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Editorial

Towards a New Era of the Czech Journal of International Relations

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The first issue of 2023, which this editorial introduces, is also the first issue that comes out after the journal has switched completely into English. It ends a long and successful period of the journal's history, during which its Czech- (and Slovak-) language version *Mezinárodní vztahy* contributed significantly to the emergence and development of the discipline of International Relations (IR) in Czechia and Slovakia. The newly fully English-language *Czech Journal of International Relations* (CJIR) aims to continue in *Mezinárodní vztahy*'s legacy. But the change of language is not – and cannot be – the only change for the journal. Although our goal was once to cultivate Czech discussions about the international, we now become a fully-fledged part of the international. While this may, to some, seem as another coffin in the nail of national fields of the discipline, compare P. Drulák (2022) and O. Ditrych (2022), it gives us endless opportunities to contribute to and shape global discussions of International Relations. And this is what the journal intends to pursue in the new era.

Our aim is to produce theoretically informed, methodologically rigorous and empirically rich scholarship. We place no boundaries on the thematic and geographic scope, theoretical grounding and methodological approach of the submissions, and we intend to welcome pieces that transcend disciplinary boundaries. This does not mean that we are forgetting our roots as a small regional IR journal on the discipline's semi-periphery (KRATOCHVÍL 2016). We continue to engage with academic endeavors in Central and Eastern Europe (CEE), and we remain especially intrigued by the topics that resonate in this region. Concepts and theories of small states' behavior, international institutions, regionalism, the impacts of power rivalries and regional conflicts, climate change, migration and other topics will continue to be highly relevant and interesting for us. But we will place no limits on submissions as long as they fulfill their relevance in the sense of containing a critical interrogation of international politics and dedication to high quality standards.

What do we have to offer? A lot. The journal is a well-established one and not solely in CEE. The 70 years of its history have firmly embedded it into the worldwide disciplinary library. CJIR is indexed in Web of Science's Emerging Sources Citation Index (ESCI) and a variety of other databases, including Scopus, ERIH PLUS and others. CJIR is also an Open Access journal and all our articles are freely available to the academic

community without any production and licensing costs. CJIR articles are increasingly cited in the discipline's most prominent journals. Only in the last two years, CJIR articles were discussed in *Cooperation and Conflict*, *International Political Sociology*, *East European Politics*, *Contemporary Politics*, *International Relations*, *RUSI Journal*, *International Feminist Journal of Politics* and a variety of others. With the transition to English, we can only expect our citation indicator values to continue to grow.

We aim to distinguish ourselves from other, often much larger, disciplinary journals. In contrast to many of these we strive to be *fast* and *approachable*. Regarding the former, we understand that timeliness is ever more important in the contemporary world. We generally take no more than a few days for an initial desk evaluation, and average approximately two months from submission to the first post-review decision. After an article's acceptance, it takes, on average, a month to see the article come out as 'ahead of print'. Regarding the latter, we build on our tradition of cultivating IR scholarship by providing thorough editorial feedback prior to the peer review. We invite authors to discuss their pieces with us even before the submission is made to ensure that the piece has a potential to pass the review process. We have an established pool of reviewers from around the world, and we always aim to provide a constructive, rather than unproductive, feedback.

There are several other changes that we are introducing with the launch of the new *Czech Journal of International Relations*. In order to make article submission easier, we have introduced a format-free submission, and ask for compliance with journal standards only after the article's acceptance. We have also reformulated the criteria for the types of manuscripts we accept to better fit with the evolving literary and scientific practice. We have introduced the format of the Book Review Forums, in which authors and invited contributors exchange views on a newly published monograph relevant for deciphering the global relations of CEE in a transdisciplinary and critical perspective. We continue to publish shorter, single-blind reviewed Forum pieces, which aim to stimulate discussion and inspire debates in the theory and practice of international relations and other related disciplines. And we are in the process of reformulating the format for the Discussion articles to allow the authors to submit a more essayistic type

of publication presenting an original argument or engaging with contemporary theoretical debates and policy implementations.

The present issue, CJIR Vol 58, No. 1, is a testament to our endeavors and a sample of our future vision. It offers two highly relevant and important Research Articles, six shorter topical and timely Forum pieces, and two book reviews. The two full-length pieces aim to understand the various impacts of the Ukraine war. Michal Parížek (Charles University), in his paper *Worldwide Media Visibility of NATO, the European Union, and the United Nations in Connection to the Russia-Ukraine War*, skillfully analyses the media representation of the three large international organizations since the outbreak of the war. Presenting a rigorous large scale content analysis, Parížek illustrates the variations of the media visibility of these organizations and draws these back to theorize the connection between media visibility and scope of action. The war in Ukraine is also the topic of Stephanie Winkler's (Stockholm University) article *U.S.-Chinese Strategic Competition and the Ukraine War: Implications for Asian-Pacific Security*. Winkler asks how the war impacted on the Asian-Pacific security. Analyzing hundreds of pieces of qualitative data, she posits that though it may seem that the war has drawn attention away from Asia, it has in fact exacerbated the security dilemma between the United States and China in the Asia-Pacific.

Besides these two articles, Issue 1 of 2023 also offers a Forum on the Czech Presidency in the Council of the European Union and two book reviews. The presidency came at the complicated time of a conflict at the EU's borders, which was accompanied by an unprecedented energy crisis and a subsequent cost of living crisis. We ask how the Czech representatives fared under these conditions, and offer a variety of answers from some of the foremost scholars in the field. Oldřich Bureš (Metropolitan University Prague) and Monika Sus (Polish Academy of Science) investigate the external security policy dimension of the presidency, Martin Jirušek (Masaryk University) and Izabella Surwillo (Danish Institute of International Studies) consider the presidency's role in achieving energy security for the EU and Ivo Šlosarčík (Charles University), together with Sonja Priebus (European University Viadrina), reflects on the Czech handling of the rule of law in the Union. The Forum is edited by Jan Kovář (University of New York in Prague and Institute of International Relations Prague) and Tomáš Weiss (Charles

University). The book reviews were written by Matěj Boček (University of West Bohemia) and Evgeny Romanovskiy (Charles University).

On behalf of the whole editorial team, I wish you a pleasant read.

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Research Articles

Worldwide Media Visibility of NATO, the European Union, and the United Nations in Connection to the Russia-Ukraine War

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ABSTRACT

This article presents a theoretical and descriptive account of the worldwide media visibility of NATO, the European Union, and the United Nations in connection to the Russia-Ukraine war. I formulate a theoretical framework that highlights the authority of the three international organizations (IOs) and their actions as the drivers of their media visibility. The empirical analysis is based on a unique dataset that maps, using natural language processing tools, the content of more than 2.9 million news articles published in January–September 2022 across virtually all states of the world and 60 languages. The empirical results show that NATO's initial media visibility was high but has decreased significantly over time, the EU has maintained a persistently strong media visibility throughout the period, and the visibility of the UN has been characterized by dynamic developments. These findings have important implications for the public image and the role of the three IOs in the war.

KEYWORDS

Russia-Ukraine war, NATO, European Union, United Nations, media, authority, control

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INTRODUCTION

The Russian war on Ukraine is a principal challenge to the notion of institutionalized cooperation and rules-based order. It is a violent reminder of the importance of politics of material power in world affairs. At the same time, it has a prominent *institutional* dimension. First, Russia alleges that to a large extent the war is a response to the threat posed by NATO and Ukrainian ambitions to become a member of the Alliance. Second, the European Union (EU) and the prospects of Ukrainian membership in the EU are at the very roots of the conflict, dating back to the 2013–2014 failed EU Association Agreement. Third, the war is taking place under the umbrella of the seeming inactivity of the United Nations (UN) and especially its Security Council (UN SC). The three institutions are, by some measures, among the most powerful international bodies in history: NATO thanks to the formidable joint military might of its members, the EU based on the depth of integration and commitment of its members, and the UN due to the unique prerogative of the Security Council to authorize the use of force in the fulfilment of the UN Charter's mandate.

For each of these institutions, the war presents a principal challenge of its own kind. NATO has tried, from the very beginning, to affirm its commitment to defend its members, especially those on the Eastern flank, but at the same time made it clear it was not, and did not want to become, a direct party to the conflict itself (NATO 2022D). By that it has prevented an undue increase in severity of the security dilemma that Russia accuses NATO of nurturing. The EU faces a long-term issue with its actorship in world affairs, and with the tensions inherent in its foreign policy (HILL 1993; KEUKELEIRE – DELREUX 2022: 30). A fundamental problem for the EU, and ultimately also for Ukraine, is the extent to which EU members maintain their unity in imposing sanctions on Russia and in supporting Ukraine militarily. Lastly, the UN suffers severely in this war as one of the permanent members of the Security Council overtly turned into an aggressor in the largest military conflict in Europe in decades, striking to the core of the UN Charter (CRONIN – HURD 2008).

In this article I study the positions of the three institutions in the Russia-Ukraine war by systematically mapping their visibility in news media around the world. The central question is, *how visible have NATO,*

the EU, and the UN been in media worldwide in connection to the war? This is an important issue for the institutions. *For one*, the information realm constitutes one of the battlefields of the war (FARRELL – NEWMAN 2021; FREEDMAN 2006: 77). It is closely tied with what strategic narratives about the conflict prevail, both in specific countries and globally (FENGLER ET AL. 2020; MISKIMMON – O’LOUGHLIN – ROSELLE 2013; SCHMITT 2018). Especially for the EU and NATO, this is a major concern as they are, willingly or not, seen as at least indirect parties to the conflict. They need their global media image to help them secure political support from other states during the course of the war, and to promote their long-term image as powerful actors which are credibly committed to the defence of their interests in the face of a major challenge. *Second*, information that the public receives about the three IOs is crucial for their public support and legitimacy (PARÍZEK 2022), especially in crisis situations (SCHLIPPHAK – MEINERS – KIRATLI 2022). For all three IOs, the public perception of their ability to manage the crisis and to bring a distinct value added to its solution may translate with critical importance into how useful they are considered to be by their members and their public. Accounting for the media coverage of the three IOs is thus important for the positions of the three IOs in the eyes of their own members, for the outside view of the power and credibility of the EU and NATO of non-Western states, as well as for our understanding of the institutional context of the Russia-Ukraine war itself.

Theoretically, I argue that the dynamics of the media coverage of the three IOs can be traced to the interaction of the IOs’ authority and mandate in connection to the Russia-Ukraine war and the key members’ control over the IOs. These two underlying institutional features, combined with the specific interests of states and other situational factors in the given crisis, give the IOs the ability to act and raise the expectations of action. And in turn, it is these actions and expectations of action that draw media interest towards the bodies (DE WILDE 2019; PARÍZEK 2022). My core focus, theoretical and empirical, is *not* on a comparison of media visibility across the three IOs. Each represents a different type of body geographically (global, trans-regional, and regional), in terms of its policy scope (general-purpose, task-specific) and in terms of the delegated and pooled authority it enjoys (HOOGHE – LENZ – MARKS 2019). Rather, I am interested in the *dynamics of the IOs’ media visibility*, or how their visibility has developed over time.

The empirical data reveal some striking patterns. Globally, at least one of the three IOs appears in 29.9% of the news articles referring to the war, which highlights the relevance of IOs for media coverage of the war, and justifies the underlying motivation of this paper. Most importantly, though, the dynamics of media visibility are unique for each of the three IOs. *First*, NATO figured very prominently in news on the conflict early in 2022, particularly during the last pre-invasion negotiation attempts and the initial weeks of the war, when NATO's possible actions were discussed. Over time, though, as it became manifest that it would not be directly involved in the conflict militarily unless it spilled over to its members' territory, NATO's media visibility decreased dramatically. This seems to suggest that the Russian narrative portraying the war as one between Russia and NATO failed to secure a global reception. *Second*, I find that the EU has succeeded in maintaining a prominent position in media around the world throughout the crisis. This reflects its coherent foreign policy approach to the war and a series of unprecedented actions on its part, especially in connection to the sanctions imposed on Russia. *Third*, in the case of the UN, a significant variation over time is visible. While the UN was expected to take strong action in response to the invasion, in line with the key UN Charter's provisions, the organization quickly exhausted its mandate for collective action due to Russia's veto power in the UN SC.¹ However, as new globally relevant agendas where the UN was able to become highly active, e.g. in connection to food security and nuclear hazards, emerged over time, the UN media visibility has rebounded forcefully in the summer and early autumn of 2022.

These insights are based on a uniquely sizable dataset tracking the content of more than 2.9 million carefully sampled online news articles from 2247 media outlets and 202 states and territories that were published between January and September 2022. Non-English content, accounting for 81% of the analysed news in 59 different languages, was automatically translated to English to provide for a consistent analysis of media content across the world. The geographical coverage of this dataset, based on the large infrastructure of the project *GLOWIN* (Global Flows of Political Information),² is unparalleled in existing sources. Natural language processing tools, primarily dictionary techniques enhanced with regular expressions, were used for extracting references in the news to the war and the three IOs and their key personnel. This procedure identified a reference

to the war in 449,277 articles, or 15% of the analyzed news articles from all over the world. Within this group, at least one of the three IOs was referred to in 134,132 articles (29.9%). This was further complemented by a detection of references to several key states and several of the most important topics associated with references to the three IOs.

INTERNATIONAL ORGANIZATIONS, MEDIA, AND THE WAR

The Russia-Ukraine war represents a prominent challenge to the Liberal International Order (LIO), as it negates both of its constitutive components: the notion of a rules-based order, and its liberal content (LAKE – MARTIN – RISSE 2021). In many regards, the war is a manifestation of the continuing importance of brute material power politics. Interestingly, though, the war is anything but free of institutional relevance. The root causes of the war, whether true or alleged, are closely tied with the EU and NATO membership aspirations of Ukraine. And the UN should be, at the very least, instrumental in finding the solution to the war. In an analytically remarkable situation, international institutions and power politics become intertwined (SCHWELLER – PRIESS 1997).

