

POLICY PAPER

**THE EUROPEAN POLICY OF PRESIDENT SARKOZY:
INNOVATIONS AND CONTINUITY?**

(Prošlo oponentním řízením)

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Summary

The French President Nicolas Sarkozy indicated at various occasions that “France is back in Europe”. Change is expected in terms of policy reforms, people / institutions and implementation. However, a clear-cut “rupture” is generally difficult in foreign policy, and when looking closer at the various propositions of reforms, some elements of continuity with Sarkozy’s predecessor Jacques Chirac might be identified, though with a different policy style. During France’s presidency of the European Union (EU), the French population will judge the government’s capacity to influence EU reforms and to find compromises with European partners, among others with the Czech Republic, which will hold the next presidency in 2009.

Introduction

“La France est de retour en Europe” (France is back in Europe) is what Nicolas Sarkozy announced when he was elected President of the French Republic on the 6th of May, 2007. The French “non” to the European Constitutional Treaty is the background on which Sarkozy has elaborated his European policy: after the referendum of 2005, Jacques Chirac was unable to take further steps on European issues until the end of his twelve years in power. Therefore, Sarkozy’s political programme was elaborated around the topic of “rupture”: “rupture” with the policy of his predecessor Chirac, although they are from the same political party,¹ “rupture” with a France led by a certain group of political elites.

It is not a secret that Sarkozy, although strongly supported by Chirac at the beginning of his career, became his rival in taking distance from the traditional Gaullist approach of the party. Sarkozy highlighted his foreign origins (his father is from Hungary) and his atypical political career (he did not study at the French School of Administration ENA) to let a wind of change blow among the French political elite with the help of an ambitious reform programme. Given the place of Europe in Sarkozy’s policy, a “rupture” in regard to key policy issues was also announced for

¹ In 2002, during the electoral campaign of Chirac to the presidency, the Rassemblement pour la République (RPR) changed its name to Union pour un Mouvement Populaire (UMP).

the French EU presidency in 2008. The President, who has lost support in the French public opinion during the last few months, knows from the referendum of 2005 that national politics can be sanctioned through European issues. Since 2007, President Sarkozy has been travelling to almost all EU member states and receiving heads of state to discuss the reforms and gain political support. The last EU country he visited before the start of the French presidency in July 2008 was the Czech Republic, which will hold the EU presidency at the beginning of 2009. Cooperation was enhanced in a bilateral way through the signature of a strategic partnership and multilaterally with the programme on the trio presidency to be held with Sweden. However, the Irish “no” to the Lisbon Treaty on the 13th of June, the war between Georgia and Russia in August and the financial crisis in autumn have kept the French EU presidency particularly busy so far.

1. A large agenda of policy reforms

In his speech to the Ambassadors of August 2008, the president presented five topics of rupture in the French foreign policy: EU-NATO relations, the Euro-Mediterranean partnership, European integration, the relations to Africa and the question of human rights.

ESDP and transatlantic relations

As far as security issues are concerned, Sarkozy wants to develop the EU’s capacity to prevent and solve conflicts in Africa (e.g. the Chad mission) and in the world. Therefore, he is putting forward a large reform of the **European Security and Defence Policy (ESDP)** (see below). Furthermore, the President announced a full comeback for France in the **NATO** structures, which would have an impact on the transatlantic relations. The Summit of Bucharest already marked the recognition of an EU-NATO complementarity. At some points, Sarkozy brings further the work done by Chirac in the field of ESDP but breaks with the Gaullist approach of loose transatlantic relations. During the war in ex-Yugoslavia, Chirac was against a NATO intervention so as to reaffirm the autonomous role of a European defence and France kept an isolated position regarding NATO after the EU accession of Central and Eastern European countries in 2004. While Chirac’s distant relations with the United States brought him some support in the Arab world, one may understand Sarkozy’s support for Israel as a sign of France coming closer to the US.

