: 64.

Main benefits of capital-based Presidency coordination model are as follows:

- Minimises the concerns that officials based at the Permanent Representations might sacrifice national positions more easily (go native) due to personal relations- both with other attaches and officials from the EU institutions.[57] Thus curtailing the possibilities that the negotiations will end up with a result that is unsuitable for the Member State holding the Presidency.
- Building on the expertise in the capital, the Presidency has more "technical" knowledge on how feasible the negotiated compromises are when it comes to implementation of these provisions after the adoption of the negotiated legislation.
- Allows the central body in capital responsible for EU coordination to exert more effective control over all policy fields. This will ensure that the Member State holding the Presidency has a coherent approach on all levels of policymaking.
- The political level, meaning the ministers, are more engaged in the policymaking, providing the opportunity to utilise the leverage the ministers might have on the politicians from the other Member States to advance negotiations when necessary.

Main benefits of Brussels-based coordination model:

- Permanent Representations have expertise and negotiation skills gained in the pre-negotiation phase of policy proposals and their familiarity with the other decision-makers. The latter reduces the potential conflictual nature of the negotiations[58]
- Decisions can be made significantly faster, making the whole negotiation process swifter.[59]
- Permanent Representation officials acquire considerably more information about the concerns and view of other negotiating parties, inter alia through "confessionals".[60] Comprehensive reporting system, to cover all aspects, may be cumbersome for the Permanent Representation, hampering the quality of its other tasks.
- Many researchers have emphasised the strategic use of the Council Secretariat as a salient condition for successful Presidency.[61] And it can be argued that the latter is

---

[57] Bunse 2009: 64.
[58] Ibid.
[59] Andžans 2015: 5.
[60] Tallberg, Jonas (2010) „The Power of the Chair: Formal Leadership in International Cooperation" *International Studies Quarterly*, vol 54, p 245.
[61] Bunse 2009: 68.

more probable with the Brussels-based Presidency model due to personal relations that exist between the attaches and Council secretariat's officials.

Taking into account the benefits and disadvantages of both models of coordination it could be argued that the best link between the capital and Brussels Permanent Representation could be characterized by a clear understanding between the personnel in Brussels and in the capital, so that at least the main principles and the "red lines" are clear, and consultation is necessary only before the most significant decisions are taken.[62] Bunse has argued that in pursuing their objectives, Presidencies are best served by systems that rely heavily on their Permanent Representation without undermining or debilitating the overall control by the capital.[63] Therefore a Brussels-based Presidency with not too cumbersome control mechanism by the capital should ensure highest efficiency of the Presidency in advancing the negotiations on priority dossier.

Background variables

In this section an overview about what have been considered salient factors in determining the success of the Presidency in the academic literature is given. This will provide the basis for assessment on whether the link between the level of delegation and efficiency of the Presidency is truly relevant or could the variation in efficiency also be explained by other factors.

Issue-specific conditions for efficiency

The institutional set-up of the European Union sets different limits on how the Presidency can achieve its goals. The academic literature has devoted effort into analysing how the institutional structure of the Council of the European Union affects the possibilities of the Presidency to deliver on its priorities. The studies by Elgström, Tallberg, and Wrantjen have all concluded that the method of voting plays a crucial role in determining the success rate of the Presidency to finalise its initiatives. The studies have shown that Presidencies have more influence and thus are more effective when the qualified majority voting (QMV) is applied, in contrast to unanimity voting. The QMV voting offers the Presidency as the chair of negotiations in the Council to have more leeway and flexibility

---

[62] Andžans 2015: 5.
[63] Bunse 2009: 64.

to ignore extreme positions by some Member States, which could hamper the possibilities to reach consensus. Although it is worth noting that the Council tends to seek if not unanimity then as much inclusiveness as possible also when QMV is applied, the so called norm of consensus mostly prevails.[64]

Some of the research has focused on concrete policy issues, much like in this paper, and the analyses have stressed some elements that are issue-specific. The issue-specific factors can for instance be the distribution of preferences between the parties as described by Vilpišauskas et al as well as intensity to protect those preferences. Many of the authors have concluded that the more extreme the Presidency's preference is the higher level of influence the Presidency asserts on the other actors in Council and thus also on negotiation process. It has also been concluded that the less consensus among different actors (and institutions) exist the better the chances for the Presidency to shape the outcome of the negotiations according to its own preferences.[65] But it is important to distinguish between the protection of the preferences of its own country during the Presidency and efficiency as defined in this thesis. The argument in this thesis is that the formation of Presidency's priorities is to large extent not dependent only on its national interest. The process of priority formation is long and inclusive, engaging the interests of other EU institutions and taking into account the political reality. The aim of the Presidency is foremost not to advance policies that protect their national interests, but rather to promote and facilitate decision making process on legislative files that have been indicated as priority. But the Presidency cannot expect similar behaviour from other Member States to whom the norm of neutrality does not apply. It has been argued that the greater the intensity of Member States preferences, the less the likelihood that the Presidency can persuade them to change their views and that Member States will be particularly unlikely to compromise if they have vital national interest at stake.[66] This means that the Presidency has to deploy other resources it has to avoid coalition-forming that could be counterproductive from Presidency's compromise perspective. In the

---

[64] Bjurulf, Bo; Elgström, Ole (2004) "Negotiating Transparency: The Role of Institutions" *Journal of Common Market Studies*, vol 42(2), p 257.
[65] Vilpišauskas et al 2013: 18.
[66] Bunse 2009: 59.

following section an overview will be given about the country specific factors that may have influence on how efficient the Presidency is.

Country-specific variables

The efficiency of the Presidency is of course foremost dependent on the Member State at helm. Although the list of variables presented here in non-exhaustive, it nevertheless gives a good overview about the main discussions in the field of Presidency's efficiency.

One of the most studied variable that is assumed to determine the level of performance of the Presidency is the size of the Member State. The conclusions on the relevance of the size factor are not straightforward, some claiming that small states are able to perform well in more managerial questions as they tend to rely more on other EU institutions.[67] The smaller states, with lower administrative capabilities are more willing to accept the help from European Commission and Council Secretariat. Both of these institutions, especially the first one, has to some extent its own agenda while offering assistance to the Presidency. Thus the larger Member States, which have the capabilities to act independently, tend to favour not delegating some of the duties to the aforementioned institutions. Other researchers have argued for the more obvious conclusion- larger Member States have more capabilities and resources to deploy and thus also larger potential a successful Presidency. In studying the overall functioning of the Council of the EU, and not particularly Presidency, Panke has argued that the interests of big states tend to be taken into account towards the end of negotiations, even if a minimal winning coalition could do without them.[68] Thus we could conclude that other actors in the Council of the EU tend to avoid ignoring the arguments of larger Member States even if they are not needed for reaching the agreement. This could mainly be so because of the calculations that the support of this large Member State may not be so easy to ignore the next time and hence to keep good cooperation the other actors are willing to make concessions. But it could also be argued that during the Presidency the same logic applies and other actors are willing to make concessions to larger Member States holding the Presidency in order to maintain good cooperation also after the Presidency on issues that are of higher priority to the respective Member State willing to concede. One aspect of

---

[67] Vilpišauskas et al 2013: 20.
[68] Panke 2010: 770.

the size factor that has received relatively little attention is the fact that during the negotiations on the new institutional setup of European Union after the Lisbon treaty, many of larger Member States favoured losing the rotating Presidency as a whole and opting for a more permanent solution. This was successfully challenged by smaller Member States, which saw this as an attempt to withdraw them from the most direct opportunity to affect EU decision making.[69] One of the implications among other things could be the conclusion that larger Member States do not see so much additional leverage in fulfilling the role of the Presidency compared to its usual bargaining weight. Thus, in simplified way, it is also possible to reason that larger Member States are not as motivated at the helm of the Council compared to smaller Member States. But size can also play an important role from another perspective- the smaller states may be more efficient as Presidency, because they have less national interests that could hamper their willingness to proceed with negotiations. When the larger Member States have interests in almost all of the EU regulations, the smaller states may not be affected by them in such an extent and thus are hypothetically also more willing to find compromises and proceed with legislative dossiers that are on the table and are perhaps prioritised by other institutions, most notably by the European Commission. So the size as a factor can have diverse effects.

Some authors have opted to analysing the political system of the Member State holding the Presidency. "While existing research shows that the general ideological orientation of national governments is weakly, if at all, related to Member States' policy positions at the EU level, this does not imply that national party politics is irrelevant to the distribution of policy positions in the Council."[70] Many of the authors have stressed and also tried to analyse timely and adequate preparation as a factor of efficient Presidency. Although undeniably correct there is still lack of clarity on how exactly operationalise and measure the level of preparedness. Adequate preparation ensures that the Presidency is ready for expected or unexpected developments, that the procedures and informal rules are applied

---

[69] Nicolaidis, Kalypso; Bunse, Simone (2007) "The European Union presidency: a practical compromise" *Open Democracy*, available at:
https://www.opendemocracy.net/article/the_european_union_presidency_a_practical_compromise
(visited 15.05.2017).
[70] Thomson, Robert; Arregui, Javier; Leuffen, Dirk; Costello, Rory; Cross, James; Hertz, Robin; Jensen, Thomas (2012) „A new dataset on decision-making in the European Union before and after the 2004 and 2007 enlargements (DEUII)" *Journal of European Public Policy*, vol 19 (4), p 616.

routinely, and that dossiers can be identified where progress (or delay if so wished) are possible and also taking into account the political calendar or the EU and world politics, such as elections in key Member States, thus the external factors as described above.[71] The adequate preparation has for example been analysed by examining how clearly formulated the priorities of the Presidency are. This is complicated to operationalise, but nevertheless a salient variable as this also entails to what extent the Presidency has engaged the positions and agendas of the other institutions, European Commission and European Parliament, into its planning. As argued above in order to succeed with the legislative proposals, the Presidency needs good interinstitutional skills. In examining the adequate preparation factor some authors have concentrated also on the staffing policies and trainings.[72] Thus there are several factors that have been examined to varying degrees in the academic literature so far. To keep the focus of the empirical study on a single negotiations process, these factors will not be directly incorporated into the assessment of the Italian and Latvian Presidency's performance. However, it is relevant to acknowledge the relevance of these factors as well when conducting the comparative study on the level of delegation variable.

Hypothesis formulation

Building on the principal-agent framework presented above the main hypothesis of this paper is that the more Brussels-based the Presidency is, the more effective the Presidency is. The core underlying assumption for making this claim lies in the fact that the Brussels-based Presidencies make far more informed decisions, as the decision-making powers are to large extent delegated to Brussels representatives, who have direct contacts to obtain this information and more experience about the decision-making in Brussels. Additionally, by delegating the duties, the decision-making time will be shortened and the cooperation between the Presidency and other EU institutions, most notably the Council Secretariat, will be improved. Last, but not least, the Brussels-based Presidencies do not have such a rigorous and possibly cumbersome reporting mechanism in place that

---

[71] Vandecasteele, Bruno; Bossuyt, Fabienne; Orbie, Jan (2015) "A Fuzzy-Set Qualitative Comparative Analysis of the Hungarian, Polish and Lithuanian Presidencies and European Union Eastern Partnership Policies" *European Politics and Society*, vol 16(4), p 558.
[72] Vilpišuaskas et al 2013: 28.

could mean a lot of workload in case of capital-based Presidencies for the Brussels representatives.

Hence, the theoretical framework of this thesis, as presented in this chapter, gives a good basis for conducting a comparative empirical study on the performance of the Italian and Latvian Presidencies in advancing the negotiations on Telecom Single Market proposal. The Rational Choice Institutionalism provides the foundation for conceptualising efficiency of the Presidency as the advancement of negotiations on a priority issues, in contrast to pushing through national preferences like defined conventionally. But the principal-agent approach offers also excellent tools both to examine the model of coordination in both countries and also to analyse the linkage between the model of coordination and efficiency of the Presidency. In the following chapter a comparative analysis of the performance of the Italian and Latvian Presidency during the Telecom Single Market proposal negotiations is conducted.