My interest lies in exploring how these institutions fare in their media visibility in connection to the war. The media appearance of politicians and political institutions is vitally important in our era of *mediated politics* (BENNETT – ENTMAN 2000), and it is widely recognised that media constitute one of the battlefields on which wars are fought (FREEDMAN 2006). The importance of the media visibility of the three IOs stems from two factors. *First*, two of the three IOs are indirectly involved in the war, and they clearly take one of the sides. For both the EU and NATO, which narrative of the war and their involvement in it becomes dominant is crucial for the formation of attitudes of the public and the elites in countries directly affected by the war as well as those more distant (MISKIMMON – O’LOUGHLIN – ROSELLE 2013). For a decade, the central Russian narrative has centred on its legitimate interest in the defence of the nation and the broader Russian community (BROWN 2018: 178), the threats of Western interventionism combined with the global dominance of the U.S., including its dominance over the “puppet” Western European governments (SCHMITT 2018), and the irrational Western fear of Russia (VENTSEL ET AL. 2021). If this narrative were to prevail globally, it would deal a major blow to the legitimacy of Western positions towards the

war, and to the ability of Western states to secure support from non-Western states and deter their alignment with Russia on the grounds of their shared anti-Americanism. In this sense, the media image of the bodies is crucial for their credibility and strength-perception among other states. As I discuss below, this question of the prevailing narratives is linked empirically to the media visibility of the two bodies, as well as that of the UN.

Second, in the long-term, the appearance of IOs in media is crucial for their legitimacy and public support (SCHMIDTKE 2019; RAUH – BÖDEKER 2016; TALLBERG – ZÜRN 2019). Media coverage of IOs may differ from public perceptions of IOs, and public perceptions of IOs may only translate to public attitudes towards IOs over longer periods of time. Yet, the public image of IOs, and how their appearance in media is connected to their legitimation, are becoming increasingly important not only for scholars, but also in the IOs' own eyes (ECKER-EHRHARDT 2018A) and for the IOs and member states' leaders (DE WILDE 2022). The systematic study of media coverage of IOs has been receiving increased scholarly attention (ECKER-EHRHARDT 2012; PARIZEK 2022; RAUH – ZÜRN 2020; SOMMERER ET AL. 2022), including in connection with crises (MONZA – ANDUIZA 2016; SCHLIPPHAK – MEINERS – KIRATLI 2022). This study is unique, in comparison to the existing studies of IO visibility, in its global geographical scope, its use of news materials in several dozen languages, its coverage of more than 2000 media outlets and, of course, its specific focus on the case of the Russia-Ukraine war.

But how do we actually account for the media visibility of IOs theoretically? What makes IOs newsworthy, both in general and in connection to the war? A good starting point for theorizing about this question is the Political Communication literature. Harcup and O'Neill, building on the classical schemes by Galtung and Ruge (1965) and Schulz (1982), identify no less than nineteen general characteristics of events, institutions, and persons that make them newsworthy. These are further grouped into larger features of the reported-on subjects, including the *elite status* of the source of news, the *valence* of the topic, its *relevance* to the audience, their *identification* with the reported-on subject, and others (HARCUP – O'NEILL 2001). This framework has also been highlighted in one study of media visibility of the EU, though so far only theoretically (DE WILDE 2019). Alternative accounts from Political Communication would highlight, for example, systematic variation across media systems, e.g. in the visibility of foreign news in

general ^(AALBERG ET AL. 2013), or, on the contrary, the convergence of political news content on the global level ^(CURRAN ET AL. 2017).

For my specific task, however, these frameworks appear overly general. The media systems literature can be useful in guiding an analysis exploring primarily cross-national (cross-system) variation. The news value approach itself appears more suitable, yet the generic news value criteria discussed in Political Communication are satisfied by default when it comes to reporting on a major war. For a more nuanced analysis, these frameworks need to be supplemented with insights specific to the IOs themselves. *I thus put theorizing about IOs and their role in the war at the core of my thinking.* More concretely, I develop a simple model where the underlying institutional structure meets with specific situational factors, especially concrete interests of major states and the nature of the crisis itself, to allow for IO action. This action performed by the IOs, or the expectation of action from them among media audiences, then nurtures the interest of media in what the IOs do and fail to do.

I develop the theoretical model in four simple steps that are summarized in *.First (I)*, IOs are provided with the authority to take decisions and adopt and implement policies (political authority), as well as to interpret the world and provide information, expertise and normative evaluations of political reality (epistemic authority) ^(HOOGHE – LENZ – MARKS 2019; ZÜRN ET AL. 2012; ZÜRN – TOKHI – BINDER 2021). They are granted this authority to help states solve collective action problems in a specific policy field. At the same time, their ability to act is constrained by how states limit the exercise of that authority by the means of their control over the IOs ^(HAWKINS ET AL. 2006; HELDT – SCHMIDTKE 2017). A key formal control mechanism typically embodied in IOs is high-level decision-making by states. Informal control mechanisms are also in place, and they are available for use especially by the most powerful states ^(DIJKSTRA 2015; PARÍZEK – STEPHEN 2021; STONE 2011). In all three bodies, delegated supranational authority is relatively low, and consensus or unanimity prevails as a decision-making rule in matters of war and peace. This is the case with the veto powers of the permanent members of the UN SC, the unanimity rules applied in some areas in the Council of the EU, the decision-making in the European Council, and the consensus rule in the North Atlantic Council.

Second (II), this underlying institutional structure is filled with the political content of the specific situation. States exercise their influence and control over the IOs depending on their interests in the given crisis. The IOs seek to take such courses of action as seem fit based on the nature of the crisis itself, the relevance of their mandate for it, their available resources, the nature of the problems that need to be addressed, and similar factors.

Third (III), the combination of the underlying institutional structure and the factors specific to the situation create concrete opportunities for the IOs to act, and raise the expectations of such action. Given the concrete balances of factors in (I) and (II), the IOs choose their course of action, and relevant audiences develop expectations that action should be taken by a particular IO. The expectations are likely to vary across IOs and over time, based on the institutional structure and the situational factors. They are also likely to vary across audiences. They may be more intense, for example, among those who see a particular crisis situation as highly urgent. But more generally, it may easily happen that *expectations* about IOs' *actions* are raised, but the IOs are not provided with the means to implement their mandate, or are simply prevented from doing so due to a lack of agreement among the member states. After all, this is what the long-standing debate on the capability-expectations gap of the EU in foreign affairs has been addressing ^(HILL 1993) and what has also been raised as an important problem specifically in connection with the Russia-Ukraine war ^(BAHENSKÝ 2022: 66–69).

Finally, *fourth (IV)*, I posit that it is precisely these actions that the IOs take in connection with the war, or the actions they can be expected to take, that drive the IOs' media visibility. These actions and expectations of action are likely to be associated with the relevance of the IOs for audiences, their identification with them, specific events that can be reported on, and further factors that will make the IOs newsworthy ^(DE WILDE 2019: 1196). It is likely that in the context of the war, especially actions drawing on the IOs' political authority, often with material implications, will draw media attention. At the same time, actions in the form of information provision or normative evaluation that draw on the IOs' epistemic authority, may also be seen as newsworthy.³

FIGURE 1: THE THEORETICAL MODEL

(I) Institutional structure	(II) Situational factors	(III) Opportunity for action	(IV) Visibility outcome
IO authority × States' control over the IO	+	Key states' interests, crisis agenda	→
		→	IO actions or audiences' expectations of IO action
			→
			Media reporting on the IO

The key observable implication of this theorizing is that in the Russia-Ukraine war, the visibility of IOs should reflect the degree to which the IOs take tangible actions, or can be broadly expected to take such actions based on their mandate. As I discuss in sections 4, 5, and 6 below, for each of the three IOs this general framework will translate into slightly different political dynamics, but its underlying logic is applicable across all of them. The Russia-Ukraine war is an excellent case that can be used to test this general framework, given the media prominence of the war itself, as well as the involvement of the three major IOs discussed in this paper in the conflict.

DATA AND DESCRIPTIVE EVIDENCE

To measure the media visibility of the three IOs in connection to the war, I perform a large scale automated analysis of the content of news media around the world. The data I use come from a dataset developed within the project *GLOWIN*. In this section, I briefly describe how the data is sampled, collected and processed, and how I extract relevant information from it. As the development of the dataset was a collective endeavour, for its description I turn to the plural ‘we’; when returning to my own analysis, I return to the singular ‘I’.

The key source for media content mapping in our project is GDELT, or the Global Database of Events, Language, and Tone (GDELT 2022; LEETARU – SCHRODT 2013). GDELT covers the content of news media in virtually all countries of the world. However, to secure full control over the data generation process, in *GLOWIN* we only rely on GDELT for obtaining a simple initial list of news articles’ URLs. We then collect a random sample of 10% of the articles on this list. Typically, this results in around 30–40,000 news

articles per day of data. We then extract the full texts from the downloaded html files of the articles.

In the next step, we connect this data with systematic data on the audience geography of each website (media outlet) as estimated by Amazon's Alexa Web Services (ALEXA WEB INFORMATION SERVICE 2021). We use this extensive filter to only keep in the analysis media outlets that rank 500 or higher in at least one country of the world. The websites (outlets) which do not qualify based on this criterion are discarded. Applying this filter reduces the volume of data retained by approximately 65–70%, so we are typically left with around 10–15,000 downloaded and technically pre-processed (cleaned) articles per day of data.

A major challenge for any project seeking to map the content of news media across many countries comes with the multiplicity of languages spoken across the world. Our data source tracked content in 60 languages in 2022. To be able to process the downloaded data consistently, we automatically translate the downloaded non-English content using Google Translate. 19% of the analysed articles were originally in English, while the remaining 81% were translated from one of 59 other languages. In total, this leads to more than 3.6 million articles across the first nine months of 2022. However, to detect as closely as possible individual national representations of the war, I further restrict the range of data used and only work with those articles from our larger database that are in the official or other widely spoken languages of the audience country. This restriction to national language news articles reduces the volume of data used in the estimation to around 2.9 million articles.

I detect references to the key entities of interest using a string detection search enhanced with regular expressions. *First*, references to the war are detected with references to the two states directly involved: Russia and Ukraine. This is justified for two reasons. The first is that the topic of the Russian invasion of Ukraine has been all-permeating in foreign news reporting on the two states since February 2022. The second is that tracing news on Russia and Ukraine, as opposed to, for example, “war” or “invasion”, enables me to compare the dynamics before and after the outbreak of the war, where the vocabulary used by media to refer to news about the conflict changed over time.

Second, the estimation of the media visibility of the three IOs is based on the frequency of references to the IOs' official names (e.g. United Nations), the usual informal names and abbreviations (e.g., UN, EU, NATO) and the leading organization representatives (e.g. the UN Secretary General Guterres). Such a simple dictionary based approach is usual in studies on visibility (salience) of IOs in media (SOMMERER ET AL. 2022) or in other politically relevant texts, such as parliamentary speeches (RAUH – DE WILDE 2018). The full list of the detected search terms is included in Appendix I.

Third, I complement this analysis with a detection of the key topics the three IOs are connected with in the context of the war. The purpose is to provide further validation to the analysis of the dynamics of the media attention to the three IOs. It enables me to identify the reasons why media report on the IOs, or the agendas associated with the reporting. The list of topics reflects the areas most directly associated with actions, or expectations of action, by the three IOs in the period January–September 2022. It thus closely reflects the logic of the theoretical framework of this article. The six specific topics mapped are, in alphabetical order, 1) “Economy and sanctions”, 2) “Energy”, 3) “Food security”, 4) “Nuclear threat”, 5) “Refugees and migration”, and 6) “Weapons and military”. Each topic is associated with a short list of keywords, as summarised in Appendix I. The topic is marked as present in the article if at least one of the keywords from the list appears in the text.

Finally, I also detect references to several selected states beyond Ukraine and Russia themselves. These serve as useful visibility benchmarks for the individual IOs. Specifically, I search for references to the U.S. as the largest NATO member, France and Germany as the largest EU members, Poland as the EU member most sizably involved in, or affected by, flows of refugees from and material to Ukraine, and China and India as the non-Western great powers closest to the war. In all these cases, the visibility of the given state in connection to the war is based on the frequency of references to the state's usual informal name (e.g. France, the U.S., China), including the adjectival form (e.g. French), and the name of the head of state (e.g. Biden). The list of these state-related search terms is included in Appendix I.

Overall, the procedures described above lead to a dataset with 2,887,412 individual news articles that are considered in the analysis. These come from 2,247 media outlets, and were read by audiences in 202 states and territories. Out of these, 449,277 refer explicitly to Ukraine or Russia and are thus considered relevant for the analysis of the media coverage of the three IOs in relation to the war. From these, 134,132, i.e. 29.9%, also contain a reference to one of the three IOs. Based on audience geography data (see above), a news article referring to the war is read, on average, in 2.62 states. There are, in total, 6,626,177 country-article data points, out of which 1,176,933 ($\approx 449,277 \times 2.62$) contain a reference to the war (or more precisely, to Russia or Ukraine). These almost 1.2 million points of data serve as the basis for calculations for all other figures and descriptive statistics in this article. Appendix II shows the distribution of these news items over time.