Steps forward on enlargement and neighbourhood policy

Good cooperation with EU’s Southern neighbourhood and France’s position in the Middle East remain Sarkozy’s second foreign policy priority: the Mediterranean

Union, first interpreted as an alternative to Turkish EU accession, was reframed into a “**Union for the Mediterranean**” so as to build on the already existing structures of the Barcelona process. After criticism was expressed on the Mediterranean Union, the French made some effort to take into account the claim of Germany, Sweden and the Eastern members for a balanced **European Neighbourhood Policy** (ENP) towards the East. In April 2008, the Ministry of Foreign and European Affairs has issued a non-paper on EU-Ukrainian relations so as to reinforce the partnership with this country. The French have also multiplied consultations with the new member states, which are generally in favour of further enlargements to the East. France was invited to take part in the meeting of the Visegrád countries on the 16th of June in Prague so as to coordinate on the policy towards Eastern Europe but was reluctant to accept, at the EU-Ukrainian Summit, some wording which stated that Ukraine has a European identity. In 2004, during the enlargement to the East, the risks of seeing “Polish plumbers” invade the French national market made the French support for further accession decrease. While today there is a general consensus about the Western Balkans’ perspective in the EU, further enlargements are still problematic. The Balladur committee, which was responsible for French constitutional reforms, discussed at length the suppression of the article 88-5, which was introduced in 2005 by Chirac in the French constitution to solve the political divide within the UMP on Turkish accession. This article, which stipulates that a referendum would take place for each accession after Croatia’s, was finally confirmed. In order to reflect these different parameters, the trio presidency (France, Sweden, Czech Republic) has agreed that enlargement would remain and “open-ended process”.

Solve the institutional bottleneck and priorities on policy issues

Right after he was elected, Nicolas Sarkozy pushed forward his proposition of a simplified treaty and got particularly involved in reaching the consensus that the German EU presidency negotiated at the European level in June 2007. Sarkozy’s engagement for the reform of European institutions does not contradict that of his predecessor Chirac. However, Sarkozy favoured the ratification of the **Lisbon Treaty** by the French parliament. After the Irish “no” of June 2008, he decided to support further the ratification process in the EU and efforts to find a compromise with Ireland. He also suggested to the Czech Republic to ratify the Treaty if it is in favour of further enlargements, namely to Croatia. In 2007, Sarkozy proposed to create a “**Comité des sages**” composed of 10–12 wise men who would work on the question of “Which Europe in 2020–2030 for which missions?”. The European partners accepted the idea under the conditions that the report would be handed out in June 2010 (after the European elections and the nomination of a new European Commission) and that the French government would accept the opening of new negotiation chapters with Turkey at the end of 2007. The Comité was renamed the “Reflection Group on Institutional Reforms” (*Groupe de réflexion sur les réformes institutionnelles*) and **policy issues** have gained priority over institutional ones

(European social model, sustainable development, international security, migration, climate change, energy and counter-terrorism). The “no” to the Constitutional Treaty of 2005 mainly rejected a more liberal Europe (as discussed in the debates around the Bolkestein directive and a “social Europe”). As fears were formulated against social dumping, Sarkozy insists on the EU’s capacity to compensate the negative effects of globalisation. However, the President’s criticism against the European Central Bank and the visit, together with the State Secretary for European Affairs Jean-Pierre Jouyet, to the Eurogroup in July 2008 were not particularly welcomed by the other European partners. The CEPS report to the European Commission “Is social Europe fit for globalisation?” in a certain way bypassed the French vision of an EU which would like to link economic growth, innovation and a high level of social and labour protection. One of the challenges announced at the beginning of the French EU presidency was therefore to find compromises on policy issues (see below).

Keep strong links with Africa and put an accent on human rights

For the President, the Mediterranean countries represent a bridge between Europe and **Africa**. The French government is currently engaged in increasing France’s and EU’s development aid to Africa and in finding ways to combat illegal migration and poverty. The topic of **human rights** has made a comeback in French rhetoric, especially with the personality of Bernard Kouchner, who is one of the tailors of the notion of “droit d’ingérence”. However, Sarkozy stayed faithful to the Gaullist concept of “Françafrique” (strong relations between France and its former colonies), despite the will to follow a “diplomacy of reconciliation” and the revision of French defence agreements with African countries. In the bilateral relations with other world powers like Russia and China, he continues down Chirac’s path in developing personal ties with heads of state. Despite some mentions of capital punishment in China and minority rights in Moscow, the differences lie in symbolic actions more than in words when one considers Sarkozy’s visit to the Russian NGO Memorial and Kouchner’s visit to Politkovskaia’s office in Moscow as well as the mediatic liberation of the Bulgarian nurses.

2. The importance of bilateral relations in Sarkozy’s European policy

Like Chirac, Sarkozy worked on the **French-British** relation so as to develop a European defence policy. But he did not get the strong support he expected from the Brits on his ambitious plan of “Saint-Malo 2” during his visit to London in March 2008. As far as the **French-German** tandem is concerned, both Chirac and Sarkozy so far tended to rely on it mainly in times of crisis. Chirac and Schröder managed to work on a more positive image for the engine of Europe after enlargement and the war in Iraq. The crisis provoked by the Irish “no” to the Lisbon Treaty in June, the

war in Georgia in August and the financial crisis of fall 2008 have brought Sarkozy and Merkel to work closer together after Sarkozy irritated the Germans with his project of a Mediterranean Union and the intrusion in the Eurogroup in July 2008.