2. Analysis of Telecom Single Market proposal negotiations

In this chapter the findings of the conducted empirical study are presented and analysed. The performance of Italian and Latvian Presidency in the negotiations on the Telecom Single Market proposal is examined and compared. Firstly, an overview about the chose research method is given. This is followed by the elaboration on the Telecom Single Market proposal and its negotiations. Subsequently the performances of both the Italian and Latvian Presidencies is assessed. This is followed by the presentation of findings about the conditions for efficiency and how much can the efficiency be attributed to the chosen model of coordination.

2.1 Research method

The aim of this thesis is not to test the influence of all of the factors described in the theoretical part of the work, rather to examine the most understudied one- the level of delegation- in greater detail. As such the analysis does not seek to prove causality, but to qualitatively assess the impact of this factor on the effectiveness of the Presidency. One of the advantages of qualitative study, and the rationale of choice in this paper, is the fact that in enables better to assess the influence of other possible factors, also outlined in the theoretical framework, in the analysis. This means that although the main focus of the study is on the level of delegation factor, some emphasis will also be put on other variables to detect possible interlinkages that different variables may have. As such, the operationalisation of all of the factors must be conducted, although they are not examined in such a great detail as the level of delegation. The case selection is limited to two Presidencies to provide comprehensive analysis of both. The case selection offers the opportunity to compare the two and make conclusions about the relevance of the examined factors. The main source of information in this thesis are written documents, supported by semi-structured expert interviews. In this section I will elaborate in more detail how the empirical part of this study is composed, describing the analytical tools, operationalisation (including discussion on the validity, reliability and level of precision of chosen measurements), case selection, data collection process.

Qualitative approach - MSSD

Choosing from four fundamental scientific methods which can be used to test the validity of theoretical propositions- experimental method, statistical method, comparative method

and case study approach, the last two would probably be feasible and offer the best explanatory power in examining the efficiency of the Presidency.[73] As the efficiency of the Presidency is dependent on so many factors and given the difficulties in both conceptualising and operationalising even the main variables, statistical large-n studies lack the level of precision needed to make comprehensive conclusions about the effects. As noted above, there has been several attempts to quantify the study of Presidency, but all of them more or less have not been able to assess the influence of other relevant factors. Measuring the factors quantitatively is difficult if not an impossible task as ultimately the efficiency of Presidency may depend on such informal elements like the personality of the Chair of the Working Party in the Council. Thus I would argue, opting for a qualitative approach is much more suitable. It may not be able to provide basis for conclusions on the causality, but it nevertheless offers the possibility to take a more meaningful sight on the different aspects of the Presidency's performance. For example simply using the amount of legislation adopted during the Presidency as the measure of efficiency gives a one-sided picture, most evidently because of the fact that different Presidencies operate during different cycles of legislation process, which means that the amount of legislation is not so much dependent on the Presidency, rather the European Commission. It has even been claimed that up to 95% of the agenda of the Presidency is so to speak inherited.[74] Thus it is quite clear that conducting a large-n study, which would take so many elements into account is not easily feasible, it is more like comparing apples and oranges than a meaningful analysis in most of the cases.

Opting for a qualitative approach offers many benefits, both in terms of validity, reliability and level of precision that can be applied. As the objective of this research is essentially to explore whether the level of delegation as a factor influencing the performance of Presidency is salient, the best method to assess this would be to compare two cases, both extremes of the delegation continuum. Thus applying the comparative method, with some caveats and particularities, is most suitable way to examine the impact of level on delegation on the efficiency of Presidency. Essentially the Mill's Method of Differences is chosen, but with a looser application than the conventional concept, where

---

[73] Lijphart, Arend (1971) "Comparative Politics and the Comparative Method" *The American Political Science Review*, vol 65(3), p 683.
[74] Särekanno, Uku (2016) "3 müüti Eesti eesistumisest" *Poliitika.guru portal*, available at: http://www.poliitika.guru/3-muuti-eesti-eesistumisest/ (visited 03.05.2017).

only the dependent variable varies. The looser application means that the chosen cases share similar characteristics, but all of the independent control variables do not strictly match.[75] So in simplified terms the two cases that will be compared - the two Presidencies - share many similarities, like being in the role of head of negotiations in the first place, but differences are in the dependent variable - the efficiency of the Presidency. Thus the comparison will enable us to examine which of the independent variables have more influence over the dependent variable. This brings us to the case selection, which provides the opportunity to elaborate more on the chosen method.

Rationale behind case selection

By exercising the comparison, it is possible to examine the role of different factors and eventually assess the correlation between the independent variables and dependent variable, in this case the efficiency of Presidency. Thus finding and selecting cases that have variation on the independent variable - level of delegation- is of utmost importance. But also other criteria for case selection applies. As the Lisbon Treaty brought crucial alterations to the role of the Presidency in the whole European Union institutional decision-making structure, it is essential that the Presidencies selected as cases took place after the adoption of the treaty. Of course the European Union itself has gone through rapid changes in the last years due to inter alia shifts in external and internal context, it would be reasonable to study the more recent cases to have more relevance and acuteness. Another criterion to take into account is that in order to truly compare cases it would be reasonable that the cases are fairly similar. So taking two Presidencies which terms are consecutive would also be advisable. Also the scope of the research has to be rather focused in order to provide detailed enough analysis and compare the cases. Thus focusing on the negotiations of a specific proposal rather than the whole Presidency or some formulation of Council has its merits. Although it has to be noted as well that this significantly lower the possibilities to make any conclusions about the Presidency as a whole. But focusing on the negotiations of the priority file of the Presidency gives rather good insights about how well the Presidency managed in its role. And from that we can also deduct the next criterion for case selection- both Presidencies must have prioritised

---

[75] Anckar, Carsten (2008) "On the Applicability of the Most Similar Systems Design and the Most Different Systems Design in Comparative Research" *International Journal of Social Research Methodology*, p 390.

33

the same initiative in order to compare. This is also related to the previously mentioned criterion that the Presidencies should be next to each other as the average process of negotiations is roughly one and a half years for 1st reading agreements, meaning three Presidencies.[76] Hence, having two cases that meet with the criteria presented above will provide the opportunity to conduct substantial comparison between two separate Presidencies.

The Italian and Latvian Presidencies in the field of Telecommunication policy qualify for the abovementioned criteria. First of all, both of the Presidencies put a lot of emphasis on the same proposal in their priority documents published prior to the start of the Presidency. Namely, both of the Presidencies indicated that they plan to advance negotiations on the Telecom Single Market legislative package. Both of the Presidencies are also post-Lisbon Treaty and successive- Italy was at the helm of the Council at the second half of 2014, Latvia took over in January 2015, ending its term in July 2015. The main criterion for case selection was that the two Presidencies have contrasting coordination system- one of the examples should be possible to be described as Brussels-based Presidency and the other one as capital-based Presidency. And Italian and Latvian Presidencies meet also this criterion. Although there is a clear tendency of adopting Brussels-based Presidency models in recent years, especially in more technical policy areas, Italy is one of the outstanding cases that still opted for a more capital-based Presidency. Latvia in contrast devoted a lot on manpower to Brussels and their capital officials did not exercise excessive control over their Permanent Representation. Thus these two Presidencies have clearly a contrasting approach on the coordination and level of delegation, but this topic will be elaborated more closely in the following sections. Thus selecting these two cases offers an excellent opportunity to take a deeper look at the negotiations of one particular legislative proposal and this provides the opportunity to conduct substantial comparison.

---

[76] "European Parliament: Facts and Figures" (2017) *Briefing by the European Parliamentary Research Service*, available at: http://www.europarl.europa.eu/RegData/etudes/BRIE/2017/599256/EPRS_BRI(2017)599256_EN.pdf, p 9.

Operationalisation of variables

In the following section the set of indicators that are used to measure both the independent and dependent variables is presented. This is accompanied by the discussion on the validity and reliability of the chosen indicators.

Dependent variable- efficiency of the Presidency

The level of efficiency of the Presidency is measured in the amount of progress the Presidency made during the negotiations. The sample of interviewees is small so the level of progress is mostly assessed based on the written documents, but the evaluations given by the interviewees are also taken into account. Alternative would have been to conduct a larger series of interviews to get a more comprehensive assessment on how different actors perceived the Presidency's performance. However in this thesis, the selected cases are quite distinguishable in terms of achievements, thus the EU institutions' written document analysis is sufficient and appropriate.

The efficiency is defined through the priorities of the Presidency, which both the cases- Italian and Latvian Presidency- share.

Building on the theoretical framework provided above, efficiency is thus measured based on the following criteria:

-   Did the Presidency reach General Approach in the Council of the EU on Telecom Single Market negotiations?
-   Did the Presidency reach an agreement with the European Parliament on the Telecom Single Market proposal?
-   Additionally, the assessment by the interviewees about how much of the progress made can be attributed to the work of the Presidency is taken into account.

As the number of cases in this qualitative study is only two, then the operationalisation of the dependent variable in greater detail and with larger set of criteria is not necessary. The chosen cases differentiate quite significantly on the achievements. The validity and reliability of the additional measurement- the contribution of the Presidency to the progress made- is more questionable. However relying on the assessments of the interviewees is the still the most valid and reliable source. The reliability is increased by

the fact that some of the interviewees are from the Council Secretariat, which, at least in theory, is a neutral actor.

<u>The main independent variable- level of delegation</u>

The level of delegation variable is operationalised similarly to the dependent variable. The measuring of how Brussels-based or capital-based the coordination model was is based on written document analysis and input received from the interviews. The main criteria of determining the character of the coordination model is described in the following table 1.

Table 1.

Independent variable		
Condition for efficiency	**Capital-based model**	**Brussels-based model**
Indicators	Priorities are developed mostly by the capital, the PermRep staff does not have relative autonomy *vis-à-vis* the capital in formulating compromise proposals, the ratio of personnel actively engaged in negotiations favours capital, central operational role in capital.	Priorities are developed jointly by the PermRep and the capital, the PermRep staff has relative autonomy *vis-à-vis* the capital in formulating compromise proposals, the ratio of personnel actively engaged in negotiations favours PermRep, central operational role in PermRep.

Source: composed by the author, loosely based on Vandecasteele et al 2014.

The main element of the indicator is the level of autonomy the Permanent Representation has. This is measured as follows:

- How much is the capital involved in the priority setting?
- How much is the capital involved in drafting the compromises? Who has the final say?
- What is the ratio of people dealing actively with the Telecom Single Market negotiations in the capital and in the Permanent Representation?
- Which body has the central operational role?

Operationalising the level of delegation variable in such manner offers the necessary level of validity and reliability. Simply relying on the written documents, like rules of procedure of the Permanent Representation, would have been an alternative. However,

this kind of measuring would have had less validity as this does not take into account the informal rules and procedures that often apply, like was argued above as well.

Data

There is a clear lack of quantified data about the Presidency institution- for example about the influence the Presidency can exert on the negotiations. As already argued, compiling the data about Presidency in quantified form is anyway highly complicated and controversial because of the impossibility to capture and encompass many of the nuances related to the role of Presidency. Thus in this paper the qualitative assessment of Presidencies is used instead, which will give a more comprehensive picture about the influence the level of delegation has on the efficiency of the Presidency. This means that for this thesis two different types of data sources were chosen. First, written documents were compiled and reviewed. This includes both the official documents issued by the European Institutions and Presidencies themselves, but also external assessments conducted for example by think tanks concentrating on EU policies. Also some opinion papers by industry representatives are used, but with a critical discretion.