In all the figures in this article, I depict visibility scores calculated as averages from figures for each individual state. Each news article is first analysed individually and, based on audience geography data, associated with a particular audience country (or countries, if the outlet is read in more than one country). The visibility score for the given search term in an audience country is calculated as the frequency (in percent) of the relevant keyword's occurrence in news articles published in the country, i.e. a figure between 0 and 100. From these country-level data, the regional and global aggregate scores are calculated as simple averages unweighted by the population size of the state or the number of articles analysed.⁴ In Appendix III, I present evidence of the robustness of this measurement under varying specifications of the search terms used.

NATO

I now turn to the discussion of the three IOs' visibility in the news coverage of the war, starting with NATO. Based on my theoretical framework, the key question for NATO is whether it is seen as taking courses of action that make it relevant for the war, or is expected to take such actions by media audiences. The difficulty with NATO, however, is that views differ dramatically on precisely this question.

I start *first* with the view that sees NATO as a key actor, or at least a potentially important actor in the war, and thus with reasons why NATO should be highly media-visible in connection to the war. NATO and its eastward expansion are systematically presented by Russia as the ultimate cause of the war, and in that regard NATO is portrayed as a highly relevant, if not the key actor of the war. In the months and weeks directly preceding the Russian invasion of Ukraine, NATO and its members were engaged in a series of high-level talks at the Russia-NATO level, seeking to avert the imminent Russian attack (NATO 2022B, 2022C). Immediately after the invasion, and well into March 2022, a significant debate on the imposition of a no-fly zone over Ukraine by Western forces, and possible risks of a spill over of the conflict on NATO territory, drove attention to the risks of direct military engagement with Russian forces and the possible need for NATO's involvement. In relation to that, throughout the crisis NATO has by no means refrained from demonstrating its unity and resolve in its support for Ukraine. Internally, NATO and its most powerful members have been repeatedly voicing their iron-clad commitment to the Alliance, vowing to defend "every inch" of NATO members' territory (NATO 2022D). Externally, NATO members have been supplying Ukraine with critically important military and non-military equipment, including advanced weapons systems. Also, a large part of the NATO membership is involved in the imposition of drastic economic sanctions against Russia.

More generally, if the Ukraine crisis is seen by some as the fault of the "West", and NATO's openness to eastward expansion as an unnecessary provocation of Russia that is threatening its vital national interests and security, NATO is a highly relevant actor to the conflict (GÖTZ – STAUN 2022; MEARSHEIMER 2014; WALT 2022). While empirical research often dismisses the prominence of the "broken promise" explanation for Russia's aggression (MARTEN 2020) and the factual correctness of the assertions of this position (SHIFRINSON 2016), clearly the Russian narrative has a prominent place in debates about the war and an important line of scholarly thinking supports it (FOREIGN AFFAIRS 2022). All these factors have been driving strong interest in NATO's actions, or expectations of its (possible) actions, towards the war.

Second, on the other hand, from the very beginning, NATO has been seeking to strike a particular balance between supporting Ukraine forcefully, and at the same time not being directly involved in a confrontation

with Russia militarily. In the war, NATO finds itself in an increasingly tight security dilemma with Russia, and this is directly projected into its tamed rhetoric and directly visible action towards the war. This is well represented in the NATO 2022 Strategic Concept, where it is stated that the “*Russian Federation is the most significant and direct threat to Allies’ security*”, but also that “*NATO does not seek confrontation and poses no threat to the Russian Federation*” (NATO 2022A: 3). Or similarly, as put by Secretary-General Stoltenberg in reaction to the Russian attempted annexation of Ukrainian eastern regions in September 2022, “*NATO is not party to the conflict. But we will continue to support Ukraine, for as long as it takes*” (NATO 2022E). As a result of this strategically ambiguous position, from the very beginning NATO and its key states have done much to demonstrate that NATO is not directly involved in the war, and will not be as long as Russian actions do not directly threaten NATO members themselves (NATO 2022D). After all, NATO’s mandate and the commitment to collective defence embodied in Article V of the Washington Treaty do not extend to non-members.

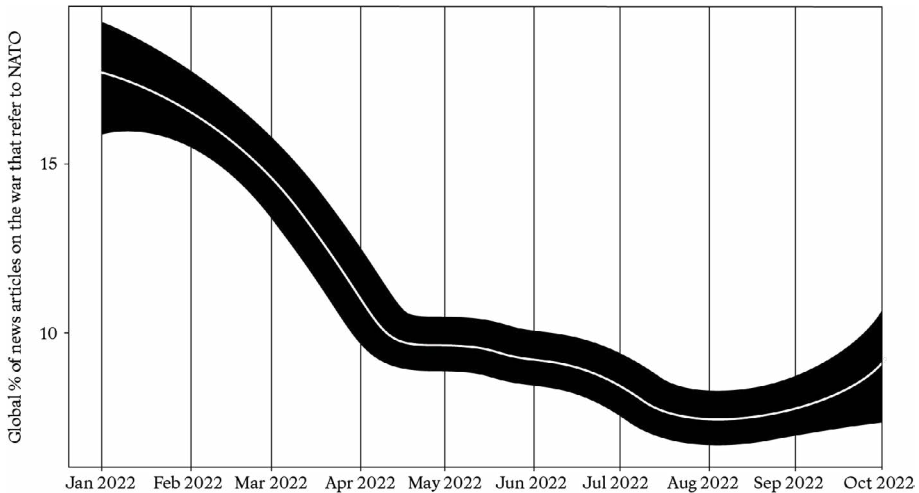
Moreover, if anything, in the last years two major challenges for NATO have been that of the contributions of its members in the form of their national defence spending levels (ODEHNAL – NEUBAUER 2020), and that of the credibility of the US commitment to the Alliance in connection with the US’s deepening engagement in the Indo-Pacific region at the expense of Europe (BELL ET AL. 2022: 550–551). From the perspective of NATO, the primary concern in the last years has not been the perils of NATO’s expansion, but rather whether the Alliance represents a genuine community reaching beyond a mere contractual relationship that can be easily reneged on

(DEUTSCH – BURRELL – KANN 1957; HOOGE – LENZ – MARKS 2019; CF. MIČKO 2021).

Empirical evidence shows support for both of these partly opposing expectations, and in particular their changing relevance over time. As visualized in *Figure 2* in early 2022, especially in January and February, NATO was associated with the rising tensions and the war very strongly, appearing in up to 17% of the news articles about the conflict. However, its visibility in media worldwide has been dramatically decreasing over time. By the end of April, the share of articles about the war that mentioned NATO was approximately one half of the corresponding share in January and February, and it continued to further decline towards around 8% in summer 2022. To better interpret these figures, we can compare these levels

of visibility of NATO with those of several key NATO members, as presented in Appendix II. The value of approximately 17% of the articles makes NATO broadly comparable in visibility to France and Germany in the first quarter of 2022, even surpassing their values by around 2–4 percentage points. At the same time this high visibility level is still approximately half of that of the US in that period. From around mid-2022, as NATO's association with the war declines, it gradually approaches the visibility values of Poland, approximately half of those of France and Germany, and a quarter the values for the US. Clearly, over time, NATO has been increasingly dissociated from the war in media globally.

FIGURE 2: NATO'S GLOBAL MEDIA VISIBILITY IN CONNECTION TO THE RUSSIA-UKRAINE WAR



Note: The shaded area depicts the 95% confidence interval around the estimate calculated as an arithmetic mean across all states.

An important caveat is due for interpreting these results, however. The figures and the declining trend in NATO visibility pertain specifically to the organization, or NATO as an Alliance. The picture we obtain from the empirical data is different if we consider the individual NATO members, in particular the US, but also France and Germany. As documented in Appendix II, all these states are associated with the war continuously without significant decreases or fluctuations. The U.S. is consistently mentioned in nearly 30% of the articles that refer to the war globally. Relating the score for NATO to these NATO members may serve as a useful

benchmark. Interestingly, there is only a small variation across world regions in levels of media attention to NATO, as it ranges between 11 and 13% of the articles.

Overall, the aggregate pattern is one of a fairly sizeable media visibility of NATO in connection to the conflict early in 2022, but a steep decrease in it over time. As the expectations of direct military action by NATO in the conflict declined, so did NATO's media visibility.

THE EUROPEAN UNION

The EU is in many regards much more than a usual IO, as it is deeply engrained in the domestic political systems of its members and forms a political system of its own kind (HIX 2005). As with NATO and the UN, though, there are reasons why the media visibility levels of the EU can be plausibly expected to be either high or low, depending on the EU's actions and expectations of its actions.

On the one hand, the EU's foreign policy agenda is dominated by the principal challenge of actorness, cohesion and collective action (KEUKELEIRE – DELREUX 2022: 1; NIEMANN – BRETHERTON 2013). The EU's engagement with foreign policy objectives has been always marred by the capability-expectations gap, or the limited actorness of the EU as a whole and its limited presence in key global foreign policy agendas (GINSBERG 1999; HILL 1993). The EU mandate in foreign affairs is more limited than, for example, in internal market, and unity of positions is always at stake in unanimous decision-making. In this specific case, the dangers to EU actorness have been furthered by a slow change in the German attitude towards Russia (BUNDE 2022; DRIEDGER 2022) and the close ties of some of the member state governments to Russia and their critical stance towards the sanctions regime imposed on it after the 2014 annexation of Crimea (GOULD-DAVIES 2020; PORTELA ET AL. 2021). This creates a situation ripe for disunity and, as a consequence, also for a breakdown of a common, strong position towards Russia. In such situations, the actor(s) with a high media visibility would likely be individual member states, such as France or Germany, or NATO rather than the EU itself (HILL 1993: 309).

On the other hand, there are also good reasons to expect the EU media visibility to be high. Empirically, so far the EU has been acting relatively

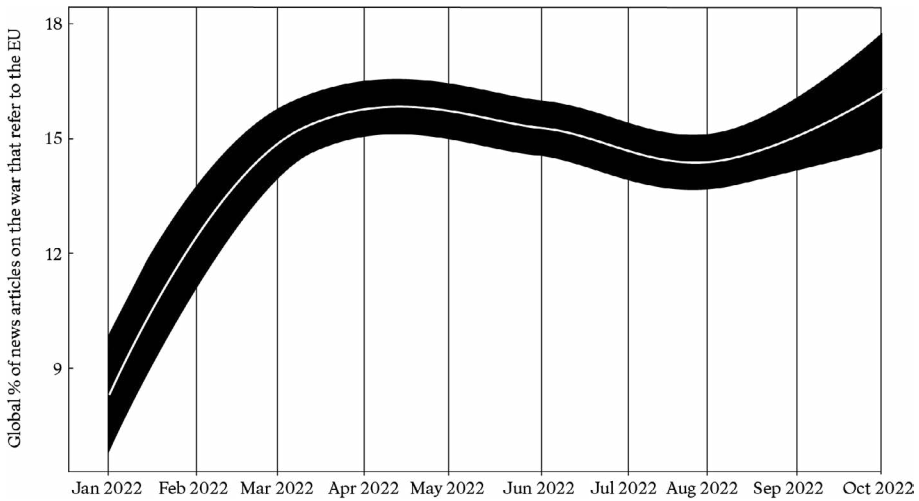
unitedly; to a large extent it has overcome the low expectations regarding its ability to act forcefully towards Russia in the economic realm, and it has also faced high expectations for how it would handle especially the refugee and energy crises. *First*, from the very beginning, the EU has been using its considerable economic power to strategically pursue its interests (EUROPEAN UNION EXTERNAL ACTION SERVICE 2022). It has delivered manifest, sizeable, repeated action in the form of extremely severe economic sanctions (which it coordinates with the US and several other states). *Secondly* and highly importantly from the long-term perspective, the EU has granted Ukraine the candidate status on June 23, 2022. This is a prime case of a strong, tangible action at the EU level. The close relationship between the EU and Ukraine has also been highlighted by the fact that the EU institutions' leaders have paid repeated visits to Kyiv: the EU Commission President Ursula von der Leyen visited it already in April 2022 and then made several more visits to it, and the Council President Charles Michel also visited it several times. *Third*, the EU has also been directly affected by the war, not least by the refugee influx – especially in the first months of the war – and later particularly by the impending energy crisis induced by the effective closure of gas supplies from Russia. All these instances of manifest action by the EU, enabled by the relatively high degree of unity among EU members so far and the considerable authority of the Community, especially in the economic realm, should lead us to expect the EU media visibility in connection to the war to be relatively high.

Empirical evidence seems to heavily support this view that reflects the *de facto* high degree of unity and ability to act forcefully on the part of the EU. *Figure 3* presents the key data. The overall media visibility of the EU in connection to Ukraine and Russia, has been relatively low before the start of the war. Since the war's outbreak, however, the EU visibility has risen and then remained stable at around 15% of the articles about the war globally. This makes the score for the EU higher than the scores for Germany and France, the most powerful EU members (cf. *Figure A2* in *Appendix II*).

Importantly, it is not only the media in the EU states themselves that report about the EU. True, the EU is indeed most visible among European countries, with 19.7% of the articles on the war from them containing references to the EU. But the EU has been consistently highly reported on

also in all other regions, with around 15–17% of the articles from them containing mentions of it. The overall picture of high EU visibility is thus consistent worldwide. This finding is interesting in relation to the general scepticism about the EU and its foreign policy actorness in regions outside of Europe, as highlighted above (SEE LAI – BACON – HOLLAND 2022) for a discussion of Asian states’ perspectives on the EU.