As far as the **Central and Eastern European members** are concerned, Sarkozy tried to repair not only the negative impact of Chirac's sentence addressed to them after they signed the Vilnius letter during the war in Iraq ("You missed an occasion to remain silent"), but also the negative image of France which President Mitterrand spread in Central Europe in initially refusing the EU enlargement. In a speech given in his father's country, Hungary, he announced that there is no such thing as big and small countries in the EU. To prove France's openness to the new member states' concerns, he proposed the negotiation of a privileged partnership with seven countries, in particular in fields like energy, environment, foreign policy and defence, internal security, immigration, science, education, culture and linguistics. In May 2008, Sarkozy also announced in Poland that the French market would be open to the Eastern partners almost one year ahead of schedule, except for Bulgaria and Romania. However, the new member states were sensible to some mistakes which undermined the credibility of these valuable steps, like the cancelling of national visits to the Baltic States in favour of a travel to Moscow or the announcement of some measures in Poland which Prague would have preferred to hear first. Paris and Prague do not hide their divergent views on a number of issues linked to their EU presidencies, and the October jokes on the French running the Czech EU presidency do not help to smoothen the relations. However, the regular meetings occasioned at the ministerial and administrative levels for the preparation of the presidencies as well as various events planned in sectors of common interests (the French-Czech economic year, the French cultural season in Prague) have brought both countries to work more closely than ever.

3. An ambitious reform agenda for the EU presidency shadowed by the main crises

An impressive budget of €190 billion was mobilised for the French EU presidency, of which half is to be spent on meetings – to compare, the UK spent €13 billion on its own in 2005 and Germany €210 billion in 2007. Sarkozy's policy style consists of series of steps which start with the definition of priorities in policy speeches or declarations (*modus vivendi*). However, it is too early to give an overall evaluation of their implementation in practice (*modus operandi*).

Four priorities and three crises

In June 2008, the French announced **four priorities**, summarised under the motto of a "protective Europe" in continuity with Chirac's European policy:

- *energy and climate change*: France would like to reach a European common position in view of the UN Conference on Climate Change in Copenhagen at the end of 2009. This means proposing concrete measures to implement the EU's commitments on carbon emissions, the use of renewable energies, and the production of biofuels. France is against the unbundling solution proposed by the Commission, especially in regard to electricity and gas (the Czechs support this position for gas, but not for electricity). As the EU imports 45% of its gas from Russia and 45% of its oil from the Middle East, France would like the EU partners to reach an agreement on the diversification of the energy routes (e.g. the Nabucco pipeline) and to promote nuclear energy.
- *common EU immigration and asylum policy*: France would like to conclude a common "European Pact" on immigration and asylum which would involve a refusal of mass regularisation, harmonisation of asylum regimes and negotiations on readmission agreements as well as an emphasis on border controls. It proposes a single procedure for the application for residence and work permits and, in this sense, supports the Commission's proposal of a "Blue Card" and the definition of common standards for the issuing of visas. The Czech Republic shares many of the French concerns on immigration, an issue which is, in France, also strongly linked with the capacity to maintain a certain level of social advantages.
- *European defence policy*: The French government published a new White Book on national defence and security at the end of June 2008 in view of the updating of the European Security Strategy (ESS) of 2003. As far as ESDP is concerned, the French ambitions are to push forward the ratification of the Lisbon Treaty so as to use the provisions for "permanent structured cooperation" to make proposals for a hard core of "strengthened cooperation" (France, UK, Germany, Spain, Italy, Poland) and to support the creation of a European planning staff, the definition of a common European disarmament and arms control policy, and the launching of a Common External Action Service. Sarkozy has already proposed some names for a stable President of the European Union (T. Blair), the Presidency of the Commission (Barroso), and the office of High Representative on CFSP.
- *reform of the Common Agricultural Policy (CAP)*: France would like to reach a decision on the Commission's "health check" of the CAP and to organise a debate on the future of the CAP until 2013. However, the trio presidency will have difficulties in solving this issue: the Czech Republic would like to reduce subsidies and to transfer part of the CAP budget to cohesion policy, while Sweden would be in favour of more liberalisation. While Sarkozy fights to keep subsidies, he suggested to the strong agricultural lobbies a reorientation of their activities towards the international through the fight against poverty.