As Larue has noted, the author has to be conscious that using only written documents as the source of information will provide primarily the formal picture.[77] Thus, the other main source of information was the interviews conducted with both the officials from both the Italian and Latvian Presidencies, but also -for a more neutral perspective- with representatives of Council of the European Union. The interviews would give a more comprehensive picture about the informal nuances of European Union decision-making. However as the sample of interviewees is not too extensive as there are also certain limits to it, the interviews are used as a supporting source of information, mostly filling the deficits of written document analysis and providing a better feeling of which elements of the negotiations were of highest relevance. Altogether 4 expert semi-structured expert interviews were conducted. Among the interviewees were on official both from Italian and Latvian Permanent Representation, engaged directly with the Telecom Single Market negotiations. To increase the reliability and to acquire additional perspective, two interviews with General Secretariat of the Council were interviewed. The conducted interviews were semi-structured, providing the possibility to gain additional information

---

[77] Larue 2006: 65.

on the subject. All of the respondents were interviewed in April and May 2017. The Deputy Chair of the Telecom Working Party during Latvian Presidency (indicated as LV interview in the footnotes) and one Council Secretariat's official (GSC 1 interview) were interviewed in person in Brussels 24th and 25th of April 2017. The Italian Presidency's Chair of the Telecom Working Party (IT interview) and the second Council Secretariat's official (GSC 2) gave their responses in written form.

Basing the analysis solely on interviews would be risky because of the following reasons. First, as already mentioned, the sample can inevitably be quite small as the number of people participating in policy formulation in one particular policy field is limited. Secondly, the researcher has to acknowledge the respondents' reflexivity- the tendency of the interviewees to give answers she/he believes that the interviewer wants to hear.[78] This is of course accompanied by the bias that the respondents may have about their own performance and it also has to be kept in mind that some time has already passed, so the respondents are not able to recall all elements of negotiations in such extent as may be needed. And of course one has to be mindful that the interviewees have some limits on what they are willing to be transparent about, even if they are offered full confidentiality.

2.2 Telecom Single Market proposal

In order to analyse the performance of the Presidencies on this particular file, a comprehensive overview about the content and progress of negotiations so far is given. Having a deeper look into the content is salient as this also indicated the main rationales for Member States to hamper the progress on this proposal.

The Commission adopted its proposal *for a Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent* (the Telecom Single Market proposal) on 11 September 2013 with article 114TFEU as a legal basis.[79] The

---

[78] Ibid: 71.
[79] "Proposal for a Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, and amending Directives 2002/20/EC, 2002/21/EC and 2002/22/EC and Regulations (EC) No 1211/2009 and (EU) No 531/2012 State of play" (2014) *Council of the European* Union, available at: http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2015923%202014%20INIT (visited 25.04.2017), p 1.

package was claimed by the European Commission to be the most ambitious plan in 26 years of telecoms market reform, seeking to provide:

- EU-wide and roaming-free mobile plans;
- Simpler rules to help companies invest more and expand across borders;
- First-ever EU-wide protection of net neutrality;
- Abolishing premiums for international phone calls within Europe.[80]

The legislative package was thus already published in the end of the previous European Commission mandate as it was launched by European Commission President Jose Manuel Barroso in his 2013 State of the Union speech, naming the package initially "Connected Continent". Although it was Barroso who launched the legislative package, the main initiator was Vice President Neelie Kroes, the Digital Agenda Commissioner.[81] It could be also described as the final outcome of her long battle to fight roaming prices in European Union.

The reactions to the presented legislative proposal were twofold. For European Parliament generally supported this initiative in most of its aspects. European Parliament managed to adopt its first reading position already on the 3th of April 2014.[82] The most noteworthy amendment by the European Parliament was that they incorporated a definition of "net neutrality" as the principle to which all internet traffic is treated equally, without discrimination, restriction or interference, independently of its sender, recipient, type, content, device, service of application. The later phases of the negotiations showed that this turned out to be one of the most politically loaded questions of the whole package.[83] In terms of the content, the European Parliament's proposal made significant amendments also on the roaming fees, setting the date for banning all roaming fees to

---

[80] "Commission proposes major step forward for telecoms single market" (2013) *European Commission's press release*, available at: http://europa.eu/rapid/press-release_IP-13-828_en.htm (visited 25.04.2017).
[81] Vasiliki, Ntarzanou; Portela, Miguel (2015) „European Commission agenda for the termination of roaming charges within the EU" *Paper for 26th European Regional Conference on the International Telecommunications Society (ITS)*, p 3.
[82] Cini, Michelle; Šuplata, Marian (2017) "Policy leadership in the European Commission: the regulation of EU mobile roaming charges" *Journal of European Integration*, vol 39(2), p 151.
[83] "Net Neutrality" (2016) *Citizens' Enquiries, EP Answers*, available at https://epthinktank.eu/2016/01/07/net-neutrality/ (visited 25.04.2017).

December 2015, and on the spectrum management, setting requirements for Member States to coordinate the bandwidth allocation.[84]

All in all, this means that the European Parliament voted on its proposals for amendments before the end of their terms and European Parliament elections, which took place from 22.-25.05.2014. On the one hand, this could be seen as a representation of parliament's unity on the question. On the other hand, the more probable rationale to move faster with their amendments for the European Parliament was to put pressure on the Council of European Union. And the main reason for that was the critical reaction that the Member States presented when the Telecom Single Market proposal was launched. And this critical approach is also quite well observable from the fact that when for the European Parliament it took almost half a year to form a uniform position on every aspect of the package, the Council took a lot more time to negotiate their common take on the package.

But not only the Member States were displeased with the Commission's proposal put on the table by the European Commission, but also to large extent the industry. Initially the critique was based on the claim that the public consultation procedure, used for all the legislative proposals by the European Commission, was not exercised in the extent necessary as many of the stakeholders felt left out of the whole procedure.[85] The Member States also pointed heavily on what they saw as a defective impact assessment, carried out by the European Commission.[86] But the underlying element of critique by the Member States was obviously not the insufficiencies in the consultation procedure, rather it was the content. The Member States did not receive well the idea of greater harmonisation of national policies in telecoms. This was especially so with the Commission proposed coordinated spectrum assignment, which would have ultimately limited the Member States sovereignty in allocation the spectrum bandwidths in their respective telecom markets. Essentially this would have also meant that the Member States would have lost a relevant source of revenues. Thus the lack complaisance was quite apparent on coordinated spectrum management. But all in all the flagship proposal of the Telecom

[84] Hirst, Nicholas (2014) „Italy pushes for breakthrough on telecoms reform" *Politico Europe*, http://www.politico.eu/article/italy-pushes-for-breakthrough-on-telecoms-reform/.
[85] Andžans 2015: 11.
[86] 2013/0309(COD)- 05/12/2013 Debate in Council (2013) *European Parliament/Legislative* Observatory, available at: http://www.europarl.europa.eu/oeil/popups/summary.do?id=1327612&t=e&l=en.

Single Market package was of course the proposal aiming to abolish roaming surcharges. This has since then became one of the core elements of pro-European Union rhetoric used in European Commission's external communication, because of its high visibility and the fact that the results are easily tangible to so many Europeans directly. Many Members of the European Parliament campaigned during the European Parliament elections in 2014 on the pledge to end roaming and for them it has become an issue of institutional pride.[87]

The course of negotiations in the Council

Although the legislative package proposal was already published in September 2013 it did not see much progress during the Lithuanian Presidency. On the 5th of December 2013 Transport, Telecommunications and Energy Council held a policy debate on the new proposal. However, many of the Member States expressed their concerns about the process followed for the preparation of the proposal, the timeline envisaged for its adoption, the legal form of the act proposed and its substance. Some of the Member States even went so far to call into question the whole proposal.

Regarding the substance: concerns have been expressed *inter alia* about:

- the approach envisaged for the single EU authorisation given the uncertainty it entails regarding the powers of the regulatory authorities involved in different Member States, other important aspects for operators (e.g. consumer and tax legislation) which are not differing across Member States, and the limited interest expressed by operators for such provisions;

- the consequences that several of the provisions could have on the investment climate (e.g. roaming, extensive harmonisation of end-users protection), stressing the need to strike an appropriate balance between consumers and operators;

- the choice of approach for improved spectrum management, which should in any event preserve the value of spectrum and acknowledge national circumstances and competences and for which some would prefer the focus to be on common end dates for allocation rather than on a one-size-fits-all harmonisation process at EU level;

---

[87] Keating, Dave (2015) "Ansip slams Council position on phone roaming charges" *Politico* Europe, available at: http://www.politico.eu/article/ansip-slams-council-position-on-phone-roaming-charges/ (visited 26.04.2017).

- the imposition of one specific means (European virtual broadband access products) to improve access to network;

- the legal uncertainty that could result e.g. from provisions on roaming while Roaming III is about to be implemented as well as possible impact on domestic tariffs;

- the net neutrality provisions where the envisaged extensive requirements on service quality might impair the further development of service providers, disproportionately affects small providers and relies on means (monitoring of speed access) affected by factors beyond the control of the providers;

- disproportionate administrative burden, e.g. for regulators and operators involved in the single authorisation procedure;

- smaller operators and markets as several provisions are seen as conducive to market consolidation and more beneficial to larger incumbents, which also puts into question the underlying approach of the proposal which instead of promoting efficient competition, as under the existing framework, seems to rely on market consolidation;

- the shift of decision-making power to the Commission away from the national level, e.g. with respect to spectrum or market remedies, which appears unwarranted.[88]

All in all, the fact that there was only a policy debate on the issues showed the lack of progress in the Council. And additionally that the policy debate indicated so many controversies for the Member States clearly showed that Member States do not have the incentive to move as fast as the European Parliament with the proposal negotiations. In simplified terms, the underlying element of all of the issues seems to be the last from the list provided above- avoiding losing national sovereignty to European Commission.

The first tangible result from the Council's negotiations came only under the Greek Presidency, when Council adopted a progress report on the state of negotiations so far.[89]

---

[88] 2013/0309(COD)- 05/12/2013 Debate in Council (2013) *European Parliament/Legislative Observatory*, available at:
http://www.europarl.europa.eu/oeil/popups/summary.do?id=1327612&t=e&l=en.
[89] "Proposal for a Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, and amending Directives 2002/20/EC, 2002/21/EC and 2002/22/EC and Regulations (EC) No 1211/2009 and (EU) No 531/2012 - Progress report" (2014) *Council of the European Union*, available at: http://data.consilium.europa.eu/doc/document/ST-10109-2014-INIT/en/pdf.

But naming this a result is also controversial as the adopted report essentially provided a critical assessment on the progress achieved so far.[90] However the progress report also indicated areas where agreement may be easily reached. But based on the progress report, the main issues of confrontation between the Member States that had remained after several months of negotiations were the following:

- Objective and scope: the main concern was the unclear link to and possible inconsistencies with the current telecom framework and its objectives as well as the risk of inconsistency between the two.
- Single EU authorisation: They questioned its added value and feared that it would increase complexity, administrative burden and related costs.
- Coordination of use of radio spectrum: several delegations found many of the new provisions too prescriptive and often overlapping or even conflicting with provisions of EU or national legislation. Most Member States consider that the provisions aimed at harmonising radio frequencies for broadband synchronisation delays and introducing a European mechanism for coordination of rights of use of radio frequencies go too far, in particular with regard to the proposed competences and the veto right of the Commission.
- European virtual broadband access products: delegations found the provisions too detailed and unclear at the same time and stressed the need for a thorough market analysis before any such regulation is introduced.
- Harmonised rights of end-users: on the consumer provisions Member States prefer minimum harmonisation to the proposed full-scale harmonisation, as this would allow them to keep or adopt more stringent national measures.
- Open Internet (net neutrality): While delegations agreed that the right balance needs to be struck between net neutrality and reasonable traffic management, they had different views on how to achieve it. The common underlying principles relating to net neutrality were agreed on.

---

[90] Andžans 2015: 12.