FIGURE 3: THE EU’S GLOBAL MEDIA VISIBILITY IN CONNECTION TO THE RUSSIA-UKRAINE WAR

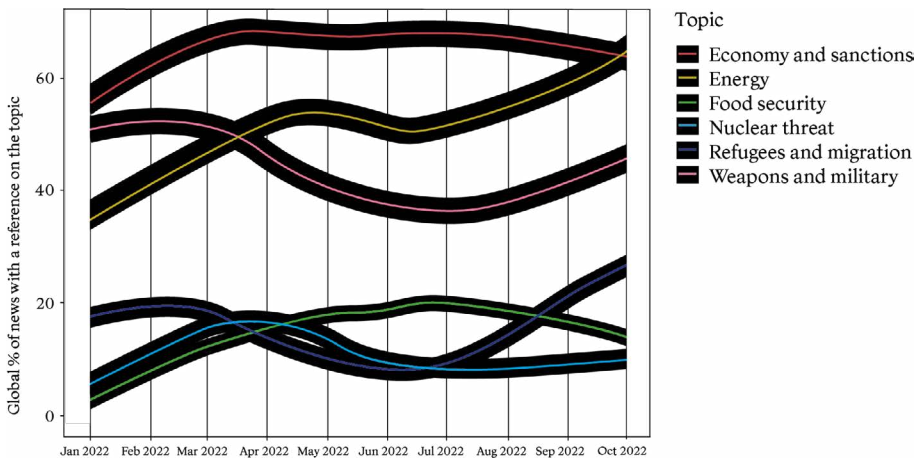


Note: The shaded area depicts the 95% confidence interval around the estimate calculated as an arithmetic mean across all states.

The observation of a strong media visibility of the EU is closely in line also with the topics the EU has been associated with in connection to the war. As shown in 4, the most prominent topic associated with the EU in this regard has been “Economy and sanctions,” which is in line with my theoretical framework and the strong course of action taken by the EU in this realm. Keywords reflecting the topic have been appearing in around 60–70% of the articles mentioning the EU throughout the war. At the same time, the topic has been forcefully joined by “Energy” since July, with both reaching equal prominence by September 2022. In addition, more than 40% of the articles referring to the EU also refer to “Weapons and military.” And toward the end of the period, the topic “Nuclear threat” has also been growing dynamically in association with the EU, from less than 10% of the articles in summer to more than 25% of the articles in September (though the score for it was close to 20% in March as well). The chart also

shows considerable attention to “Refugees and migration” with a peak of attention to this topic in April at close to 20% of the articles, as well as a prominent presence of issues associated with “Food security,” which was at around 20% over the summer. These insights highlight the very strong position of economy in news reporting on the war, but also the multiplicity of policy areas for which the EU’s actions, or expectations of action, are highly relevant, thus making the EU newsworthy in connection to the war.

FIGURE 4: REPORTING ON THE EU IN CONNECTION TO THE WAR, AND THE ASSOCIATED TOPICS



Note: The shaded area depicts the 95% confidence interval around the estimate calculated as an arithmetic mean across all states.

Overall, the strong media visibility of the EU reflects the robust actions taken by the EU across different policy fields. This was in turn enabled by the relatively high cohesion of EU members’ interests and the extensive authority of EU institutions in various matters related to the war.

THE UNITED NATIONS

Finally, the United Nations represents a yet different case for the analysis of media visibility of IOs in the context of the war. The UN is a body responsible for maintaining international peace and security (Art. 1 of the UN Charter) and in this sense from the very beginning of the war, the expectations regarding concrete action by the UN were high. Matters of war and peace are at the core of the UN’s mandate and the Charter pools authority

among member states for that purpose, especially through chapters VI and VII, and it delegates considerable authority to the UN Secretariat in this field (CRONIN – HURD 2008). It also has a broad mandate in areas related to crises, such as humanitarian affairs and refugee crises. At the same time, the permanent members of the UN SC maintain strict control over the core prerogatives of the UN in security matters through their veto power (Art 27.3). There are thus major limitations embedded in the UN architecture on what the UN can achieve in the security realm in the absence of consensus among the UN SC permanent members.

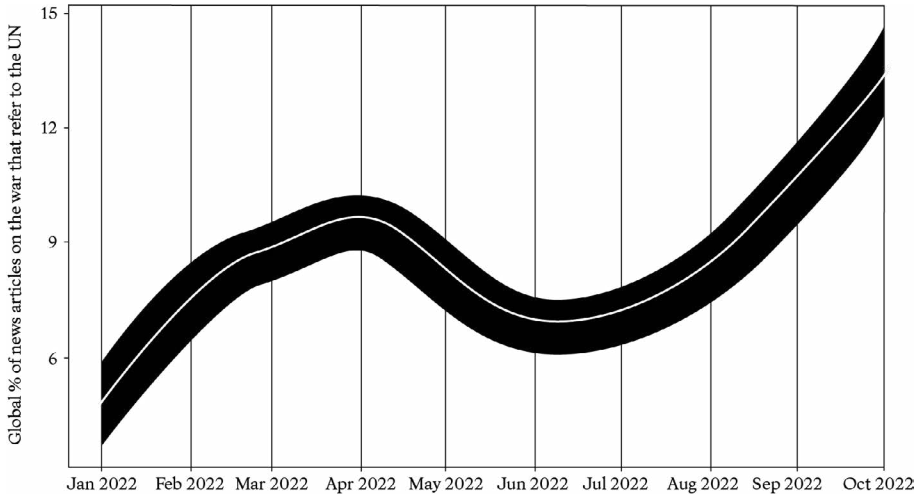
Based on my theoretical framework, this ambiguity of the UN's and the UN SC's position and scope for action is likely to be reflected in the media visibility of the UN. On the one hand, we should expect the media visibility of the UN to be very strong because of its unique mandate for dealing with international crises, but on the other hand we should expect the media visibility of the UN to decline dramatically over time, as it became apparent early on that the UN itself had no material means to prevent the invasion and re-establish peace; in other words we should expect that the expectations inherent in the UN's ambitious mandate will most likely not be met by action. Once the UN GA resolution ES11/1 condemning the invasion was passed on March 2, once the ICJ ruling requesting the withdrawal of Russian forces was issued on March 16, and once several (important) symbolic steps were taken by UN bodies, such as the outvoting of Russia in the Human Rights Council on April 7, it soon became clear that the ability of the UN to materially interfere with Russia's actions was mostly exhausted. As a result, we should expect the UN's media visibility to decline.

However, as alluded to above, the breadth of the UN mandate, covering virtually all spheres of international life, allows for the organization to be active outside of the purview of the Security Council and the realm of security proper, but still in areas highly relevant to the war. In line with that, we should expect the UN to seek to use these areas as extensively as possible, and its activity in them should likely draw media attention. These matters pertain to critical areas such as the refugee crisis, the food crisis and the danger of famines especially in the Horn of Africa due to the effective closure of Ukrainian grain exports, as well as the hazards surrounding Ukrainian nuclear power plants and the threats of the use of

nuclear weapons by the Russian Federation. These are all areas in which the UN and especially the Secretary General Antonio Guterres have been highly active. As a result, the media visibility of the UN in connection to these areas can be expected to be significant.

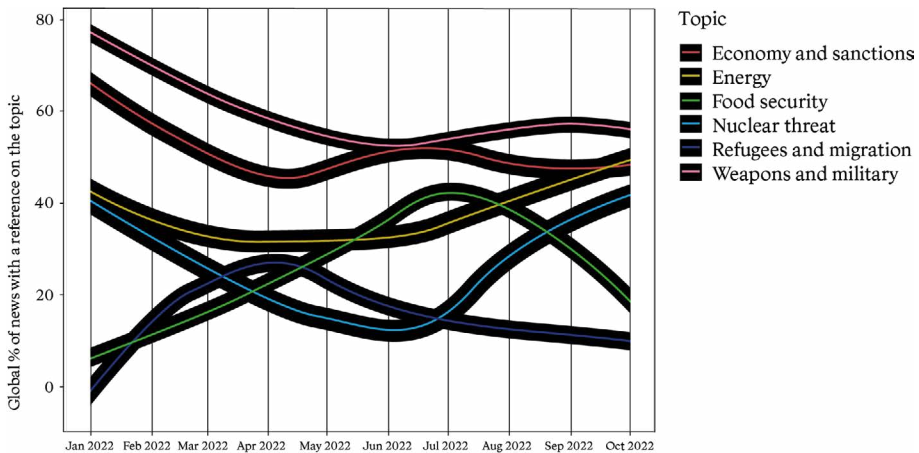
Empirical data paint a picture closely reflecting the balance between these two forces. First, the UN has received substantial coverage in relation to the war globally, appearing in around 9% of the articles related to the war. This is a figure that is broadly comparable to how visible China has been in connection to the war (cf. Appendix II). Secondly, and most interestingly, the media visibility of the UN has been developing dynamically over time. As visualized in 5, the media visibility of the UN has been growing steeply over the first months of the year, peaking in March and April with the UN SC discussions and the UN GA Emergency Session in early March. After that, the scope for action by the UN and its media attractiveness declined forcefully towards summer 2022, namely by around one third (from approximately 9.5% to 6.5% of the news articles). However, again in line with the discussion above, the UN's media visibility has been growing steeply from the summer onwards, reaching more than 13% by September (with values comparable to those of France and Germany). Compared to the previous two IOs, there is slightly more heterogeneity in the reporting intensity of the UN across regions: in Africa the score is as high as 14.5%, while in Europe it is a mere 8.5%; in all the remaining regions it is 10–11%.

FIGURE 5: THE UN'S GLOBAL MEDIA VISIBILITY IN CONNECTION TO THE RUSSIA-UKRAINE WAR



Note: The shaded area depicts the 95% confidence interval around the estimate calculated as an arithmetic mean across all states. 6 supports the interpretation of the overall UN visibility figures by bringing in the topics the UN has been associated with (in connection to the war). It shows the initially very strong association with “Weapons and military” and “Economy and sanctions” as the overarching topics inherently connected with the conflict, which were initially at above 70% of the articles referring to the UN, but later declined to 50–60%. But it also shows that the rise in attention to the UN has been associated with several major agendas in which the UN, and often the SG himself, have been prominently involved. The first was the “Food security” issue, which peaked at close to 45% of the articles, and in which the SG has acted as a mediator, as he mediated the negotiations of the Back Sea Grain Initiative between Turkey and Russia and between Turkey and Ukraine in July 2022 (UNITED NATIONS 2022A). Especially from August onwards, the rapid increase in attention to the UN has been driven by its association with the topics of “Energy” and “Nuclear threat,” with each of them reaching above 40% of the articles. In cooperation with the IAEA, the UN has been actively involved in promoting the deployment of a monitoring mission to the Zaporizhzhia nuclear power plant, and the UN SC has been repeatedly condemning Russia’s threats of using nuclear weapons (UNITED NATIONS 2022B). The refugee crisis is also well visible in the data, with the topic “Refugees and migration” peaking in March and April at around 30% of the UN-mentioning articles.

FIGURE 6: REPORTING ON THE UN IN CONNECTION TO THE WAR, AND THE ASSOCIATED TOPICS



Note: The shaded area depicts the 95% confidence interval around the estimate calculated as an arithmetic mean across all states.

Overall, also for the UN, we detect a clear pattern where the media visibility of the organization is strongly associated with concrete actions by it, or especially with the expectations of (possible) action by it at the beginning of the war. These were, in turn, enabled or constrained by key states' interests and, of course, the formal control over the UN SC decision-making enjoyed by its permanent members.

CONCLUSIONS

The findings presented in this article have important theoretical and practical implications for the EU, NATO and the UN, as well as for our understanding of the Russia-Ukraine war. *Theoretically*, tracing the media visibility of the individual IOs over time indicates a close match between their appearances in media and the scope of their action, and expectations of their action, in relation to the war. In all three cases, the interaction between the IOs' authority and mandate and the constraints that may be imposed on their action by the member states, as well as specific situational factors, opens the space for the IOs' concrete action, and raises the expectation of such action. The actions in turn drive the media visibility of the IOs. The underlying institutional structure, combined with specific situational factors reflecting the development of the crisis, thus defines the space that IOs may use to act, and media reflect this in their reporting on the IOs.

This general logic translates directly, though not uniformly, into the *practical* challenges faced by the three IOs, especially in connection to the global narratives on the IOs. *First*, the empirical results for NATO strongly suggest that the Russian narrative that the war is primarily one between Russia and NATO, rather than a Russian invasion of Ukraine, has not stuck globally. If we find that NATO is increasingly dissociated from the war in media globally, it appears that media worldwide do not consider NATO itself a key actor involved in the war. Having said that, the empirical data also show that the patterns of decreasing visibility of NATO do not apply to individual NATO members. For them – and in this context especially for the US – no trend of decreasing association with the war is visible. It may well be, then, that the war is globally perceived at least to some extent as a war between Russia and the US-led “West”, but it seems not to

be associated with NATO itself. This is a possibility warranting further exploration and scholarly attention (CF. SCHMITT 2018: 11).

Second, the empirical data reveal a consistently stable and relatively high degree of media visibility of the EU in association with the war. This is surely at least partly a result of the fact that many EU members are directly affected by the war, but it also clearly demonstrates that it is not only the individual states that are discussed in connection to the war, but also the EU as a whole (HILL 1993; KEUKELEIRE – DELREUX 2022). This is further supported by the observation that the EU has been forcefully associated in media globally with the prominent topics of “Economy and sanctions” and, later on, especially “Energy.” These are areas in which the EU as a whole has been acting with an unexpected degree of cohesion and assertiveness. The fact that the global coverage of the EU reflects this ability to act, at least quantitatively, is probably good news for the EU and the perception of its otherwise often challenged actorness in foreign policy matters. At the very least, the narrative of the (relatively) declining West, with Europe representing the weaker part of it, is not supported by these findings (CF. MISKIMMON – O’LOUGHLIN – ROSELLE 2013). Whether a dominant “new narrative” of European integration can emerge as a result of the EU’s actions remains to be seen, however (DE WILDE 2022).