A **fifth**, though not official, **priority** was the launching of the Union for the Mediterranean on the 13th and 14th of July. The project marks the President's will to think of the French Arab policy in a different way than Chirac, among others, by

inviting all the parties, including Israel, to the same table of discussion. The EU presidency is currently working on the design of the necessary institutions in strong cooperation with the European Commission.

In June 2008, it was foreseeable that the French EU presidency would be kept busy in solving the crisis caused by the Irish “no” to the Lisbon Treaty, but not that it would have to face two other **main crises**. As a matter of fact, the war between Georgia and Russia of August and the financial crisis of the Fall have turned the French priorities up-side down and kept French administrations even more busy than planned.

Practicalities

In order to prepare the EU presidency, Sarkozy’s method so far consisted of nominating people to key positions because of their experience and knowledge in specific issues and of creating expert groups with specific missions of evaluation and advice on national and European issues.

As the current French government is more diversified than under Chirac (it includes some people from different political families and social origins), the two **key positions** on European issues are held by former socialists. Bernard Kouchner accepted to become Foreign Minister on the condition that he would also be responsible for European affairs. Therefore, the office of State Secretary for European Affairs, held by J.-P. Jouyet, was not linked to the Prime Minister, as originally planned, but stayed at the Ministry of Foreign Affairs. The General Secretariat for European Affairs (SGAE), in charge of the inter-ministerial coordination of European affairs, has remained at the Prime Minister’s office. These changes now imply a greater coordination between the SGAE and the State Secretary. But given the place of European affairs in French policy, the main orientations are defined within a very small European cell at the Elysée Palace.

In the preparation phase, Sarkozy particularly supported the consultation of experts in the form of **ad hoc committees** which have worked on the practicalities of the EU presidency and suggested political decisions or institutional arrangements. On economic and social issue, the President asked for the making of two reports by committees of experts (the expert groups “the liberalisation of French growth”, led by Jacques Attali, and “Europe and Globalisation”, led by Laurent Cohen-Tanugi) so as to initiate reforms at the national and the EU levels. In the field of Defence, the President called up in July 2007 a committee led by Jean-Claude Mallet to elaborate the new White Book in parallel to the revision of the ESS. The “Comité des sages” on the future of Europe also relies on the experts’ legitimacy to justify future political decisions. The usual rules of running an EU presidency then apply: bilateral consultations, in particular with the trio presidency, regular meetings at the European level, etc. However, some EU partners have complained that some rules were not

applied correctly and expressed some fears that the presidency would be run with an overly specific policy style.

The three crises mentioned above have forced the administration to practice **crisis management**, where the Elysée Palace holds a key role, in cooperation with the Ministry of Foreign Affairs and other relevant ministries (Ministry of Defence, Ministry of Finance). The presidency also tried to innovate in using the potentialities of the EU format (the *ad hoc* summit on EU-Russia of 1 September, the extraordinary Eurogroup meeting of October 2008) and of the international ones (a G8 meeting transformed into an EU G4 meeting) to adapt to urgent circumstances.

To conclude in general on the innovation and continuity of the European policy of President Sarkozy, the question remains whether there is not more continuity than expected on a certain amount of issues despite the large reform package announced. As a matter of fact, some elements are in line with Chirac's European policy – among others, the necessity to reform EU institutions, to improve the European Defence Policy and to develop relations with North African and development countries. On these issues, one might even speak of a deepening of French positions, but with a fairly different policy style. Various crises have occulted the real intentions of the president in other matters. In the future, one needs to see if issues like transatlantic relations, immigration policy, reform of the CAP and the Lisbon strategy will effectively represent a “rupture” with French European policies of the past.

4. Recommendations for the Czech Republic

- Despite Paris and Prague having divergent views on a number of European issues, Prague should take into account the current French will to reach stronger bilateral cooperation as a way to repair the errors made by previous French presidents.
- In order to support convergence of views, communication through consultations, administrative cooperation, joint seminars and language courses at the national and the regional levels should go on and even intensify on both sides.
- The Czech Republic should make the best possible use of the strategic partnership signed on 16 June 2008.
- It should concentrate its efforts on issues of common interests, where continuity between the presidencies can be ensured: the French-Czech economic year, cooperation in the fields of energy, education and culture, the balanced approach of the ENP (South and East).
- Stronger cooperation should or could also take place on the ESDP–NATO complementarity, on civilian crisis management, on the EU / NATO accession of countries of the Western Balkans, but also on common assistance projects in the

Western Balkans and the ENP (e.g. human rights, support to institutional capacity through Twinning projects, etc.).

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