- The draft articles on roaming, which are to be found towards the end of the Commission proposal, have not yet been examined in detail.[91]

It is definitely noteworthy that although the negotiations had been ongoing already under two Presidencies, there had not been any progress to be reported on the flagship initiative-roaming proposal. This in a way could have showed lack of political will by the Presidencies to deal with the issue or constructive assessment of political reality as many of the Member States saw the proposal in its initial form as highly controversial. Without examining the incentives and background of the two Presidencies in greater detail, it is possible to conclude that both Lithuanian and Greek Presidency did not make any significant advancements in negotiating the Telecom Single Market package. Content-wise the discussion was still stuck on issues that the different actors were not able to compromise on. And it could also be argued that the completely contrasting proposal adopted by the European Parliament quite swiftly had its impact on the Council negotiations as well. Many of the Member States were reluctant to make concessions in a situation where they knew that additional concessions have to be made by the Presidency in case the interinstitutional negotiation phase with European Parliament is initiated. Thus having a strict and limited mandate for Presidency to use in discussions with the European Parliament was relevant for the Member States that were critical to the initial proposal by the European Commission, as the European Parliament's approach went even further than that. In simplified terms it could be described even as a negotiation deadlock for all the diverging opinions on the matter and thus the Council was unable to form a common position. Hence it is possible to claim that little progress was made up until the start Italian Presidency.

2.3 Examination of efficiency of the Presidency

The aim of this study was to study the link between the level of delegation of efficiency of the Presidency. In the following section the findings of the qualitative study are presented. This chapter examines in greater detail the performance of Italian and Latvian Presidencies in leading the negotiations of Telecom Single Market proposal. This will

---

[91] 2013/0309(COD)- 05/06/2014 Debate in Council (2014) *European Parliament/Legislative Observatory*, available at:/http://www.europarl.europa.eu/oeil/popups/summary.do?id=1350214&t=e&l=en.

start with a comprehensive examination of the course of negotiations under both Presidencies, which includes the assessment of the efficiency of both Presidencies. Subsequently, an overview about the context and priorities of the both Presidencies is given in order to examine the relevance of Telecom Single Market proposal for both Presidencies. This is followed by the presentation of results of the qualitative study on the main research question- what effect does the level of delegation have of the efficiency of the Presidency.

2.3.1 Progress of negotiations under the Italian Presidency

As examined above, Italian Presidency had in a way a fresh start for their negotiations on the Telecom Single Market proposal as well, because the previous two Presidencies-Lithuanian and Greek- have not made any substantial progress. Prior to the start of the Presidency the Italians indicated on several occasions that they are willing to go against tide in the Council and support the European Parliament-backed overhaul of EU telecoms rules.[92] Next to the priorities, another good measure for Presidency's incentives to advance negotiations is of course looking at how much time did the Presidency allocate for discussion in the working groups. Italian Presidency dedicated a significant amount of time for discussions on the working group level, devoting altogether over 10 working parties for this topic. High-level political input was sought by the Italian Presidency at the September informal ministerial meeting and a written consultation took place in July.

The first tangible result from the discussions that started in July and went on in September was the new and substantially amended provisions presented by the Italian Presidency on 19 September 2014. Compared to the initial Telecom Single Market proposal, the Presidency text introduced fundamentally different texts on roaming and spectrum, amended texts on open internet/net neutrality, and also addressed end-users rights. The following discussions on the Presidency's amendments in a way already paved the way for future developments as many of the delegations indicated roaming and net neutrality to be the two core issues of the whole proposal. Eventually this resulted in an

---

[92] "Italian presidency to support Parliament-backed telecoms reform" (2014) *Euractiv*, available at: http://www.euractiv.com/section/digital/news/italian-presidency-to-support-parliament-backed-telecoms-reform/ (visited 05.05.2017).

understanding to focus continuing discussion only on the two core issues, primarily emphasising on roaming proposal, but also to some extent on net neutrality.[93]

This line of thinking took a more formal shape in the draft proposal issued by the Italian Presidency on 21 November 2014, where the Presidency proposed:

- a further revised text on roaming;
- a text setting out an approach in principle to open internet/net neutrality.[94]

Essentially this meant that the Italian Presidency wanted the telecoms ministers meeting-TTE Council- on 27 November 2014 to agree on a general approach, which would pave the way for negotiations with the European Parliament.[95] However the Italian Presidency did not manage the TTE Council to agree upon a general approach.

Thus the Italian Presidency failed a fulfilling the promise about ending the negotiations before the end of year. Although the Italian Presidency went as far as claiming to finalise and adopt the legislation as noted above, which would essentially mean an agreement also with the European Parliament, the Italian Presidency did not succeed in finding consensus among the Member States in the Council. Even narrowing the scope of the legislation and hence scrapping the overall level of ambition of the Telecom Single Market proposal by only concentrating on roaming and net neutrality provisions did not facilitate the process. Thus all in all, in comparison with the set priorities, the performance of the Italian Presidency in the role of leading the negotiations on Telecom Single Market proposal was not efficient as no significant progress was made.

2.3.2 Progress of negotiations under Latvian Presidency

Right after the official begin of their Presidency the Telecom teams of Latvian Presidency presented a roadmap on how to proceed with the negotiations on the Telecom Single Market proposal. This envisaged a new possible way for overcoming the difficulties in the Council negotiations, maintaining the approach chosen by the Italian Presidency-

---

[93] Andžans 2015: 12.
[94] "Proposal for a Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, and amending Directives 2002/20/EC, 2002/21/EC and 2002/22/EC and Regulations (EC) No 1211/2009 and (EU) No 531/2012 State of play" (2014) *Council of the European* Union, available at: http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2015923%202014%20INIT (visited 25.04.2017), p 5.
[95] Hirst 2014.

concentrating only on the roaming and net neutrality parts of the ambitious Telecom Single Market proposal.[96] The Latvians utilised the informal ministerial meeting, which took place on 21 January 2015, to get a common understanding and agreement on the content of this roadmap presented before. Content-wise the Latvian Presidency outlines a completely new approach to reducing mobile roaming surcharges ("roam like at home 'plus'"), which in general was approved by the ministers in the informal meeting, giving the leeway to move swiftly on with the negotiations on a more technical level- in the working parties.[97] And the examination of the agendas of the working parties show that Latvian presidency had altogether 22 working party meetings on the Telecom Single Market. And on working party level it took the Latvian Presidency only 7 working party meetings to have a general approach adopted on 4 March 2015.[98] This also gave the Latvian Presidency the mandate to start the negotiations with the European Parliament. However it must also be noted that although the Council had formed for a first time a common position after almost one and a half year of negotiations, the outcome was not so well received by other European Union institutions. For example the European Commission's Vice-President for the Digital Single Market Andrus Ansip strongly criticised national government for trying to prevent the phasing out of mobile phone roaming charges from the end of 2015, calling the position adopted by the Council of Ministers "a joke".[99] Albeit the various criticism the Council managed to form an uniform decision and common understanding on how to proceed, paving the way trilogue negotiations with the European Parliament. And the negotiations with the European Parliament, which were deemed to be difficult, fulfilled the expectations. Nevertheless, the Latvian Presidency, 4 informal political trilogues supported by 15 technical trilogies and also 15 working party meetings in the Council of the European Union among the Member States themselves, Latvian Presidency managed to reach a political agreement with the European Parliament in the fourth and final 12-hour long trilogue, which finished

---

[96] "Proposal for a Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, and amending Directives 2002/20/EC, 2002/21/EC and 2002/22/EC and Regulations (EC) No 1211/2009 and (EU) No 531/2012 - Latvian Presidency roadmap" (2015) *Council of the European* Union, available at: http://data.consilium.europa.eu/doc/document/ST-5071-2015-INIT/en/pdf, p 2.
[97] Andžans 2015: 12.
[98] "Roaming and open internet: Council ready for talks with EP" (2015) *Council of the European union press release*, available at: http://www.consilium.europa.eu/en/press/press-releases/2015/03/150304-roaming-and-open-internet-council-ready-for-talks-with-ep/ (visited 05.05.2017).
[99] Keating 2015.

in the early hours of the very last day of the Latvian Presidency, 30 June 2015.[100] But given the overall negative expectations and the fact that already at the first trilogue, that was held 23 March 2015 with the Member of European Parliament Pilar del Castillo representing the Parliament, the discussions were heated, the pace of progress was remarkable.[101] With the agreement the Latvian Presidency persuaded both the Council and the European Parliament to compromise on a starting date of June 2017 for end of roaming surcharges- the Council had pushed for 2018 and the Parliament for 2016.[102]

All in all the Latvian Presidency managed to reach a general approach in the Telecom Single Market negotiation with a few months and also was able to facilitate the progress in discussions with the European Parliament, reaching a compromise that could be seen as difficult for both sides- the Council of the European Union and the European Parliament. The Latvian Presidency thus managed to be efficient in its role as the lead of negotiations by making significant advancements on a legislative file that was indicated as a priority.

In the following section the preconditions for the under-performance of Italian Presidency and the efficiency of Latvian Presidency in advancing the negotiations on the Telecom Single Market proposal will be analysed.

2.4 Examination of the conditions for efficiency

In this section the findings from the qualitative study- information acquired both from written documents and interviews- will be presented. This will be carried out in the form of comparison between the two cases- Italian and Latvian Presidencies. The comparison will enable to indicate more clearly the conditions that are most salient in determining whether the Presidency is efficient in its role as the mediator of the negotiations or not.

So the aim of this section is to examine the main research problem- which factors have influence on the efficiency of the Presidency and to which extent this efficiency can be attributed to the benefits arising from Brussels-based Presidency. The examination is carried out if the form of comparison.

---

[100] Andžans 2015: 13.
[101] Keating 2015.
[102] Auers, Daunis; Rostoks, Toms (2016) „The 2015 Latvian Presidency of the Council of the European Union" *Journal of Common Market Studies*, vol 54, p 87.

Table 2.

		ITALY	LATVIA
Efficiency	**Achievements**	Policy debate	General approach, agreement with EP
Preconditions	**Context**	Favourable	Favourable
	Salience for the Presidency	Priority	Priority
	Number of Working Parties	12	22
Main independent variable	**Model of coordination**	Capital-based	Brussels-based
	Main operational centre	Ministry of Economic Development	COREPER
	Officials in Permanent Representation	1+1	3
	Officials in capital	4	NA
	Cooperation with GSC	Very good	Modest

Source: composed by the author

2.4.1 Preconditions

Firstly the findings about two of the most overarching preconditions will be presented. These two conditions could be seen as underlying premises for Presidency's performance as without the favourable context and salience to the Presidency it is unlikely that the Presidency would in the first place invest its time and political capital into advancing the negotiations. The similarity of these preconditions will provide the basis for the comparison.