Finally, *third*, the empirical evidence illustrates well the struggle of the UN to maintain relevance in the face of the conflict and the *de facto* blockage of the Security Council. It shows a decline in media coverage of the UN over the course of spring 2022 as the UN appeared materially largely irrelevant for the crisis, but it had a strong rebound over the summer with the SC’s involvement in the crises related to the war but outside of the direct control of the blocked UN SC, especially in connection to food security, energy supplies, and nuclear hazards. It appears that the breadth and robustness of the UN help it tackle a major challenge to its authority by partly by-passing the UN SC (CF. DEBRE – DIJKSTRA 2021).

For each of the three IOs, the empirical insights presented here are important for our understanding of their role in the war, but also, in the longer term, for their public image across the world. Further research on this topic should proceed in three directions. First, the empirical evidence presented here calls for further exploration of possible variation across

regions and continuous observation of the dynamics of IO visibility over time, and into the next phases of the war. Second, perhaps empirically narrower but more detailed analyses should consider more carefully the content of the reporting on the war, either by using human coders and qualitative content analysis, or by using more advanced automated text analysis techniques, such as semantic embeddings combined with machine learning (WIDMANN – WICH 2022). Third, in line with the debate on the visibility of NATO, it will be highly interesting to explore in more detail the relationship between reporting on the organizations as such, and reporting on their member states. Given how important and all-encompassing the tension between IOs as bodies, and the member states as typically the key decision-makers is, this is a superbly theoretically and empirically interesting problem.

ENDNOTES

- 1 Of course, this leaves open the question of political will among other UN members in a hypothetical situation in which Russia would not have held veto power in the UN SC.
- 2 See <<https://glowin.cuni.cz/>>.
- 3 I do not explicitly consider the degree to which the media visibility of IOs may be driven by their own activities aimed at increased media visibility for its own sake, or by variation in their capability to communicate their actions in media-ready terms (Ecker-Ehrhardt 2018b). The model is, in principle, compatible with this view as well, although especially in connection to the war, actions with material implications are likely to be particularly successful in generating media visibility.
- 4 The definition of regions follows the categorization of the United Nations Statistics Division, <<https://unstats.un.org/unsd/methodology/m49/>>.

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The U.S.-Chinese Strategic Competition and the Ukraine War: Implications for Asian-Pacific Security

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ABSTRACT

Against the background of the intensified U.S.-Chinese strategic competition in recent years, this paper examines the implications of the Ukraine war for security in the Asia-Pacific. Based on a qualitative analysis of hundreds of governmental documents, speeches and news articles, the study finds that both the United States and China have exploited the Ukraine war to double down on their strategic rivalry in the Asia-Pacific. The Biden administration has cast China and Russia as similar threats to the international order; intertwined Europe's problems with those of the Asia-Pacific; and pursued a global anti-authoritarian alliance directed against both Russia and China. China has become an increasingly uninhibited security-seeker as it has recognized its own rapidly deteriorating security situation; America's resolve to maintain its China policy; and a unique strategic moment in which to present itself globally as an anti-hegemonic, responsible great power. Given these developments, the security situation in the Asia-Pacific is becoming ever more volatile.

KEYWORDS

U.S.-China relations; Asia-Pacific; Ukraine war; China; United States; security policy; Russia; strategic competition

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INTRODUCTION

Since the end of the Cold War, the rise of China to great power status has received staggering attention. Scholars have debated whether China rises peacefully as a status-quo power, or more violently as a challenger of the U.S.-led liberal international order (ALLAN ET AL. 2018; JOHNSTON 2019). They have examined all facets of the economic, technological, cultural and political competition in the Asia-Pacific and beyond (SHAMBAUGH 2018; STEINBOCK 2018), tried to sketch out the contours of a Sino-centric regional and global order (LAYNE 2018; WANG – MENG 2020; X. WU 2018), or traced how China's neighbours have adjusted to U.S.-China relations in the region (ENVALL – WILKINS 2022; SINGH 2022A; WILKINS – KIM 2022).

With the deterioration of the U.S.-China relations in the mid-2010s – signified by the recognition of China as America's “*strategic competitor*” in the 2017 U.S. *National Security Strategy* – the Asia-Pacific region's general prospects for war, peace and prosperity have seen intensified interest (SCHREER 2019; SINGH 2022B), and scholars have debated whether the United States and China are in the midst of a new Cold War (LAYNE 2020; WESTAD 2019; ZHAO 2019), or even destined for war (ALLISON 2017; HE 2022; ZHANG – PU 2019). In short, both policymakers and scholars alike have become preoccupied with the United States and China as key actors in global politics, and the Asia-Pacific as the region where an interstate war might emerge sooner or later. By mid-February 2022, both the United States and China had made significant progress in terms of shifting their foreign policy objectives and priorities to respond to the realities of the intense rivalry in the Asia-Pacific.

Against this background, the invasion of Ukraine at the end of February 2022 has turned all eyes to Russia as a key offender of international norms and rules, and Europe as the unlikely stage of a brutal war that has displaced millions. As a watershed moment of the post-Cold War era, the purpose of this article is to ask: How does the Ukraine war affect the strategic competition between the United States and China, and what are the implications for the Asia-Pacific? To answer this question, the article first examines in depth how the United States and China have tried to shift their foreign and security policy in a new geopolitical era of bilateral rivalry on the eve of Russia's invasion. The article then traces both

countries' responses to the Ukraine war during 2022, which is followed by a discussion of the implications for security in the Asia-Pacific.

The article is broadly grounded in analytical eclecticism and thus eschews strict adherence to any given research tradition as a way to appreciate the different, interconnected driving forces of foreign policy, and advance a pragmatic understanding of knowledge-generation (KATZENSTEIN – SIL 2008). As such, while the article principally focuses on the United States and China as the main actors who respond to geopolitical events based on an assessment of their short- and long-term interests (including state survival), the analysis also incorporates other potentially relevant factors in the formulation of foreign policy, including the roles of institutions, beliefs, domestic politics, and strategic narratives. The advantage of such an approach is that it allows the article to foreground deep empirical analysis rather than theoretical complexity; however, some theoretical parsimony is lost in the process. The material for this analysis was collected during the course of 2022 and consists of hundreds of governmental materials (speeches, statements, documents) from official governmental websites (e.g., the White House, the Chinese Ministry of Foreign Affairs [MOFA]), in addition to secondary sources such as news articles reporting on presidential overseas trips, interviews or other relevant events. Most of the material is from 2021 and 2022, which corresponds to the time frame of the investigation.

Based on a qualitative analysis of the collected documents, the article argues that although the Ukraine war might in principle have eased the tensions in the Asia-Pacific as the new flashpoint in Europe demanded undivided attention, the war and its handling by the United States and China have exacerbated their security dilemma in the Asia-Pacific. In terms of the United States' response to the war, the article finds that the Biden administration's basic strategy is to support Ukraine while maintaining its focus on China as America's "*priority theatre*" (U.S. DEPARTMENT OF DEFENSE 2022A). Central to this approach is the promotion of strategic narratives that portray Europe's present as Asia's future, Russia and China as similar threats to peace and global order, and Ukraine and Taiwan as similar victims. In the short run, doing so has allowed the Biden administration to craft an anti-authoritarian coalition with both its European and Asia-Pacific partners that might be activated both in Europe and in

the Asia-Pacific. Yet, the sustainability of this approach is questionable while it antagonizes China further.

In terms of China's response to the war, the article finds that China has initially tried to assume a non-committal, non-confrontational profile. While China officially proclaims its neutrality, its position has emerged as a complex mixture of words and deeds that oscillate between support for Russia, Ukraine, Europe, and, to a more limited degree, also the United States. Doing so has allowed China much flexibility. Yet, it has also impeded any chance for it to emerge as a constructive party to the crisis, and proved to many in the United States and Europe that China was an unreliable great power with little interest in upholding international law and order. As the war continued, China came to realize that its security was rapidly deteriorating as U.S. efforts to craft an anti-authoritarian coalition advanced. As a response, China has become an increasingly uninhibited actor in pursuit of security. Yet, by trying to counteract the effects of Biden's coalition by strengthening its anti-hegemonic partnerships with countries in the Global South, further deepening its relationship with Russia, and encouraging European efforts to develop a more independent foreign policy, China also further reinforces the impression in the United States that China is indeed a malign actor bent on remaking the international order.

In terms of the implications for the Asia-Pacific, both the United States and China's response to the Ukraine war is likely to further hasten the security dilemma in the region as both states have doubled-down on their efforts to be able to confront each other in the foreseeable future, while showing limited interest in stabilizing their bilateral relations so that they would become a *modus vivendi*. In short, the Asia-Pacific region is becoming increasingly volatile not *despite* the Ukraine war in Europe, but *because* of it.

ON THE EVE OF THE UKRAINE WAR: THE U.S.-CHINA STRATEGIC COMPETITION IN THE ASIA-PACIFIC

All eyes on China: The Biden administration's pursuit of strategic competition

Even though President Joe Biden reverted many of the policies launched under Donald J. Trump upon assuming office in 2021, the China policy emerged as one of the few areas of continuity between them as his administration agreed that the United States had to seriously overhaul its China policy and recognize China for the serious competitor that it was, rather than reverting back to the engagement policy of previous decades (SUTTER 2022). Indeed, on the eve of Russia's invasion of Ukraine at the end of February 2022, the United States had made major progress in terms of reorganizing its foreign and defence priorities to respond to the task of "strategic competition" with the "pacing threat" of China (THE WHITE HOUSE 2021C; U.S. DEPARTMENT OF DEFENSE 2021).

Specifically, the Biden administration adopted a three-pronged approach centered on the themes of *competition*, *confrontation* and *cooperation* with China, all the while emphasizing America's allies and partners as a central element of any successful management of China (THE WHITE HOUSE 2021B; U.S. DEPARTMENT OF STATE 2021B). Out of these three themes, the progress in *cooperation* ("where necessary") has been largely limited to climate change, where the United States and China agreed they were "committed to cooperating with each other and with other countries to tackle the climate crisis" (U.S. DEPARTMENT OF STATE 2021G), but otherwise failed to agree on specific provisions. In terms of *competition*, the Biden administration has focused on strengthening America's economic competitiveness, such as through infrastructure or research and development expenditure. The original 'American Jobs plan', for instance, was justified as "an investment in America that will create millions of good jobs, build our country's infrastructure, and position the United States to out-compete China" (THE WHITE HOUSE 2021D; DESIDERIO 2022). Moreover, Biden has sought to strengthen the resilience of democracy at home and abroad "against the backdrop of a rise in authoritarianism and increasing threats to democracy around the world" (THE WHITE HOUSE 2021E), such as by calling a "summit of democracies" (U.S. DEPARTMENT OF STATE 2021A), or trying to "rally the world's democracies" (BIDEN 2021). The Biden administration

has also *confronted* unfair Chinese trade practices, espionage and human rights violations through tariffs, sanctions and condemnation, and has pushed against China's behavior in the South and East China Sea by conducting the Freedom of Navigation Operations, joint military exercises with partners, and weapon sales to Taiwan, and equipping Australia with nuclear-powered submarines (LARTER 2021; MIGLANI 2020; THE WHITE HOUSE 2021F; U.S. DEPARTMENT OF COMMERCE 2021; U.S. DEPARTMENT OF STATE 2021E, 2021F, 2021H; WANG 2022).

In terms of Biden's emphasis on alliances and partners, Biden has sought to restore trust in America's commitment to its partners and worked towards persuading America's partners to share his understanding of China as a strategic competitor that should be faced through strong alliances. Although the message was reiterated across various occasions (BIDEN 2021; SONNE – BIRNBAUM 2021; U.S. DEPARTMENT OF STATE 2021C, 2021D), the progress prior to the Ukraine war had been relatively slow as America's partners were hesitant to antagonize China due to their economic vulnerabilities; their preference for and trust in dialogue, cooperation and trade as means to secure amicable relations with China; as well as their doubts regarding the sustainability of America's commitments, especially in the light of the 2024 presidential elections (CONGRESSIONAL RESEARCH SERVICE 2021; LEVY – RÉVÉSZ 2021; NIELSEN – DIMITROVA 2021; SATORU 2021). Moreover, despite Biden's reassurances, the Biden administration has also made several important foreign policy decisions without either consulting or notifying its partners first, including, for instance, the launch of AUKUS, a trilateral security agreement between the United Kingdom, the United States and Australia which irritated its other European partners (FRENCH MINISTRY FOR EUROPE AND FOREIGN AFFAIRS 2021; THE WHITE HOUSE 2021F).

In total, what has become clear since early 2021 is that Biden does not shy away from difficult, controversial and potentially costly decisions to ensure America's ability to compete with China, and that such an objective can overrule other concerns, including those of allies and partners. The withdrawal of US forces from Afghanistan in the summer of 2021 is a case in point. The Biden administration hoped that moving out of the Middle East would free up resources, enabling the United States to finally properly pivot to the Asia-Pacific. As Biden justified the messy withdrawal (which negatively surprised the US's allies since they had not been notified in advance), "*our true strategic competitors – China and Russia*

– *would love nothing more than the United States to continue to funnel billions of dollars in resources and attention into stabilizing Afghanistan indefinitely*

(THE WHITE HOUSE 2021E).

