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Charlemagne

Negotiating by night

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The joys and the heartaches of European Council meetings

"WE CANNOT do business like this in the future," was the verdict of an exhausted and exasperated Tony Blair after the European Union's marathon summit in Nice in December 2000. Tough luck, Tony. All the signs are that this weekend's summit in Brussels will be just like Nice—and maybe even worse. Once again, European leaders will haggle through all-night sessions over a vastly complicated legal text. Once again, the toughest issue is the one that almost proved a deal-breaker at Nice: the voting weights of EU governments in the Council of Ministers. The Brussels summit could even prove more fraught than Nice, because there are 25 countries at the table, not 15.

Most EU summits nowadays are routine affairs that last just a day and a half. But when political leaders get together to negotiate a new treaty (as they seem to have done with increasing frequency over the past decade or so), things can rapidly spiral out of control. These summits are what officials call, with a mixture of dread and relish, "five-shirters". They drag on for days longer than scheduled and usually finish in the small hours of the morning. European leaders often emerge blinking and unsure about precisely what they have agreed to.

Things were meant to be different this time. The draft constitution on the table this weekend was produced by an 18-month-long Convention on the Future of Europe, chaired by a former French president, Valéry Giscard d'Estaing. In theory, the convention was supposed to have produced a document so perfectly balanced that the assembled leaders could happily sign up to it over a cup of coffee. Some hope. The issues involved are far too controversial to be settled so easily. The only way to make sure that leaders reach an agreement, insist experienced Eurocrats, is the traditional one: call a summit, impose a deadline and force them to keep talking. A tactic much loved by the KGB, sleep deprivation, can be surprisingly effective. The longer and more exhausting the negotiations, the more that politicians around the table are inclined to compromise.

The pressure on European leaders is greater because they have to do the most delicate negotiating without the help of national officials. The only people allowed into the room in Brussels will be heads of government and foreign ministers, plus a few EU officials. "It's like an exam," says one diplomat. "The leaders have to cram all the details into their heads ahead of time and hope they get it right on

the night." All the politicians carry fat briefing books, but they rarely have time to find the right page. Every 20 minutes or so, a note-taker leaves the conference chamber and goes next door to a room in which each country has a solitary official. The note-taker tells these national diplomats (known in EU jargon as Anticis) what has just been said. They scribble down a text and fax it through to their delegations, where assorted ambassadors pore over the transcripts, hoping desperately that their prime minister or president has not inadvertently given away the crown jewels. Even if he has, it will usually be too late for officials to jump in. By the time they have seen the transcripts, the debate has moved on.

Only rarely can officials sneak into the room to advise their leaders. If one of the politicians in the negotiating chamber feels in urgent need of advice, he can press a panic button. At that point a light goes on in the Anticis' room, and an official, assuming a grave "my country needs me" face, rushes in. National civil servants are meant to offer advice and then leave. But this rule has been bent *in extremis*. At the Maastricht summit in 1991, Britain's Sir John Kerr hid under the table and continued to pass notes to John Major, his prime minister.

Not all the leaders' requests are for advice. "If Chirac's light goes on", says one official, "it usually just means that he wants another beer." The French president's habit of drinking beer throughout summits may account for the entertaining nature of his post-summit press conferences. The only other regular drinker is Jean-Claude Juncker of Luxembourg, who always has a glass of brandy before him (Germany's Helmut Kohl preferred a plate of food). Mr Juncker is also a heavy smoker. Although the conference room is festooned with no-smoking signs, all the leaders are thoughtfully provided with an ashtray, which tells you something about European attitudes to regulations.

Betting on Berlusconi

The few senior officials who manage to stay in the room throughout the negotiations are those working for the EU's central bureaucracy. They will do a lot to advise Silvio Berlusconi, the Italian prime minister, who has the unenviable task of chairing the meeting. Three French officials working for the council—Pierre de Boissieu, Max Keller and Jean-Claude Piris—will play a vital role in dreaming up and testing any possible compromises. But in the end much of the success or failure of the summit will rest on the shoulders of Mr Berlusconi himself.

As a billionaire businessmen, he should, in theory, have the combination of charm and command of detail required to wrap up a complex negotiation. But Mr Berlusconi has been ill in recent weeks with a prolonged bout of gastro-enteritis. Even when he is on top form his performances at European summits have been erratic. He specialises in dirty jokes and dark warnings about the dangers of communism. His relations with Romano Prodi, an Italian political rival who, as European Commission president, will also be in the chamber, albeit largely as a bystander, are notoriously fractious.

Those looking for flexibility from the Poles see it as ominously symbolic that Leszek Miller, the Polish prime minister, plans to attend the summit in a full-body plaster cast, after a helicopter accident. Brussels officials who have lived through many crisis summits remain confident that a deal will be struck in the end—it

always is. But in the new enlarged EU, the traditional way of doing business could yet go awry.

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