Context for Italian Presidency

Italy took the role of Presidency of the Council of the European Union on 1st of July 2014, being the first of the new trio- consisting of Italy, Latvia and Luxembourg. It was also the

12th time in this role for Italy, making it one of the most experienced Member State in terms of Council Presidencies.[103]

During the Council Presidency Italy had to manage some of the key events in the European institutional framework. For example:

- the installation of the new Commission (the previous Commission's mandate ended on 31 October);
- the constitution of the new Parliament;
- the reappointment of the President of the European Council (the polish Prime Minister, Donald Tusk had been chosen to succeed Herman von Rompuy);
- and of the High Representative of the Union for Foreign Affairs and Security (Federica Mogherini succeeded Catherine Ashton).[104]

Thus basically Italy as the Presidency had a fresh start with the legislative process. It could be argued that much like with the Greek Presidency, the hopes for Italian Presidency were not that high due to turbulent times, caused to large extent by the events listed above. Yet the Greek Presidency to some extent showed that even though the overall context may had been difficult for Presidency to follow through on its agenda and to be perceived as effective, the Greek Presidency managed to exceed the expectations in many policy fields.[105] However it must be noted that some of the researchers do not share the same positive views about the Greek's performance in the role of the Council's Presidency.[106] Without elaborating more on the outcomes of Greek Presidency, it is certainly clear that the prospect of having a successful image of its Presidency even in turbulent times is achievable. Nevertheless the overall context for Italian Presidency to succeed in advancing its priorities during its term could still be considered complicated. As noted by CEPS the turbulent times meant foremost that the "Commission was

---

[103] "Italian Presidency of the Council of the European Union" (2014) *SAMMAN Update*, available at: http://www.cabinet-samman.com/files/item/EU%20Council%20Italian%20Presidency%20-%20Objectives%20and%20Challenges%20July-December%202014.pdf, p 1.
[104] Ibid: 2.
[105] Piedrafita, Sonia; Conroy, Caroline (2014) "Rounding out a satisfactory Trio Presidency: Greece sets the stage for its Italian successor" *CEPS* commentary, available at: http://aei.pitt.edu/52440/1/Piedrafita_and_Conroy__Greek_Presidency_.pdf, p 1.
[106] Chatzistavrou, Filippa (2014) "Defying the Oracle? The 2014 Greek Presidency of the EU Council" *EPIN Working* Paper, available at: http://aei.pitt.edu/50127/1/EPIN_wp36_Greek_Presidency.pdf, p 1.

repealing more than initiating legislation".[107] Although the European Parliament put much effort into clearing the table as much as possible before the elections, nevertheless there were some major legislative initiatives inherited from the previous mandate of the Commission that were not to be repealed. One of these was also the Telecom Single Market package.

Also it could be argued that the domestic context was not very favourable for the Italians. Although Italy's Prime Minister Matteo Renzi claimed high ambition for the Presidency and bold statements like urging Europe to "find its soul again" increased some of the expectations, the matter of fact was that transferring Renzi's leadership style to the European context was deemed to be difficult.[108]

Priorities of Italian Presidency

The overall priorities of Italian Presidency were:

- Employment and Economic Growth, with a particular focus on Small and Medium Enterprises (or SMEs) and sustainable development, to be linked to Expo Milano 2015;
- Protection of fundamental rights, with a special look to migration and asylum policies;
- A more integrated foreign policy, focusing mostly on the Mediterranean and the Europe Neighbourhood policies including enlargement, and with an eye on the strategic partnership with Asian economies.[109]

But the Italian Presidency also indicated the Telecom Single Market package as one of its priority files. Italy's undersecretary in charge of the dossier, Antonello Giacomelli stated: "Our priority is to find a solution within the end of this year" in his speech, promising that Italy will utilise its position as the Presidency of the Council of the European Union to see the telecoms reform package finalised and approved.[110] The Italian

---

[107] Lezi, Gerta; Blockmans, Steven (2015) „Latvia's EU Presidency: Less is more" *CEPS commentary*, https://www.ceps.eu/system/files/Latvian_Presidency.pdf.

[108] Carbone, Maurizio (2015) „Beyond the Telemachus complex: courses, discourses and the 2014 Italian Presidency of the Council of the European Union" *Journal of Common Market Studies*, vol 53, p 83.

[109] Sellitti, Alfredo (2014) „Italian Presidency of the Council of the European Union: boost to … commonplace" *AEGEE magazine,* available at: http://www.zeus.aegee.org/magazine/2014/07/20/italian-presidency-of-the-council-of-the-european-union-boost-to-commonplace/ (visited 25.04.2017).

[110] Cugia di Sant'Orsola, Fabrizio (2014) "Italian EU presidency: forget the plans for net neutrality" *Lexology*, available at: https://www.lexology.com/library/detail.aspx?g=574997b8-eb85-42ff-be28-ffcbf31f8e7e, (visited 05.05.2017).

Presidency even went as far as claiming that they are ready to support the European Parliament's approach to large extent, despite widespread criticism of the plan by both the other governments and industry.[111] According to one of the officials from the Italian Permanent Representation working on the telecom issues, inter alia Telecom Single Market, there was a "high political ambitions and vision", which was however "not completely share by most of delegations at that stage".[112]

Thus it clear that in terms of setting the priorities, Italy made some bold statements and promised to advance the dossier as fast as possible.

Context for Latvian Presidency

In January 1st 2015 started Latvia's first Council of the European Union Presidency. The broader international context was framed by the events in Ukraine and also gradual acceleration of the migrant crisis over the first half of 2015.[113] Both of these influenced the priorities and workload of Latvian Presidency, however they could not be described as obstacles- as the focus on Ukraine was expected anyways- and all in all the broader international context was favourable for Latvian Presidency.

From the European context point of view the Latvian Presidency faced comparable challenges to the ones Italian Presidency had to address. European Commission's own policy priorities were still being formed, thus no major workload was to be expected. Especially so, because President of European Commission Jean-Claude Juncker has famously claimed that his Commission will be "big on big things and small on small things" and preparation of the "big things" took obviously more time and effort.[114] So the Latvian Presidency had the incentive to move forward with the initiatives that had stayed on the table for quite some time. This also provided Latvian Presidency the opportunity to have more control over agenda-setting as otherwise the European Commission's political pressure influences the priority-setting to larger extent. This meant that Latvian Presidency was able to put more emphasis on self-initiated policies as well.

---

[111] "Italian presidency to support Parliament-backed telecoms reform" (2014) *Euractiv*, available at: http://www.euractiv.com/section/digital/news/italian-presidency-to-support-parliament-backed-telecoms-reform/ (visited 05.05.2017).
[112] IT interview.
[113] Auers, Rostoks 2016: 85.
[114] Lezi, Blockmans 2015: 1.

On domestic front, the Latvia's deep economic recession between 2008 and 2010 had its impact also on the discourse about the necessity and cost of holding the Presidency. Although even President Andris Berzins expressed his concerns about the costs and benefits of taking the role, this kind of criticism was relatively rare in government circles. And even though the parliamentary elections just months before the Presidency could have had serious implications, three broadly pro-European governing parties maintained a parliamentary majority, ensuring stability.[115]

So in general the preconditions in terms of domestic, European and international context were to some extent similar to Italian Presidency, but a bit more favourable as the domestic situation was more stable and on the European institutional sphere there was certainly less confusion about the governance of the institutions as the leaders were all appointed by then.

Priorities of Latvian Presidency

The programme of priorities of the Latvian Presidency were not a big surprise as the Presidency did its best to accommodate the European Commission political will.[116]

The three main priorities of Latvian Presidency were:

- Competitive Europe- with the main goal to generate jobs and economic growth;
- Digital Europe- to develop the base for a truly digital Europe;
- Engaged Europe- engage in issues of global importance.[117]

Putting so much emphasis on digital agenda by making it one of the three main elements of the programme was of course noteworthy. However the Digital Europe did not only include Telecom Single Market proposal. Latvians Presidency also put a lot of emphasis on negotiations on the data protection framework and cybersecurity. But nevertheless succeeding with the negotiations on Telecom Single Market was high on the agenda for the Latvian Presidency. In its "Work programme of the incoming Presidency" the Latvian

---

[115] Auers, Rostoks 2016: 84.
[116] Trauffler, Claudia (2015) "Latvia's Presidency: Competitive Europe, Digital Europe, Engaged Europe" *BBA News*, available at: https://www.bba.org.uk/news/bba-voice/latvias-eu-presidency-competitive-europe-digital-europe-engaged-europe/#.WQnBgVXyjmE (visited 05.05.2017).
[117] "Priorities of the Latvian Presidency" (2015) *European Parliament*, available at: http://www.europarl.europa.eu/meetdocs/2014_2019/documents/dlat/dv/04_summary_priorities_presidency/04_summary_priorities_presidencyen.pdf.

Presidency states ambitiously the following: "In view of making further progress in strengthening the Digital Single Market and in evolving the legal framework, the Latvian Presidency will, depending on the state of play and respecting the interests of different stakeholders, give due consideration to the proposal for a Regulation laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent (TSM)".[118] Hence, it is clear that Latvian Presidency saw the advancement of Telecom Single Market proposal negotiations as one of the key priorities during their Presidency. In the following section an overview about the course of negotiations in the Council of the European Union is given.

All in all it is clear that although the overall context of both Presidencies could not be seen as very favourable, the Telecom Single Market proposal negotiations were not highly influenced by that. And this was also shown by the analysis of the priorities of both Presidencies, proving that both Presidencies made significant promises to advance the negotiations on the Telecom Single Market proposal. Given that these preconditions can be seen as fairly similar for both Presidencies, the next section focuses on presenting the findings about the main independent variable.

2.4.2 Level of delegation of Italian and Latvian Presidencies

The comparison between the Italian and Latvian Presidency clearly shows that whereas Italy applied the capital-based coordination model, the Latvian Presidency opted for a Brussels-based approach. The research indicated substantial differences in many aspects of the model of coordination of these Presidencies.

Italian model of coordination

In the case of Italian Presidency the operational/decisional role was carried out by the Ministry of Economic Development-Communications in Rome. This means that the main actor in setting both the priorities, national positions and working out the possible compromises was the competent Ministry.[119] This to some extent shows that informal practices are applied in the coordination of EU policies as the standard procedure sees that the relations between Italian Government and the EU institutions are ensured by the

---

[118] "Work programme of the incoming Presidency- Information from the Latvian delegation" (2014) *Council of the European Union*, available at: http://data.consilium.europa.eu/doc/document/ST-15651-2014-INIT/en/pdf, p 2.
[119] IT interview.

Prime Minister through a State Secretary, whose action is supported by the Department for European Policies.[120] The findings indicate that the interaction between the capital and Permanent Representation was direct.

The Working Party Chairperson was responsible for the communication between the Ministry and Permanent Representation. It was stated that: "every decision taken in Rome was forwarded to me in order to share it with the Deputy Permanent Representative and his team". And the capital was also involved in the drafting sessions, which take place to form compromises that are presented in the Working Parties to the other Member States. The capital officials were actively involved in these sessions, whether through being present or giving out strict instructions, especially for giving out "political directions".[121] The Working Party Chairperson was said not to have enjoyed the same freedom as the Latvian Working Party Chair in the Telecom Single Market proposal negotiations.[122]

Also the ratio between the officials dealing with the Telecom Single Market proposal in Brussels Permanent Representation and capital favoured the latter- the team in Rome consisted of 4 persons, whereas in Brussels the Chairperson of the Working Party was accompanied by one "junior" official. The monitoring process between the capital and Permanent Representation was described as "extensive", conducted mostly through exchange of mails and phone calls.[123] This extensiveness was described "exaggeratingly" by an official from the Latvian Presidency as the obligation for the Italian Presidency and the Chair of the Working Party to "report every single comma to the capital"[124]

The Italian Presidency considered the cooperation with General Secretariat of the Council to be very good, defining it as the real metronome of the day-by-day work. Also extensive experience and knowledge of the processes was named as the advantage of the General Secretariat of the Council. Italian Presidency assessed the cooperation with the European Commission to be very good "under the technical point of view", but it was also brought

---

[120] "The Italian Department of EU Policies" (2016) *Presidenza Del Consiglio Dei Ministri website*, available at: http://www.politicheeuropee.it/struttura/19997/the-italian-department-for-eu-policies, (visited 05.05.2017).
[121] IT interview.
[122] LV interview.
[123] IT interview.
[124] LV interview.

out that the European Commission was "sometimes a bit pressing in terms of timing and delivering".[125]

Latvian model of coordination

In general, in the Latvian model of coordination the central operational role was given to Permanent Representation. The argumentation for the choice of Brussels-based and more specifically COREPER-centric Presidency was that the latter provides horizontal overview about all the policy issues. This meant that also the agendas for the Council of Ministers meetings were prepared and set on that level.[126] The Latvian Presidency was Brussels-based and the decisions were made mostly by the small team in Brussels.[127] And on the telecom issues the team enjoyed "very big freedom" from the capital in making operational decisions. An official from the Latvian Permanent Representation working directly on the Telecom Single Market proposal negotiations claimed that he "cannot recall a single occasion where capital would have disagreed with the decisions made by the Brussels telecom team".[128] Yet the overall coordination model acknowledged the necessity to keep the political responsibility in the capital.[129] In the Telecom Single Market negotiations this was best reflected in the informal meeting of ministers in the beginning of the Presidency. This enabled the Latvian Presidency to employ political resources- their minister- to exert leverage on the other ministers. The informal meeting was said to have "kicked other Member States' apparatuses to be more flexible" in the Telecom Single Market negotiations throughout the Presidency.[130]