Rising in a new era: China adjusts to strategic competition

China, in the meanwhile, has also started to adjust to the realities of its intense rivalry with the United States in the Asia-Pacific and beyond. For decades, the stability of the U.S.-China relations had been a central concern for Chinese policymakers as it was seen as pivotal to safeguarding China's undeterred rise, which, in turn, underpinned the regime's stability. However, with the deterioration of the bilateral relations since around 2016, China realized that it could no longer count on an environment favorable to its development and security (WANG 2021; ZUO 2021). Publicly, Chinese diplomats continued to emphasize mutual respect, peaceful coexistence and a win-win cooperation as the only way forward in the U.S.-China relation, rejected any "*Cold War mentality*" and criticized the "*China threat*" thesis as overblown since China, its intentions and interests were misunderstood or mischaracterized by the West (MOFA 2020B, 2021A, 2021B; WU 2021).

In practice, however, China began to prepare for an increasingly volatile security environment where "*long-term struggle*" was required to realize China's dream of national rejuvenation (XINHUA NEWS 2019; ZUO 2021). To maintain its defense and security interests, China continued with the modernization of its armed forces, further increased its military expenditure and pledged to "*safeguard China's overseas interests*", including, for instance, a secure energy supply (CHINESE MINISTRY OF DEFENSE 2019; SAUNDERS 2020). China predominantly relied on displays of strength, grey-zone tactics or belligerent rhetoric to intimidate its competitors, and all of these practices have intensified in recent years: It has increased its patrols in contested waters, expanded the mandate for its Coast Guard, frequently conducted military exercises, and clarified right after Biden's inauguration that "*Taiwan independence means wars*" (XINHUA NEWS 2021; CHINA MILITARY ONLINE 2021; LIU ET AL. 2021; RUDD 2021).

To maintain its steady economic development, China has begun a process of economic and technological decoupling from the U.S. market. The trade war instigated by Trump had made it abundantly clear that the Chinese market was vulnerable to sanctions and tariffs, and

that Chinese companies, for instance Huawei, might be denied access to sensitive sectors (ZUO 2021). For this reason, the 14th Five-Year Plan contained detailed proposals to strengthen economic security through increased self-sufficiency, secure supply lines or energy security (PEI 2021). At the same time, China has repeatedly emphasized its commitment to multilateralism and free trade, often in direct juxtaposition to Biden's more exclusionary club of democracies, or Trump's scepticism regarding globalization (CGTN 2021A). Aside from its Belt and Road Initiative, a wide-ranging economic development scheme which had been a centrepiece of Chinese foreign policy since 2013, China champions the 'Regional Comprehensive Economic Partnership', a broad free-trade agreement for the Asia-Pacific, as a "victory for the region" (ZHANG 2022), and continues to push for a far-ranging investment agreement with the European Union (CHINESE EMBASSY IN THE UNITED STATES 2021).

As its relations with the United States have deteriorated amid strategic competition, China has also more proactively sought to improve and deepen its partnerships with other countries to avoid international isolation (KIM 2021). For instance, China has encouraged Europe's 'strategic autonomy' in various statements (CHINESE EMBASSY IN THE UNITED STATES 2021, MOFA 2020A), lifted its relations with Africa into a 'new era' (MOFA 2021C) and sought to thaw its relations with Japan and South Korea (HUSSAIN 2020; WANG - ZANG 2021). Perhaps most striking, in early 2022, China has further deepened its strategic partnership with Russia so that it is now considered a friendship with 'no limits' (RUSSIAN PRESIDENTIAL EXECUTIVE OFFICE 2022).

China has thus become increasingly confident in the pursuit of its national interests as it believes in the inevitability of its rise as a great power (SEE ALSO ECONOMY 2020). While the stability of the U.S.-China relations once anchored and oriented China's foreign policy behaviour, now, China's main objective is to prepare for an intense military and economic rivalry with America in the intermediate future. At the same time, China continues to emphasize dialogue. Doing so allows China to point to the United States as the culprit who escalates the tensions in their relations. Moreover, the notion that China needs to still grow stronger so that it can hold up against the United States continues to orient Chinese security policy as it has no interest in prematurely engaging in any conflict.

In sum, by mid-February 2022, both the United States and China had made significant progress in terms of adjusting to the realities of their strategic competition. The United States finally had significant support for a tougher China policy across political divides, was no longer bogged down in other regions and could thus give China its undivided attention. China, on the other hand, had accepted that the age of cooperation had given way to a new era of great power competition, and made great headway in terms of adjusting accordingly. Arguably, by the time that Russia invaded Ukraine, the Asia-Pacific had become a volatile region prone to conflicts driven by the strategic competition between the United States and China.

THE UKRAINE WAR AND ITS IMPLICATIONS FOR THE U.S.-CHINA STRATEGIC COMPETITION

Russia's invasion of Ukraine in February 2022 turned the world's attention squarely back to Europe. In so far as the strategic competition between the United States and China had been a key factor driving the worsening of the security landscape of the Asia-Pacific, the Ukraine war offered the promise of a reprieve for the region as both the United States and China had to divert their attention to Europe. In fact, some commentators suggested that the Ukraine war offered a unique window of opportunity to mend the U.S.-China bilateral relations as the war clarified that Russia was the more severe security threat to the global order, that the U.S.-China cooperation was key to bringing a resolution to the war, and that China could demonstrate its willingness as a responsible great power to upkeep the international order. The restoration of the U.S.-China relations would in turn bring much-needed stability to the world, and in particular the Asia-Pacific (HIRSH 2022; JIA 2022; KARABELL 2022; ROACH 2022; SHIRK 2022; YANG 2022). Other commentators took the exact opposite position, and argued that the attention to Ukraine and the encouragement of the U.S.-China cooperation were dangerous for global order and peace, but in particular for U.S. security, as China would inevitably exploit the vacuum and further expand its reach while the United States is distracted (CHOTINER 2022; COLBY 2022; COLBY – MASTRO 2022; NAKAYAMA 2022; WALT 2022).

In practice, both America and China's responses to the Ukraine war have fallen somewhere in-between these poles, and are now discussed in turn.

The Biden administration: Choosing not to choose

The first few months of the Ukraine war have clarified that the United States is unwilling to revert or postpone its China policy so as to be able to do fully focus on Ukraine, even if it had early on tried to enlist China's help to dissuade Putin from the invasion (WONG 2022A). Yet, Biden's reputation as a transatlanticist with a strong commitment to democracy, the rule of law, institutions and human rights has also meant that abandoning Europe for the sake of his China policy was politically just as impossible.

Instead, the Biden administration decided to involve itself in the Ukraine crisis while making it clear that its main focus remained on the Asia-Pacific. The Department of Defense called the Asia-Pacific its 'priority theatre' and clarified that America's priority was *"detering aggression, while being prepared to prevail in conflict when necessary, [and] prioritizing the PRC challenge in the Asia-Pacific, [and] then the Russia challenge in Europe"* (U.S. DEPARTMENT OF DEFENSE 2022A, 2022B). The State Department likewise reassured its audiences that the United States was *"capable[...] of walking and chewing gum at the same time"* and could hence focus on Europe and the Asia-Pacific simultaneously (U.S. DEPARTMENT OF STATE 2022; BLINKEN 2022; GERMAN MARSHALL FUND OF THE UNITED STATES).

In order to implement such an approach, the Biden administration has promoted strategic narratives that weave both regions into one intertwined policy issue, and advertised this line of argumentation throughout various statements and speeches. As a senior administration official suggested, *"the idea that these are two different theatres I think doesn't make sense anymore. These are – there's [sic] very strong linkages between both"* (THE WHITE HOUSE 2022). This approach is built on the portrayal of Russia's war as that of an authoritarian aggressor against the rules-based international order. While the transgression happened in Europe, neither Russia's aggression nor Ukraine's anguish is idiosyncratic, and they can in principle happen anywhere anytime – unless the West responds strongly. As several joint statements with allies and partners emphasize, *"threats to international law and the free and fair economic order anywhere constitute a challenge to our values and interests everywhere"* (E.G. THE AMERICAN PRESIDENCY PROJECT 2022C), and are challenges which *"call for common purpose and action, across the Atlantic and the Pacific"* (THE AMERICAN PRESIDENCY PROJECT 2022D). Hence, "[f]rom

the Atlantic to the Pacific, we must all redouble efforts to support Ukraine and preserve a world in which borders cannot be changed by force" (THE AMERICAN PRESIDENCY PROJECT 2022A).

Without directly equating China with Russia, both countries are thus cast as similar threats to global peace and order. The implicit equation of Ukraine's situation with that of Taiwan also underpins this line of argumentation. As Biden argues in a thinly veiled reference to China and Taiwan, delivering weapons to Ukraine is crucial because it would otherwise "send a message to other would-be aggressors that they too can seize territory and subjugate other countries" (BIDEN 2022). Russia may have been the first to strike, but the challenge of China to the rules-based international order is equally grave, and perhaps even more so given the preponderance of China's military and economic power. In the words of State Secretary Blinken (2022), "China is the only country with both the intent to reshape the international order and, increasingly, the economic, diplomatic, military, and technological power to do it." Particularly concerning in this context is the ongoing deepening of China and Russia's relationship, which key officials of the administration emphasize repeatedly (AFP NEWS 2021A; CAMPBELL 2022).

To further entangle Europe and the Asia-Pacific, the administration often praised the support of its Asia-Pacific partners in Europe. Senior administration officials, for instance, noted "how impressed [the President] is by what the ROK has done" (THE AMERICAN PRESIDENCY PROJECT 2022B), and that the United States appreciates the "unprecedented level of engagement from Asian partners into the European theater" (CAMPBELL 2022; THE AMERICAN PRESIDENCY PROJECT 2022A). Likewise, the long-awaited elucidation of the administration's approach to the People's Republic of China lauds how "so many countries have united to oppose [Russia's] aggression" (BLINKEN 2022).

In short, the gist of such narratives is that because Europe's present can quickly become Asia's future, a resolute response from the United States and its allies and partners against authoritarian aggression everywhere is pivotal for global peace and prosperity. In other words, the Biden administration actively works towards creating a coalition spanning its partners both in Europe and in the Asia-Pacific against Russia, and orienting its focus also against the threat from China.

In principle, the Biden administration could gain much from a commitment to both Ukraine and China: Ideally, the Ukraine war has shocked the world, and in particular, Europe, into recognizing that geopolitical threats to global peace and prosperity are not a thing of the past, that engagement and trade with Russia had done little to prevent the invasion, and that Europe was long overdue to take on more responsibility for its defense. Indeed, the more partners and allies understand Russia and China as similar threats, the more likely it becomes that America could succeed in crafting a joint China policy with them, which is something that the European partners had been hesitant with before. Similarly, trust in America's commitments to its partners, which had suffered in the wake of AUKUS and the troop withdrawal from Afghanistan, could be restored, while the solidarity of the Asia-Pacific nations with Europe in terms of security would hopefully also set a precedence for Europe to reciprocate in case a conflict erupts in the Asia-Pacific. And finally, the strong international response to the Ukraine war might deter China from changing the status-quo in the Asia-Pacific.

The first few months of the Ukraine war seemed to suggest that Biden's efforts to craft a united front against authoritarian aggressors succeeded. European countries have dramatically overhauled their foreign policies. Germany, for instance, has rapidly increased its defence spending, and is in the midst of developing a new national security strategy spearheaded by its foreign minister Annalena Baerbock to ensure that Germany does not fall victim to Chinese economic blackmail ^(DEUTSCHE WELLE 2022A). Sweden and Finland have begun the process of gaining NATO membership after decades of neutrality ^(LOSS 2022; NATO 2022B), while NATO itself has for the first time recognized China as a "challenge", and decided to "step up cooperation with [its] Asia-Pacific partners", many of which attended the NATO summit for the first time ever in June 2022 ^(NATO 2022A, 2022C).

However, the Biden administration's response to the Ukraine war also bears considerable risks. In particular, there is the sustainability question. Over the long term, a commitment to both theatres is likely to drain American resources and attention, especially if the war were to go into a second year. During the first two months of the war, the United States already provided more than \$53 billion in financial aid to Ukraine ^(GROPPE 2022). Moreover, with presidential elections looming in the background, it

remains to be seen how lasting the current domestic consensus on the Ukraine war and China proves to be (SEE E.G. WATSON 2022). Indeed, even among the Democratic leadership, there is substantial disagreement on how to handle key elements of Washington's China policy. For instance, Speaker Nancy Pelosi's trip to Taiwan in August 2022 attracted substantial criticism from her fellow Democrats, including Biden, who had cautioned against the trip in the weeks before (KINE 2022). Finally, despite the professed initial unity, just how far America's allies and partners would be willing to go to stand with America regarding either Europe or China is unclear. While most of them have supported the condemnation of and sanctions against Russia – e.g., Japan, South Korea, Australia, and New Zealand – India has notably not done so. And despite the buzz around the similarities between Ukraine and Taiwan, whether there would be an equally strong and univocal condemnation of China by regional countries if it was to invade Taiwan is by no means clear (MAHBUBANI 2022).

Moreover, although Europe coordinates its activities closely with those of the United States when it comes to Russia, it does not prevent Europe's emergence as a more independent bloc with little interest in joining teams with the United States in the Asia-Pacific (SLAUGHTER 2022). Indeed, in the months following the invasion, European countries had the time to fine-tune their responses to the Ukraine war. By the end of 2022, there were mounting signs that they tried to develop a more autonomous role for themselves as stabilizers and mediators between the United States and China. Germany's chancellor Olaf Scholz emphasized the importance of Europe's independence as a global actor at the same time as he rejected the re-emergence of bloc politics, and, with it, efforts to isolate Beijing or curb cooperation (SCHOLZ 2022). Similarly, France's President Emmanuel Macron urged regional powers in the Asia-Pacific, including France, to play a cooperative role to avert a confrontation between the two great powers (FRANCE 24 2022). That said, there are also considerable domestic divisions on China as, for instance, the disagreement in Germany's three-party government surrounding the acquisition of shares of Hamburg harbor by a Chinese company demonstrates (DEUTSCHE WELLE 2022B).