In general the Latvian Presidency aimed at ensuring pragmatic division of labour and empowering the Permanent Representation without shifting the political responsibility wholly from capital to Permanent Representation. Reinforcing the Permanent Representation meant also in terms of manpower, but at the same time avoiding a "brain-drain" from the capital.[131] The similar arrangements were also made in the coordination

---

[125] IT interview.
[126] Krumholcs, Kaspars (2015) The Rotating Presidency from Brussels' Perspective" *presentation from the Training Seminar: Successful Preparation for the Presidency of the Council of the European Union*, available at: http://www.ipa.government.bg/sites/default/files/kaspars_krumholcs_-_the_rotating_presidency_from_brussels_perspective_0.pdf, p 15.
[127] GSC 2 interview.
[128] LV interview.
[129] Krumholcs 2015: 20.
[130] LV interview.
[131] Krumholcs 2015: 19.

model applied on Telecom Single Market negotiations. Due to Presidency the conventional organisational build-up of the Permanent Representation was restructured by creating a new unit. The head of unit was accompanied from the telecom side by three other officials.[132]

The line of communication between the Permanent Representation and the respective ministry was direct, meaning that the central coordinative body did not meddle excessively. This referred to both the national position formation and priority setting for the Presidency. The reporting was done by the Permanent Representation on regular basis, just to keep the capital "aware" of the decisions and progress made. The reporting was more a formality and was considered to some extent burdensome, but nevertheless necessary.[133]

The cooperation with the General Secretariat of the Council was considered poor both by the Latvian Presidency representatives and Council Secretariat officials.[134] While the Latvian Presidency side stressed mostly the problem with official working hours of the Council Secretariat, the latter pointed out the relevance of personalities to match for having a meaningful cooperation.[135]

Thus the research has clearly demonstrated that the models of coordination that these two Presidencies adopted were detrimentally different. In the following section an analysis is provided on how these respective models may have had affected the performances of these two Presidencies. Essentially, can the under-performance of Italian Presidency and the efficiency of Latvian Presidency be attributed to the chosen models of coordination?

2.5 The link between level of delegation and efficiency of the Presidency

In this section the findings about the main hypothesis of this paper will be presented. According to the main hypothesis the more Brussels-based the coordination model of the Presidency is, the more efficient the Presidency is in mediating the negotiations. This hypothesis is accompanied by three underlying premises that eventually should be translated to the success of negotiations:

---

[132] LV interview.
[133] LV interview.
[134] LV interview; GSC 1 interview
[135] LV interview, GSC 1 interview, GSC 2 interview.

- The Brussels-based Presidencies are able to make more informed decisions as the officials have direct contacts to other decision-makers and more experiences about decision-making in Brussels;
- This model of coordination increases the possibilities that the officials have better cooperation with other EU institutions, most notably with the Council Secretariat and European Commission;
- The Brussels-based Presidencies have a less cumbersome monitoring system in place for the policymakers, ensuring more resources for advancing negotiations.

In this section the findings about the relevance of these premises in determining the efficiency of the Presidency are presented.

There was a wide consensus among the interviewees that the one of the key elements in Latvian Presidency's good performance with the Telecom Single Market proposal negotiations was the fact that they opted for a Brussels-based Presidency. The main benefit of this kind of model of coordination was considered to be the speed.[136] In the words of one Council Secretariat official, who was engaged with the Latvian telecom team confirmed that during Latvian Presidency the decisions were made mostly by the small team in Brussels, but at the same time the Presidency was "mindful of the Latvian situation in its approach to the issues".[137]

The main reasons why the Brussels-based models were considered more efficient were the following. It was indicated that the Brussels-based Presidencies understand the process better and on operational level, they are able to make quick decisions on spot.[138] The findings also demonstrated that Brussels representatives are more familiar with the people involved and have more understanding of individual concerns and flexibilities.[139] In addition, it was mentioned that Brussels-based Presidencies are better able to build trusting relations with all the actors of the negotiations.[140] One of the Council Secretariat's official claimed that Brussels-based Presidency helps to avoid situation which can occur if the capital is more involved, for example also in the drafting sessions, where the

---

[136] LV interview, GSC 1 interview, GSC 2 interview.
[137] GSC 2 interview.
[138] GSC 1 interview, GSC 2 interview.
[139] GSC 2 interview.
[140] GSC 1 interview.

participating experts from the capital lack the political feel and might be pushing for something that is in technical terms correct, but will never go through because of political pressures.[141] Also, Brussels-based Presidencies are more likely to act as "honest brokers" in mediating the negotiations. The Latvian Presidency even claimed to go as far as not having the outcome that they wanted by stating: "obviously what we got in the end was not what we wanted". That contradiction to its own national preferences was also reflected in the fact that the achieved compromise was not in accordance with the Latvian national position agreed upon already in the start of the Telecom Single Market proposal negotiation prior to the start of Latvian Presidency.[142] Brussels-based Presidency provided the Latvian Presidency better chances to constantly check with other Member States whether their considered compromise is suitable without having to wait for the Working Party to take place- "the real deals are not made in Working Parties, but in bilateral meetings".[143] And last but not least, the reporting duty is not so cumbersome, leaving more resources for other activities.[144]

The overall assessment was the premise that Brussels-based Presidencies are "more effective in bringing the negotiations forward".[145] But the responses also indicate clearly that the model of coordination's effect is dependent on the legislative file the negotiations are held on and should not be seen as the only relevant factor.[146] The officials from the Council Secretariat stressed on various occasions the relevance of personalities of the Presidency's officials as a factor that has strong influence on how efficient the negotiations will be.

2.6 Discussion on the findings

The findings demonstrate quite clearly that Latvian Presidency was more efficient in its role as the mediator of the negotiations on the Telecom Single Market proposal. The comparison of achievement clearly favours Latvian Presidency over Italian Presidency. And the findings also indicate the main reasons behind this.

---

[141] GSC 1 interview.
[142] LV interview.
[143] LV interview.
[144] LV interview.
[145] GSC 2 interview.
[146] LV interview, GSC 1 interview.

The comparison between Italian and Latvian Presidencies shows quite significant differences in terms of model of coordination as well. Whereas the Italian Presidency clearly opted for the capital-based model, the Latvian adopted a Brussels-based model. The choice of Italians is nevertheless interesting as many of the Presidencies, especially in such a technical field as the telecom issues, tend to adopt the Brussels-based coordination model. The findings clearly indicate that in the case of Telecom Single Market negotiations most of the premises presented in the theoretical part of this thesis are correct. The written document analysis and interviews show clearly that in the Brussels-based model, the representatives can utilise several advantages compared to the capital-based model. The findings confirm that enjoying more leeway in decision-making provides the Permanent Representation opportunity to make decision much faster. Also the expertise factor was clearly demonstrated in the findings- the Brussels representatives have a much better understanding of the political reality among Member States and other EU institutions, helping to avoid being stuck on technical details that may hamper the overall progress. However the results show that being informed about the technical aspects was also considered relevant- whether achieving it through extensive cooperation with the European Commission or effective communication with the capital experts.

In terms of efficiency, as defined in this paper, the Brussels-based Presidencies tend to be also more suitable, as the team in Brussels is able to distance themselves from the national positions and preferences more easily. The Telecom Single Market proposal negotiations showed remarkably well how Latvia was willing to go beyond its national position to reach a compromise. This corresponds well with the rational choice institutionalist theoretical framework of this thesis, claiming that due to institutional constraints the Member State holding the Presidency has more to gain in terms of reputation from being an "honest broker" and "ticking" as many legislative proposals off the table as possible. The Telecom Single Market negotiations thus indicate quite clearly that Latvia's incentive was being perceived as "honest broker" by other actors and achieve as much progress as possible, not advancing or protecting the national interests of its country *per se*. This of course does not mean that this implication could be generalised and utilised to explain all EU policy fields as there are major differences on how the Member States see for example foreign policy and single market development.

The findings demonstrate that the most efficient measure to tackle possible information asymmetry that may occur between the principal and agent is the Permanent Representation's reporting duty. The direct monitoring of agent's actions for example through extensive involvement of capital experts in the drafting sessions can lead to other problems like argued above. The reporting task should thus be extensive enough to keep the capital aware of the progress and possible major problems, but not so extensive that it would be administratively too burdensome for the Permanent Representation. But keeping the capital informed can all in all be regarded as a salient factor in determining the success of negotiations. The main argument for this statement is that oftentimes the Member States, especially the larger ones, tend to prefer direct communication with the capital in case of problematic issues to put political leverage on the Presidency. So it is important that the capital will not promise some other Member State something that could hinder the performance of the Presidency in Brussels negotiations. Therefore both the agent and principal are interested in well-functioning and optimal reporting mechanism. Not only can the agent prevent the principal's misjudged decisions, but also more effectively utilise the political level for its own cause. The example here is the informal Ministerial meeting that set the tone for the whole term. However in the case of Telecom Single Market negotiations the Brussels-based Latvian Presidency claimed not to have used this measure of utilising the ministerial level to advance discussions.

One of the key premises was also that the Brussels-based Presidencies are more effective in advancing the negotiation due to better cooperation with General Secretariat of the Council. However this study, focusing on one particular negotiation, does not support this assumption. Whereas during the Italian Presidency the cooperation with Council Secretariat was considered good, the Latvian Presidency referred to several problems and the cooperation was considered modest by both the Latvian Presidency and Council Secretariat. Therefore, the analysis of these two cases show that although Brussels-based Presidency model may increase the probability of good cooperation between the Presidency's team and Council Secretariat, this was not so in Latvian case and thus this link cannot be considered relevant.

As for the background variables presented in the theoretical part of the study, the findings offer limited information. However, it is relevant to discuss, whether it is possible that the variation in efficiency of the Italian and Latvian Presidencies in advancing the

Telecom Single Market negotiations may be better explained by some other variables. The most obvious possible independent factor that might have influence on the performance of the Presidency is of course the most studied variable- the size. In this case this would mean that the smaller Member State was more efficient in leading the negotiations than the larger one. This corresponds quite well with the premise presented also in this paper that smaller states are more likely to act as "honest brokers" as they tend to have less fixed preferences on concrete issue due to the fact that they are not affected by it. However the outcomes of the Telecom Single Market dossier are extensive for both Member States studied here and as such both of these Member States had strong preferences on the final outcome. As seen from the findings, Latvian Presidency was able to move past its own preferences to reach a compromise with other Member States. But I would argue that this flexibility could more be attributed to the adopted model of coordination than the size factor. The former provides more explanatory power with greater level of detail. But as for the issue-specific variables that could determine the efficiency of the Presidency, the results of this study indicate that there were no major differences during Italian and Latvian Presidency. It could argued that this possibility was minimised with the case selection as choosing Presidencies so close to each other and focusing on one particular dossier will ensure the similarity of issue-specific variables like the model of voting or distribution of preferences of different actors in the Council. Also in the quality of the preparations for the Presidency any major variation could not be detected. As the examination of preconditions showed, both Presidencies had formulated clear and ambitious priorities for their Presidencies in the field of telecom. This thesis did not focus however on the quality of training of the officials engaged in negotiations from the Presidencies. This could be a significant factor. However it must be noted that the Italian Presidency's telecom team, which turned out to be more inefficient in leading the negotiations, was very experienced. This of course does not mean that this factor should not be further studied. But all in all, the comparison of Italian and Latvian Presidencies in the Telecom Single Market proposal negotiations shows that all other possible factors seem not to have such an extensive variation or relevance as the model of coordination variable.