In sum, despite the multiple reassurances that the United States is able to 'walk and chew gum at the same time' regarding Russia and China, in many ways, committing to both theatres is choosing not to choose, and

hoping that the war comes to a quick resolution. Rather sooner than later, the Biden administration might have to decide between Ukraine and China. However, when this moment comes, America will likely be stretched thin and forced to walk back on some of its commitments, which is likely to cause severe damage to its relations with both Asian-Pacific and European partners. In turn, this would impede the Biden administration's ability to maintain its China policy. Above all, whether it is sustainable or not, as the next section demonstrates, the Biden administration's response to the Ukraine war has major repercussions for China and its security strategy, thereby further driving the downward spiral of security in the Asia-Pacific.

China: 'We don't like what we are seeing'

In contrast to the United States, China initially responded to the Ukraine war by adopting a non-committal and non-offensive position that tried to balance its many conflicting interests. Over time, however, China has begun to refocus on strengthening its security amid a rapidly deteriorating security situation, which has chiefly meant its pushing back against the emergence of an anti-authoritarian coalition. Aside from concentrating its efforts on creating anti-hegemonic partnerships, particularly with countries in the Global South, it has deepened its relations with Russia, flexed its rhetoric and muscle to demonstrate its resolve, and moreover further encouraged Europe's autonomy.

In the first few weeks of the conflict, China was not willing to endorse or condemn Russia's aggression. On the day of the invasion, China instead remarked that it was "*closely monitoring the latest developments*", and called on all sides "*to exercise restraint and prevent the situation from getting out of control*" (MOFA 2022A). Despite the publication of a joint statement by Russia and China on their "*friendship with no limits*" right before the war (RUSSIAN PRESIDENTIAL EXECUTIVE OFFICE 2022), China officially maintains a position of neutrality (MOFA 2022D; SHENG – YELU 2022). To end the war, it has offered itself as a mediator, emphasized its great concerns about the humanitarian toll of the war, and provided (arguably modest) humanitarian aid to Ukraine. Chinese officials have stated that only diplomacy can lead to the resolution of the war and repeatedly called on everyone to "*respect and protect the sovereignty of all countries*" (MOFA 2022F).

In practice, however, there are several indications that China has from the beginning followed a more ambivalent position which some have referred to as “*pro-Russian neutrality*” (HILLE – YU 2022; SUN 2022). For instance, Chinese officials typically mirror Russia’s language about, justifications of and position on the war and call it a “*crisis*” and “*special military operations*” (MOFA 2022B) or point to NATO’s expansion as a major cause of the conflict since it has insulted Russia’s “*legitimate security concerns*” (MOFA 2022D). In China and internationally, America was regularly portrayed as the culprit who has “*started the fire and fanned [the] flames*” (MOFA 2022A), and who benefitted from the war (CHINESE EMBASSY IN GERMANY 2022; DENG – HUO 2022). While many countries have placed sanctions on China, its officials have emphasized that the country opposes “*all illegal unilateral sanctions*”, and that “*China and Russia will continue to carry out [a] normal trade cooperation following the spirit of mutual respect, equality and mutual benefit*” (MOFA 2022E). Similarly to Russia, China was also concerned about the alleged U.S. military biological laboratories in Ukraine (MOFA 2022G).

At the same time, from the beginning of the war onwards, China’s actions did not mirror its rhetoric. For instance, both state-owned and private companies have quietly complied with the sanctions, and China has thus far not supported Russia directly with military or economic aid despite some reports that Russia had requested such support (REUTERS MEDIA 2022; WONG – BARNES 2022). China moreover continues to recognize Ukraine as a sovereign state, and has met with Ukrainian diplomats (SULIMAN – FERNÁNDEZ SIMON 2022). The first element in China’s position on Ukraine emphasized that “*China maintains that the sovereignty and territorial integrity of all countries should be respected and protected*”, which “*applies equally to the Ukraine issue*” (MOFA 2022C). Placing this before the call to take everyone’s legitimate security concerns seriously – a reference to Russia – can be read as support for Ukraine’s position and implicit criticism of Russia’s aggression (SUN 2022; YANG 2022).

In short, China’s initial position has emerged as a complex mixture of words and deeds that oscillate between support for Russia, Ukraine, Europe, and the United States, depending in large part on the audience and issue at hand (SUN 2022; HAENLE – BRESNICK 2022; YAN 2022). Rather than seeking to maximize potential gains, as some observers have expected (CORBETT ET AL. 2022; IVANOV 2022; LIN 2022; MASTRO – SCISSORS 2022; ROGERS 2022), China’s initial strategy

thus chiefly revolved around maintaining as non-offensive and non-committal a profile as possible. Yet, the Ukraine war has made the simultaneous pursuit of these objectives nearly impossible (SEE ALSO MEDEIROS 2022). For instance, as seen in the previous section, avoiding international isolation had been a key reason for China seeking a greater partnership with Russia in recent years; hence, abandoning Russia would discredit years of Chinese foreign policy. Yet, too much support for Russia in the aftermath of the invasion might bring about China's international isolation. China's long-standing support for non-interference in the domestic affairs of another country (concerning especially Tibet, Xinjiang and Taiwan) moreover sits at odds with China's acquiescence to Russia's "security claims" in Ukraine. Against this background, China's insistence that the "current situation is not what we want to see" (LIU 2022; MOFA 2022C) seems genuine.

While one could make the argument that China's initial response has allowed it a large degree of flexibility to cater to the respective demands of its various audiences without having to firmly commit to any of them, the lukewarm mediation efforts have greatly frustrated all the parties involved. Here, China has missed a chance to present itself as a reliable partner and a responsible great power invested in international law and order, which would have done much to discredit the characterization of it as an authoritarian state bent on changing the international order to its liking. On the contrary, China's guarded response to the war has strengthened U.S. efforts to craft an anti-authoritarian coalition, as seen earlier. Furthermore, the sustainability of China's non-committal stance is also doubtful. Contrary to the expectation of a quick victory, the war is ongoing and continues to drain Russia's resources. Once Russia requires China's help to avoid collapse, China will be in a position where it can no longer avoid choosing between Russia and the West. Not only would this mean abandoning its foreign policy goal of diversifying its friendly relationships, especially in Europe, but it is also likely to deteriorate China's security: Either China will lose Russia, its most important partner in its anti-hegemonic struggle with the United States, or that very struggle will be intensified once China is to enter into a quasi-alliance with Russia.

Over time, as the Biden administration seemingly succeeded in crafting an anti-authoritarian alliance, China has realized that its security environment has deteriorated much faster than it had originally anticipated.

Consequently, China has begun to alter its assessment of and response to the Ukraine war, and is likely going to embark on a broader reassessment of its foreign and defense principles. Most importantly, China has recognized that irrespective of what it says or does, America seems bent on its de-facto containment policy (NI ET AL. 2022; ZHAO ET AL. 2022). Although China has fervently criticized America's "attempt at full-blown containment and suppression of China", the "democracy versus authoritarianism" narrative which drives the conflation of Russia with China, as well as efforts to link Taiwan and Ukraine (CHINESE EMBASSY IN THE UNITED STATES 2022A, 2022B), China's officials have also recognized how little they can do about these things. Indeed, what America's response to the Ukraine war logically clarifies to China is that any meaningful cooperation with the United States or its partners on Ukraine or other issue areas is unlikely to change America's determination to contain China. Hence, any cooperation with the United States becomes a liability in the strategic competition with the United States. While China's desire for some level of stability in the U.S.-China relations had checked China's ambition in the past, following the Ukraine war, chances are that China will emerge as an increasingly uninhibited great power in search of security.

In this context, while Taiwan had been a hotspot in the U.S.-China relations for a long time, the Ukraine war has further increased the related tensions. Aside from the strategy to interweave Europe and the Asia-Pacific and present Taiwan as a (potential) future victim, in the midst of the Ukraine war, Biden has suggested that America is willing to intervene militarily in case of a Chinese attack on Taiwan only for the White House to reaffirm its adherence to the 'One-China Principle' shortly thereafter (LIPTAK ET AL. 2022). This mixed signaling is likely supposed to deter China from moving on Taiwan without having to explicitly change the status-quo or America's principle of 'strategic ambiguity'. Yet, for China, such remarks suggest with renewed clarity that the United States might support Taiwan's independence in the foreseeable future, which is something which Pelosi's visit to Taiwan in August 2022 further underscored. Against this background, it is unsurprising that both Taiwan and China study the Ukraine war and in particular Ukraine's successful innovations in great detail to assess if and how they might be deployable also in a possible military conflict over Taiwan (BLANCHARD 2022). Finally, the elections in the United States and Taiwan in 2024 put increasing pressure

on China since US presidential candidates who have already come out in favor of Taiwan's independence – such as Mike Pompeo – might assume office. Some observers have begun to speculate that China was therefore considering a speedy reunification by force (CHEN – WAN 2022; GROSSMAN 2022; SEVASTOPULO – HILLE 2022).

For the time being, as a response to America's choices in the Ukraine war and in particular its seeming success in building an anti-authoritarian coalition, China has taken several measures. For one, it has warned the United States and its partners that they should not underestimate *“the resolve and capabilities of China's armed forces to defend its sovereignty and territorial integrity”*, and that it would, for instance, *“fight at all costs”* if *“anyone dares to secede Taiwan from China [sic]”* (XINHUA 2022). Demonstrating its resolve, China has also increased the amount of warplanes sent into Taiwan's air defense identification zone (LENDON – CHANG 2022).

Moreover, China has doubled-down on efforts to craft and lead anti-hegemonic partnerships and institutions. In particular, it has reached out to countries in the Global South to join it in its vision of a multipolar (i.e., non-U.S.-led, hegemonic) world where countries do not have to choose between Ukraine/the United States and Russia or suffer the consequences of the war. Central to such efforts are strategic narratives promoted in global fora by the top leadership that present America and its partners as promoting exclusionary bloc politics which go against the interests of the international community and, in particular, developing countries. For instance, a sharp rebuttal of America's China policy emphasized that the ‘West's’ united response to the war in truth only included a few select countries: *“Among the more than 190 members of the UN, more than 140 countries, including NATO member state Turkey, have refused to impose sanctions on Russia”* (CHINESE EMBASSY IN THE UNITED STATES 2022B). Similarly, at the BRICS Summit in June 2022, Xi Jinping sharply criticized how *“some countries attempt to expand military alliances to seek absolute security”* (MOFA 2022M). Elsewhere, Xi emphasized how *“some countries have politicized and marginalized the development issue”* (MOFA 2022). Moreover, against the background of food shortages and ongoing developmental needs of the Global South, China has also emphasized that the international community should not *“level down support and input to Africa because of the Ukraine issue”* (MOFA 2022N).

In this spirit, China continues to spearhead alternative institutions that it presents as non-exclusionary and non-political. Aside from further emphasizing the importance of the Belt and Road Initiative, China's leaders have begun to promote two novel initiatives that are ostensibly more inclusive and equitable than the U.S.-led international order. As such, both the 'Global Security Initiative' and the 'Global Development Initiative' are presented on global and regional platforms as necessary supplements to the multilateral UN system (SEE E.G. MOFA 2022J, 2022K, 2022L, 2022M).

To counteract Biden's efforts to craft an anti-authoritarian alliance, China has moreover tried to pull European countries away from coordinating their China policies with that of Washington, and relied on diplomatic overtures, concessions, and the continuing appeal of its market to do so. As such, late in 2022, Xi hosted Olaf Scholz, who was accompanied by a range of German managers, as the first Western leader to visit China since the beginning of the pandemic, and shortly thereafter invited European Council President Charles Michel. In both cases, China catered to European concerns by publicly opposing the usage of nuclear weapons, clarifying that it would not supply Russia with weapons, and pledging to keep the Chinese market open for European business (MOFA 2022O).

Finally, China has also decided to strengthen its ties with Russia as the war dragged on. Several weeks into the war, China declared its dedication to "*promot[ing] China-Russia relations in the new era to higher levels*" (MOFA 2022H), and later also lauded the "*great resilience and internal dynamism of [the] bilateral cooperation*" (MOFA 2022I). Right after Biden's pledge to defend Taiwan, China and Russia conducted their first joint military exercise in East Asia after the outbreak of the Ukraine war (WONG 2022B).

Despite these efforts, whether China's crafting of an anti-hegemonic coalition will be successful remains to be seen. Russia's pariah status in international politics makes the country likely to welcome any support from China, and willing to support China's initiatives. The countries in the Global South might be more hesitant to move closer to China if its 'multilateral' initiatives come across as too explicitly directed against the United States. While several European leaders have recently emphasized the need for an autonomous Europe and their aversion to bloc politics,

whether Europe would assume a neutral role in case conflict broke out in the Asia-Pacific is unclear.

Finally, there is the question of China's relation with Russia, which remains uneasy at best. Although it is difficult to judge the exact nature of the bilateral relations from the outside, it is clear that Russia has not been forthright with China. A spokesperson of the Chinese Foreign Ministry, for instance, argued early on that Russia would not "*conduct missile, air or artillery strikes on cities*" (MOFA 2022A), but was proven wrong shortly thereafter. After a meeting between Xi and Putin at a summit in Kazakhstan in September 2022, it became abundantly clear that rather than supporting Russia's position, China had important "*questions and concerns*" over Ukraine that Russia needed to account for (THE GUARDIAN 2022G). Despite such grievances, Russia's preoccupation with Ukraine and its pariah status have allowed China to strengthen its influence in Central Asia (SHI 2022). In so far as the region was traditionally Russia's backyard, frictions between China and Russia might be on the horizon, even if China tries to strengthen the bilateral ties for now.