Conclusions

The chosen model of coordination affects the performance of the presiding country in its role as the mediator of the negotiations. The empirical comparative study of Italian and Latvian Presidencies' performance in mediating the negotiations on Telecom Single Market proposal in general confirms the main hypothesis of this thesis. Namely, that the link between the chosen model of coordination and efficiency of the Presidency is salient. The aim of this study was to examine in greater detail how much of the Presidency's efficiency can be ascribed to the level of delegation variable.

The theoretical framework presented in the first chapter of this study introduced the rational choice institutionalism as the underlying foundation for analysing the performance of the Presidency. This theoretical approach provided the necessary analytical tools for conceptualising efficiency of the Presidency as advancement of negotiations on a priority. This is in contrast with the conventional approach, which sees the success of the Presidency in promoting the national interests. Thus rational choice institutionalism provides the possibility to take also institutions, *inter alia* the norm of neutrality, into account when analysing the incentives of the Presidency. The bottom line is that institutions matter and shape the conduct of the Presidency. Hence the Presidency can be conceptualised as efficient in case it is able to make progress in negotiations in the Council of the European Union on a priority initiative. Rational choice institutionalism also provided the analytical tools to take informal aspects of decision-making into account when assessing the adopted model of coordination of the studied Presidencies. The use of principal-agent approach helped to examine the model of coordination in both the Italian and Latvian Presidencies and also to form the main hypothesis of this paper. The hypothesis that the more Brussels-based the Presidencies are, the more efficient they are was accompanied by several additional premises that should have helped to explain the link between the level of delegation and efficiency of the Presidency.

The second part of this thesis utilised the presented theoretical framework to conduct a comparative study on the performance of the Italian and Latvian Presidencies in the Telecom Single Market proposal negotiations. The analysis was based on the data acquired both through examination of written documents, but also interviews were conducted to get additional insights about the informal functioning of the model of

coordination. The operationalisation of model of coordination variable put most emphasis on how much leeway from the capital does the Permanent Representation have in meditating the negotiations. The findings of the comparison between Italian and Latvian performance demonstrates quite clearly that Latvian Presidency was much more efficient in advancing the negotiations on the Telecom Single Market proposal, which was a priority for both Presidencies. Although Italy aimed to make swift progress, they were only able to have policy debate on Council level, instead of reaching an agreement. Latvian Presidency on the other hand was able to conclude the negotiations both within the Council and with the European Parliament.

 The findings from the comparative study indicate that there were also significant differences in the adopted models of coordination. Whereas Italy chose the capital-based model, Latvian Presidency opted for a Brussels-based approach. In Italian case the capital was actively engaged in all phases of the negotiation mediation, making the process slower and more cumbersome for the Permanent Representation as everything had to be reported and coordinated before a decision could be made. The Latvian Presidency in contrast enjoyed extensive freedom, making it possible to draft new compromises and consult with other actors in much faster pace. Nevertheless, one of the key theoretical premises of why Brussels-based Presidencies should be more successful, was not confirmed. Namely, the good cooperation with the Council Secretariat that should be derived from the fact that the officials can build much better mutual trust was not backed by the findings. Whereas Italian Presidency had good cooperation with Council Secretariat, the Latvian Presidency's cooperation was not as good. All in all the empirical study conducted in this thesis clearly demonstrates that the key assumption related to the more efficient nature of Brussels-based Presidencies is confirmed in Telecom Single Market proposal negotiations.

References

Anckar, Carsten (2008) "On the Applicability of the Most Similar Systems Design and the Most Different Systems Design in Comparative Research" *International Journal of Social Research Methodology*, pp 389–401.

Andžans, Maris (2015) „Practical Aspects of the EU Presidencies: the Latvian Presidency and its Digital Priority" *Latvian Institute of International Affairs*.

Auers, Daunis; Rostoks, Toms (2016) „The 2015 Latvian Presidency of the Council of the European Union" *Journal of Common Market Studies*, vol 54, pp 83-90.

Bengtsson, Rikard; Elgström, Ole; Tallberg, Jonas (2004) „Silencer or Amplifier? The European Union Presidency and the Nordic Countries" *Scandinavian Political Studies*, vol 27 (3), pp 311-334.

Bindi, Federica (2011) *Italy and the European Union*, R.R Donelley: Virgina.

Bjurulf, Bo; Elgström, Ole (2004) "Negotiating Transparency: The Role of Institutions" *Journal of Common Market Studies*, vol 42(2), pp 249-269.

Bunse, Simone (2009) *Small States and EU Governance- Leadership through the Council Presidency*, Palgrave Macmillan: Basingstoke.

Carbone, Maurizio (2015) „Beyond the Telemachus complex: courses, discourses and the 2014 Italian Presidency of the Council of the European Union" *Journal of Common Market Studies*, vol 53, pp 83-92.

Chatzistavrou, Filippa (2014) "Defying the Oracle? The 2014 Greek Presidency of the EU Council" *EPIN Working* Paper, available at: http://aei.pitt.edu/50127/1/EPIN_wp36_Greek_Presidency.pdf.

Chelotti, Nicola (2013) "Analysing the Links between National Capitals and Brussels in EU Foreign Policy" *West European Politics,* vol 36 (5), pp 1052-1072.

Cini, Michelle; Šuplata, Marian (2017) "Policy leadership in the European Commission: the regulation of EU mobile roaming charges" *Journal of European Integration*, vol 39(2), pp 143-156.

Cugia di Sant'Orsola, Fabrizio (2014) "Italian EU presidency: forget the plans for net neutrality" *Lexology*, available at: https://www.lexology.com/library/detail.aspx?g=574997b8-eb85-42ff-be28-ffcbf31f8e7e, (visited 05.05.2017).

Cunha, Alice; Magone, Jose (2015) "The changing role of the rotating presidency of the Council of the European Union: Setting the context for the study of the Iberian cases" *International Journal of Iberian* Studies, vol 28(2), pp 133-155.

Dimitrova, Antoaneta; Toshkov, Dimiter (2007) „The Dynamics of Domestic Coordination of EU Policy in the New Member States: Impossible to Lock in?" *West European Politics*, vol 30(5), pp 961-986.

Galuškova, Johana; Kaniok, Petr (2015) „I Do It My Way: Analysis of the Permanent Representation of the Czech Republic to the European Union" *Politics in Central Europe*, vol 11(2).

Hirst, Nicholas (2014) „Italy pushes for breakthrough on telecoms reform" *Politico Europe*, http://www.politico.eu/article/italy-pushes-for-breakthrough-on-telecoms-reform/.

Kaniok, Petr; Šteigrova, Leona (2014) "Presidency and State Administration in the Czech Republic: Planting a Seed or a Shattered Chance?" *Journal of Contemporary European Research*, vol 10(3), pp 337-354.

Kassim, Hussein; Menon, Anand (2003) „The principal-agent approach and the study of the European Union: promise unfulfilled?" *Journal of European Public Policy*, vol 10(1), pp 121-139.

Kassim, Hussein; Peters, Guy (2003) "The National Co-ordination of EU Policy-The European Level" *Oxford Scholarship Online*, available at: http://www.oxfordscholarship.com/view/10.1093/0199248052.001.0001/acprof-9780199248056.

Kassim, Hussein; Peters, Guy; Wright, Vincent (2000) "The National Co-ordination of EU Policy-The Domestic Level" *Oxford Scholarship Online*, available at: http://www.oxfordscholarship.com/view/10.1093/0198296649.001.0001/acprof-9780198296645.

Keating, Dave (2015) "Ansip slams Council position on phone roaming charges" *Politico* Europe, available at: http://www.politico.eu/article/ansip-slams-council-position-on-phone-roaming-charges/ (visited 26.04.2017).

King, Gary; Keohane, Robert O.; Verba, Sidney (1994) *Designing Social Inquiry: Scientific Interference in Qualitative Research*, Princeton University Press: Princeton.

Krumholcs, Kaspars (2015) The Rotating Presidency from Brussels' Perspective" *presentation from the Training Seminar: Successful Preparation for the Presidency of the Council of the European Union*, available at: http://www.ipa.government.bg/sites/default/files/kaspars_krumholcs_-_the_rotating_presidency_from_brussels_perspective_0.pdf.

Larue, Thomas (2006) *Agents in Brussels. Delegation and Democracy in the European Union*, Ph. D. dissertation, Department of Political Science, Umeå University.

Lezi, Gerta; Blockmans, Steven (2015) „Latvia's EU Presidency: Less is more" *CEPS commentary*, https://www.ceps.eu/system/files/Latvian_Presidency.pdf.

Lijphart, Arend (1971) "Comparative Politics and the Comparative Method" *The American Political Science Review*, vol 65(3), pp 682-693.

Lupia, Arthur (2003) "Delegation and its Perils." *In Strøm, Kaare; Müller, Wolfgang; Bergman, Torbjörn Delegation and Accountability in West European Parliamentary Democracies*, Oxford: Oxford University Press, pp 33-54.

Nicolaidis, Kalypso; Bunse, Simone (2007) "The European Union presidency: a practical compromise" *Open Democracy*, available at:

https://www.opendemocracy.net/article/the_european_union_presidency_a_practical_compromise.

Panke, Diana (2010) "Good Instructions in No Time? Domestic Coordination of EU Policies in 19 Small States" *West European Politics*, vol 33 (4), pp 770-790.

Piedrafita, Sonia; Conroy, Caroline (2014) "Rounding out a satisfactory Trio Presidency: Greece sets the stage for its Italian successor" *CEPS* commentary, available at: http://aei.pitt.edu/52440/1/Piedrafita_and_Conroy__Greek_Presidency_.pdf.

Pollack, Mark (1997) "Delegation, agency, and agenda setting in the European Community" *International Organization*, vol 51(1), pp 99-134.

Pollack, Mark „Theorizing EU Policy-Making" in: Wallace, Helen; Pollack, Mark; Young, Alasdair (2010) *Policy-Making in the European Union*, New York: Oxford University Press.

Särekanno, Uku (2016) "3 müüti Eesti eesistumisest" *Poliitika.guru portal*, available at: http://www.poliitika.guru/3-muuti-eesti-eesistumisest/ (visited 03.05.2017).

Sellitti, Alfredo (2014) „Italian Presidency of the Council of the European Union: boost to … commonplace" *AEGEE magazine,* available at: http://www.zeus.aegee.org/magazine/2014/07/20/italian-presidency-of-the-council-of-the-european-union-boost-to-commonplace/ (visited 25.04.2017).

Smeets, Sandrino; Vennix, Jac (2014) „How to make the most of your time in the Chair: EU presidencies and the management of Council debates" *Journal of European Public Policy*, vol 21(10). pp 1435-1451.

Surubaru, Neculai-Cristian (2010) „Between Hammers and Anvils: The Socialization of European Permanent Representatives" *Romanian Journal of European Affairs*, vol 10(1), pp 77-98.

Tallberg, Jonas (2004) „The Power of the Presidency: Brokerage, Efficiency and Distribution in EU Negotiations" *Journal of Common Market Studies*, vol 42(5), pp 999-1022.

Tallberg, Jonas (2010) „The Power of the Chair: Formal Leadership in International Cooperation" *International Studies Quarterly*, vol 54, pp 241-265.

Thomson, Robert; Arregui, Javier; Leuffen, Dirk; Costello, Rory; Cross, James; Hertz, Robin; Jensen, Thomas (2012) „A new dataset on decision-making in the European Union before and after the 2004 and 2007 enlargements (DEUII)" *Journal of European Public Policy*, vol 19 (4), pp 604-622.

Trauffler, Claudia (2015) "Latvia's Presidency: Competitive Europe, Digital Europe, Engaged Europe" *BBA News*, available at: https://www.bba.org.uk/news/bba-voice/latvias-eu-presidency-competitive-europe-digital-europe-engaged-europe/#.WQnBgVXyjmE (visited 05.05.2017).

Vandecasteele, Bruno; Bossuyt, Fabienne (2014) "Assessing EU council presidencies: (conditions for) success and influence" *Comparative European Politics*, vol 12(2), pp 233-247.

Vandecasteele, Bruno; Bossuyt, Fabienne; Orbie, Jan (2013) „Unpacking the influence of the Council Presidency on European Union external policies: The Polish Council Presidency and the Eastern Partnership" in: Servent Ripoll; Busby, Ariadna; Busby, Amy "Agency and influence inside the EU institutions" *European Integration online Papers (EIoP),* Special Issue 1, Vol. 17 (5), pp 1-28.

Vandecasteele, Bruno; Bossuyt, Fabienne; Orbie, Jan (2015) "A Fuzzy-Set Qualitative Comparative Analysis of the Hungarian, Polish and Lithuanian Presidencies and European Union Eastern Partnership Policies" *European Politics and Society,* pp 1-25.

Vandecasteele, Bruno; Bossuyt, Fabienne; Orbie, Jan (2015) "A Fuzzy-Set Qualitative Comparative Analysis of the Hungarian, Polish and Lithuanian Presidencies and European Union Eastern Partnership Policies" *European Politics and Society*, vol 16(4), pp 556-580.

Vasiliki, Ntarzanou; Portela, Miguel (2015) „European Commission agenda for the termination of roaming charges within the EU" *Paper for 26th European Regional Conference on the International Telecommunications Society (ITS)*.

Versluis, Esther; Mendeltje, Van Keulen; Stephenson, Paul (2011) *Analyzing the European Union Policy Process*, Palgrave Macmillan: Basingstoke.

Vilpišauskas, Ramunas; Vandecasteele, Bruno; Vaznonyte, Auste (2013) „The Lithuanian Presidency of the Council of the European Union Advancing Energy Policy and Eastern Partnership Goals: Conditions for Exerting Influence" *Lithuanian Foreign Policy Reviews*, pp 11-37.

"Commission proposes major step forward for telecoms single market" (2013) *European Commission's press release*, available at: http://europa.eu/rapid/press-release_IP-13-828_en.htm (visited 25.04.2017).

"European Parliament: Facts and Figures" (2017) *Briefing by the European Parliamentary Research Service*, available at: http://www.europarl.europa.eu/RegData/etudes/BRIE/2017/599256/EPRS_BRI(2017)599256_EN.pdf.

"Handbook of the Presidency of the Council of the European Union" (2015) *Council of the European Union*

"Italian Presidency of the Council of the European Union" (2014) *SAMMAN Update*, available at: http://www.cabinet-samman.com/files/item/EU%20Council%20Italian%20Presidency%20-%20Objectives%20and%20Challenges%20July-December%202014.pdf.

"Italian presidency to support Parliament-backed telecoms reform" (2014) *Euractiv*, available at: http://www.euractiv.com/section/digital/news/italian-presidency-to-support-parliament-backed-telecoms-reform/ (visited 05.05.2017).

"Italian presidency to support Parliament-backed telecoms reform" (2014) *Euractiv*, available at: http://www.euractiv.com/section/digital/news/italian-presidency-to-support-parliament-backed-telecoms-reform/ (visited 05.05.2017).

"Net Neutrality" (2016) *Citizens' Enquiries, EP Answers*, available at https://epthinktank.eu/2016/01/07/net-neutrality/ (visited 25.04.2017).

"Priorities of the Latvian Presidency" (2015) *European Parliament*, available at: http://www.europarl.europa.eu/meetdocs/2014_2019/documents/dlat/dv/04_summary_priorities_presidency/04_summary_priorities_presidencyen.pdf.

"Proposal for a Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, and amending Directives 2002/20/EC, 2002/21/EC and 2002/22/EC and Regulations (EC) No 1211/2009 and (EU) No 531/2012 State of play" (2014) C*ouncil of the European* Union, available at: http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2015923%202014%20INIT (visited 25.04.2017).

"Proposal for a Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, and amending Directives 2002/20/EC, 2002/21/EC and 2002/22/EC and Regulations (EC) No 1211/2009 and (EU) No 531/2012 - Progress report" (2014) *Council of the European Union*, available at: http://data.consilium.europa.eu/doc/document/ST-10109-2014-INIT/en/pdf.

"Proposal for a Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, and amending Directives 2002/20/EC, 2002/21/EC and 2002/22/EC and Regulations (EC) No 1211/2009 and (EU) No 531/2012 State of play" (2014) C*ouncil of the European* Union, available at: http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2015923%202014%20INIT (visited 25.04.2017).

"Proposal for a Regulation of the European Parliament and of the Council laying down measures concerning the European single market for electronic communications and to achieve a Connected Continent, and amending Directives 2002/20/EC, 2002/21/EC and 2002/22/EC and Regulations (EC) No 1211/2009 and (EU) No 531/2012 - Latvian Presidency roadmap" (2015) *Council of the European* Union, available at: http://data.consilium.europa.eu/doc/document/ST-5071-2015-INIT/en/pdf.

"Roaming and open internet: Council ready for talks with EP" (2015) *Council of the European Union press release*, available at: http://www.consilium.europa.eu/en/press/press-releases/2015/03/150304-roaming-and-open-internet-council-ready-for-talks-with-ep/ (visited 05.05.2017).

"The Italian Department of EU Policies" (2016) *Presidenza Del Consiglio Dei Ministri website*, available at: http://www.politicheeuropee.it/struttura/19997/the-italian-department-for-eu-policies, (visited 05.05.2017).

"Work programme of the incoming Presidency- Information from the Latvian delegation" (2014) *Council of the European Union*, available at: http://data.consilium.europa.eu/doc/document/ST-15651-2014-INIT/en/pdf.

2013/0309(COD)- 05/06/2014 Debate in Council (2014) *European Parliament/Legislative Observatory*, available at:/http://www.europarl.europa.eu/oeil/popups/summary.do?id=1350214&t=e&l=en.

2013/0309(COD)- 05/12/2013 Debate in Council (2013) *European Parliament/Legislative* Observatory, available at: http://www.europarl.europa.eu/oeil/popups/summary.do?id=1327612&t=e&l=en.

2013/0309(COD)- 05/12/2013 Debate in Council (2013) *European Parliament/Legislative* Observatory, available at: http://www.europarl.europa.eu/oeil/popups/summary.do?id=1327612&t=e&l=en.

DELEGEERIMISE ULATUS JA EFEKTIIVSUS: TELEKOMI ÜHTSE TURU EELNÕU LÄBIRÄÄKIMISTE VÕRDLUS ITAALIA JA LÄTI EUROOPA LIIDU NÕUKOGU EESISTUMISTE NÄITEL

Klaus-Erik Pilar

Resümee

Antud magistritöö eesmärgiks on uurida täpsemalt põhjuseid, miks osad liikmesriigid on Euroopa Liidu Nõukogu eesistuja funktsioonis edukamad kui teised. Töö peamine fookus on seni väheuuritud muutuja- delegeerimise ulatuse- ja eesistumise efektiivsuse vahelise suhte analüüsimine. Nimelt on töö peamiseks hüpoteesiks, et Brüsseli-põhise koordinatsioonimudeliga eesistujad on edukamad kui need eesistuvad liikmesriigid, kus peamine koordineeriv roll jääb pealinna kanda. Ratsionaalse valiku institutsionalismi teoreetiline raamistik pakub mitmekülgse lähenemise selle teema analüüsimiseks. Üheltpoolt võimaldab see eesistuja efektiivsust defineerida kui tema võimet edendada läbirääkimisi eesistuja jaoks prioriteetse algatuse osas. Kui konventsionaalselt peetakse eesistuja efektiivsuseks või eduks võimekust enda rahvuslike huvisid edendada, siis ratsionaalse valiku institutsionalism võtab arvesse ka institutsioonide, muuhulgas normide nagu neutraalsuse normi, olulisust. Lisaks võimaldab see teoreetiline lähenemine analüüsida täpsemalt eri riikide Euroopa Liidu poliitikate koordinatsioonimudeleid. Printsipaali-agendi mudeli rakendamine võimaldab püstitada töö peamise hüpoteesi- mida rohkem otsustusõigust on delegeeritud Brüsselis olevatele esindajatele, seda efektiivsem on eesistuja omale prioriteetse algatuse läbirääkimiste edendamises.

Magistritöö empiirilises osas võrreldakse Itaalia ja Läti eesistumise kogemust Telekomi Ühtse Turu ettepaneku läbirääkimiste edendamisel. Kirjalike materjalide analüüsile ja intervjuudest saadud lisainformatsioonile tuginev võrdlus näitab, et Läti oli antud eelnõu läbirääkimiste edasiviimisel oluliselt efektiivsem kui Itaalia eesistujana. Ometi olid nii-öelda eeltingimused ehk eesistumise kontekst ja eelnõu prioriteetsus eesistuja jaoks mõlema eesistuja puhul sarnased. Itaalia ja Läti eesistumise koordinatsioonimudelite analüüs näitab, et kui Läti otsustas Brüsseli-põhise mudeli kasuks, siis Itaalia koordinatsioonimudel nägi ette pealinna tugevat sekkumist läbirääkimiste juhtimisse. Empiiriline analüüs tõestab, et Läti eesistumise valitud mudel võimaldas teha otsuseid kohapeal ja seetõttu kiiremini. Samuti võimaldas rakendatud koordinatsioonimeetod

läbirääkimistel lähtuda poliitilisest reaalsusest ning vähem rõhku panna tehnilistele küsimustele, mis sageli võib juhtuda pealinna-keskete mudelite puhul. Lisaks sellele andis Brüsseli-põhine lähenemine parema aluse koostööks teiste osapooltega. Samas tuleb tõdeda, et vähemalt üks eeldusi, miks Brüsseli-põhine mudel peaks olema efektiivsem ei pidanud paika. Nimelt ei olnud Läti eesistumise efektiivsuse põhjuseks hea koostöö Euroopa Liidu Nõukogu Sekretariaadiga nagu teoreetilise osa põhjal oleks võinud aimata. Seda koostööd hindasid heaks hoopis itaallased, kuid kelle efektiivsus antud eelnõu läbirääkimiste edendamisel oli oluliselt madalam. Seega kokkuvõttes võib väita, et antud töös esitatud hüpotees, et Brüsseli-põhine koordinatsioonimudel võimaldab efektiivsemalt läbirääkimisi eesistuja jaoks prioriteetses eelnõus edasi viia vastab antud näidete puhul tõele.

Mina

Klaus-Erik Pilar

(*autori nimi*)

(isikukood: **39010220225**)

annan Tartu Ülikoolile tasuta loa (lihtlitsentsi) enda loodud teose

Delegation and Efficiency: Comparison of Telecom Single Market Negotiations under the Italian and Latvian Presidency of the Council of the EU,

(*lõputöö pealkiri*)

mille juhendaja on

Piret Ehin,

(*juhendaja nimi*)

1. reprodutseerimiseks säilitamise ja üldsusele kättesaadavaks tegemise eesmärgil, sealhulgas digitaalarhiivi DSpace-is lisamise eesmärgil kuni autoriõiguse kehtivuse tähtaja lõppemiseni;

2. üldsusele kättesaadavaks tegemiseks ülikooli veebikeskkonna kaudu, sealhulgas digitaalarhiivi DSpace´i kaudu kuni autoriõiguse kehtivuse tähtaja lõppemiseni;

3. olen teadlik, et punktis 1 nimetatud õigused jäävad alles ka autorile;

4. kinnitan, et lihtlitsentsi andmisega ei rikuta teiste isikute intellektuaalomandi ega isikuandmete kaitse seadusest tulenevaid õigusi.

Tartus, **22.05.2017** (*kuupäev*)

_____

(*allkiri*)