CONCLUSION: IMPLICATIONS FOR THE ASIA-PACIFIC

This article has discussed the impact of the Ukraine war on the strategic competition between the United States and China in the Asia-Pacific. After examining how the United States and China have adjusted their foreign and defence policies to the realities of the strategic competition, the article has delved into the response of the United States and China to the Ukraine war during its first year. Based on this examination, it can be argued that although the war could have provided some reprieve for the increasingly tense security situation in the Asia-Pacific, the way both the United States and China have responded to the war has further worsened the security landscape in the Asia-Pacific.

In terms of the United States' response to the war, the Biden administration has opted to make use of the shockwave of the war to advance its China policy. In so far as most of the U.S.'s European and Asia-Pacific partners had in the past been hesitant to embrace the Biden administration's representation of China, the war has played into the administration's hands as it provided ample evidence that interstate warfare

and authoritarian aggression were no relics from the past. By choosing to present an authoritarian alliance between China and Russia as a *fait accompli*, and Russia's unjust war against Ukraine as a preview of things to follow in the Asia-Pacific and Taiwan, the Biden administration made much progress in terms of implementing its China policy, and crafting an anti-authoritarian alliance of democratic nations that is poised to respond to authoritarian aggression anywhere, including in the Asia-Pacific. Yet, as the article has also argued, the sustainability of Biden's approach is by no means guaranteed. While Biden's response to the Ukraine war undoubtedly worsens the U.S. relations with China, by the time the United States might have to make difficult choices between Europe and the Asia-Pacific, it is likely to be stretched thin and facing an increasingly uninhibited China.

China's initial choice to keep a non-committal, non-confrontational position on Ukraine, on the other hand, has also further worsened the security situation in the Asia-Pacific. Rather than presenting itself as a supporter of the international order, China maintained a non-committal stance toward and deepened its relationship with Russia, which have become key arguments for why an anti-authoritarian coalition was direly needed, and had to be directed against China, too. Instead of being able to wait until after the war settles, China's security environment deteriorated quickly. As China realized that the United States was bent on its de-facto containment policy irrespective of China's behaviour, most incentives for China's cooperation with it have disappeared, and China has become increasingly uninhibited in the pursuit of its interests. China has thus opted to double-down on efforts to create anti-hegemonic partnerships, including deepening its ties with Russia. By now, China is likely in the middle of a profound reassessment of its security and defence principles, and only time will tell whether, for instance, China will prioritize the reunification with Taiwan over a *modus vivendi* in the U.S.-China relations. Either way, China's response to the Ukraine war has undoubtedly raised concerns in Washington and elsewhere, and only further drives down the spiral of security competition in the Asia-Pacific.

While the security situation in the Asia-Pacific thus looks increasingly dire, there are many moving parts that might come together to stabilize the relations. At the end of the day, the Ukraine war and the rapid escalation of the conflict in the U.S.-China relations have demonstrated

with renewed clarity how quickly a conflict might break out. Perhaps this might persuade policymakers in the United States and China of the merits of stability in the U.S.-China relations. In so far as Biden's position after the midterm elections has slightly strengthened, it could allow him to emphasize the cooperative dimension of his China policy again; moreover, he might be able to exert greater control over his party's position on issues such as Taiwan. For China, the successful passing of the 20th Party Congress and the consolidation of Xi's power without disruption might also open up space for a more conciliatory tone towards the United States. In this light, the first in-person meeting between Xi and Biden in November 2022 has been called a "baby-step" towards improved relations (NPR 2022). Europe, on the other and, might indeed successfully emerge as a mediator, as countries such as Germany pledge to take a more active role in security politics.

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Forum on the Czech Presidency of the Council of the European Union

The 2022 Czech EU Council Presidency: Performance in the Fields of Security, Energy and Rule of Law

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ABSTRACT	<p>By the end of December 2002, the Czech EU Council presidency came to an end. Czechia was holding the rotating Council presidency for the second time and like in 2009 its presidency trio was rounded out by the preceding French presidency and the following Swedish one. The key difference between the two Czech presidencies was the changed institutional context. While the 2009 presidency took place on the verge of the entrance into force of the Lisbon Treaty, the Treaty nevertheless only came into effect in December 2009, a couple months after the Czechs passed the presidency baton to the Swedes. The 2022 Czech presidency was thus the first that the country held under the Lisbon rules. These rules curtailed the role of the rotating presidency in terms of presiding over the European Council as well as the Foreign Affairs Council. Most importantly, the practicalities of the Czech presidency were affected by the suddenly changed international context following the Russian aggression against Ukraine. The Czech presidency as well as the presidency trio had to revise their priorities and the entire EU was primarily focused on the war in Ukraine and its consequences. This special forum containing seven articles provides an early analysis that engages the existing scholarly literature on the performance of Czechia at the helm of the EU.</p>
KEYWORDS	Czechia, Council of the EU, Rotating Presidency, assessment, security, energy, rule of law
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THE COUNCIL PRESIDENCY AND (SMALL) EU MEMBER STATES

The rotating Council presidency has always been the object of academic inquiry, political contestation, and journalistic scrutiny (BATORY – PUETTER 2013; METCALFE 1998; TALLBERG 2003, 2004). Yet, there is no common understanding of what a successful Council presidency looks like (VANDECASTEELE – BOSSUYT 2014). For a presidency official, the objective may be a conclusion of a difficult Council negotiation or achieving compromise in a trilogue. The presiding country's political elite may just wish for surviving the period without a major PR disaster and too many political costs. For the EU as a whole, a successful presidency provides for smooth policymaking. The presidency is responsible for setting the agenda, brokering a compromise among the member states, and negotiating with the European Parliament on behalf of the Council. Given the number of working groups, committees and ministerial sessions that take place every month, as well as the number of dossiers that are open in parallel, the presidency is an enormous task in terms of logistics and coordination that requires a lot of personnel, time, and effort.

The Council presidency is particularly important for smaller EU member states. It ensures a place for them in the spotlight that allows them to increase their profile domestically, at the EU level and beyond. And it places them right in the middle of the EU decision-making with a much better position to influence the final policy (BÁTORA 2017; BENGTSOON – ELGSTRÖM – TALLBERG 2004; WIVEL 2018). That is why the rotating presidency has been preserved in most Council settings (with the key exception of the Foreign Affairs Council and the European Council) despite its downsides, which include the constant handing over of the coordination and the lack of a consistent direction in EU policymaking. The presidency also allows for a broader and deeper Europeanisation of the member states' administrations, where a larger number of people need to be involved in European affairs, and their contacts become more intensive (JAMES 2010; PANKE 2010). This in turn helps member states to have a higher influence on decision-making (CF. WEISS 2017).

At the same time, the presidency puts an enormous strain on small states' administrations, which struggle to cover the vast EU agenda even in normal times (BUNSE 2009; KAJNČ – SVETLIČIČ 2010). Small states tend to remain

silent on issues of lesser importance because they do not have the capacities to closely follow all items on the agenda and have detailed positions on all of them (PANKE – GUROL 2018). When they hold the presidency, however, small states must chair all the meetings and perform the role of an honest broker on all files. That leads to a major mobilisation within the national administration, including giving up on many domestic issues that need to be put on the back burner.

THE CZECH EXPERIENCE WITH THE COUNCIL PRESIDENCY

In 2022, Czechia held the office of the Council presidency for the second time during its almost 20 years of EU membership. This time, there were reasons to head toward the presidency period with less anxiety than before, with the main reason being that there already was some knowledge of the presidency business within the administration. At the same time, the first Czech presidency was generally considered a missed opportunity and a reputational failure which put additional pressure on the state to fare better this time.

The 2009 Czech Council presidency took place in a difficult context (CF. KRÁL – BARTOVIČ – ŘÍHÁČKOVÁ 2009). Externally, the presidency faced a gas crisis following a Russian-Ukrainian dispute, a violent conflict in the Gaza Strip, and the global financial crisis with its economic consequences. Internally, the European Union was heading into the election campaign before the EP elections in June 2009. The Czech tenure followed the very active French presidency, which was reluctant to hand over the presidency baton. Domestically, the Czech government struggled to maintain a majority in the parliament and clashed with the openly Eurosceptic president Václav Klaus. The domestic political disputes contributed to the fact that Czechia remained the last member state to ratify the Lisbon Treaty in November 2009, which had further undermined the starting position of the presidency.

Overall, the 2009 Czech presidency has been considered a debacle in the academic literature, even earning the label of the ‘worst ever presidency’ (LIŠOŇOVÁ 2009). Arguably it was the fall of the Topolánek government in the middle of the presidency that contributed to this judgment because the administrative and logistical side of the presidency was without major

problems. But there had been many mistakes made during the preparation and the conduct of the presidency that were caused by the country's general lack of experience with the office, lack of understanding of its tasks and (unwritten) rules, and domestic ignorance of European politics (KACZYŃSKI 2009). Domestically, the presidency was interpreted as a missed opportunity because the state failed to make extensive use of the human resources involved. Despite the high investment in the training and preparation for the presidency, the state failed in employing the new knowledge and skills over a longer term (KANIOK – GERGELOVÁ ŠTEIGROVÁ 2014).

THE PREPARATIONS FOR THE 2022 PRESIDENCY

The aftertaste of the 2009 presidency fed into the anxieties and debates regarding to what extent Czech politics was mature enough to appreciate the presidency role and prepare accordingly. There were several main concerns related to politics and personnel.

In the political realm, Czechia had struggled to maintain a positive image at the EU level. Several factors played a role in this. Firstly, the Czech presidents of the last two decades never had a particularly positive reputation in European politics (CF. NOVOTNÝ 2020). Václav Klaus's effort to torpedo the ratification of the Lisbon Treaty and his highly Eurosceptic position during the last years of his tenure remained on the minds of Czech and European actors. Despite Klaus being long out of active political life, his influence on ODS, the main governing party after the 2021 elections, remained significant. As for Miloš Zeman, the president in office, he became a toxic figure in European politics due to his populist turn and his openly pro-Russian position, which lasted until February 2022 (VĚRTEŠI – KOPEČEK 2021). Secondly, the parliamentary elections scheduled for October 2021 made political leadership in the preparations of the presidency difficult. Even though the administration started discussing the content and the form of the presidency well in advance, political attention was driven away from it by the election campaign and also by the fact that the priorities had to be finalised by the incoming government.

When the new government took office in December 2021, it brought together five political parties with rather different views of European integration (HANČL 2022). On the one hand, the leading ODS, which nominated

the Prime Minister, remained a founding member of the soft Eurosceptic ECR Group in the European Parliament. On the other hand, the three junior parties in the government, including STAN, which nominated the Minister for European Affairs, who was responsible for the coordination of the presidency, were members of (or affiliated to) the EPP. Finally, the last member of the coalition, the Pirate Party, which nominated the Minister of Foreign Affairs, is a member of the Greens/EFA group. As a result, the final formulation of the presidency priorities avoided some politically disputed topics, such as the implementation of the EU Green Deal, even though it was clear that it would form a large part of the presidency's agenda (CZECH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION 2022A).

Administratively, the presidency preparations suffered from a long-term disregard on the part of the outgoing Prime Minister Andrej Babiš. Babiš, who had started off eager to join the group of European leaders, gradually became at odds with the EU leadership due to his conflict of interest in the distribution of EU funds in Czechia. As a result, he and his party adopted an ever more critical position towards EU integration. Babiš publicly denounced the Council presidency as a 'talking shop with nibbles' (ŠAFARÍKOVÁ 2022A) and his government cut the presidency budget substantively. Despite the consecutive budget increases in 2021 and 2022, the final budget remained much lower than that in 2009. The administration had to reduce the number of officials hired to increase the personnel at the permanent representation in Brussels, and fill some of the empty places caused by this shortage with interns paid through the Erasmus+ programme (ZACHOVÁ 2022).

Paradoxically, the Russian invasion of Ukraine in February 2022 helped with the Czech presidency preparations by diminishing the potential for domestic clashes. The government adjusted the presidency programme so that the EU's assistance to Ukraine and the EU's own resilience would be clear priorities. There was no difficulty in rallying all the governmental parties around these objectives, and the external shock provided for a higher willingness among the member states to support the common EU positions that the presidency mediated (ŠAFARÍKOVÁ 2022B).

THE GLOBAL, REGIONAL, AND DOMESTIC CONTEXT OF THE CZECH EU COUNCIL PRESIDENCY

In 2014, the then Czech government established a permanent venue for debate on EU issues, the so-called National Convention on the European Union. One of its aims is to formulate expert recommendations and opinions regarding Czech EU policy. Well ahead of the Council presidency, it organised two roundtables, one in September 2020 and another in October 2021, to attempt to provide a strategic discussion of its priorities among policymakers and experts (*NÁRODNÍ KONVENT 2020, 2021*). While these roundtables forwarded several recommendations for presidency priorities that remained relevant,¹ they seemed to become partially void after the Russian invasion of Ukraine on February 24, 2022. The Czech government was arguably in a better position to update and revise its priorities for the upcoming presidency than the French government, whose presidency programme was abruptly interrupted by the Russian aggression against Ukraine less than two months since the French presidency began. Nonetheless, the Czech government had to revise and update the already prepared presidency programme to reflect the ongoing war against Ukraine and its many repercussions for the EU, its member states and the wider European continent.

In a sense, the 2022 Czech EU presidency may be seen as a *déjà vu*. In 2009, the Czech presidency faced an economic crisis in the eurozone and a conflict between Russia and Ukraine over natural gas. Soon after its start, the dispute between Russia and Ukraine turned into a full-blown crisis when all the Russian gas flows through Ukraine were halted on January 7. The first Czech presidency thus quickly took on a crisis-management character. Few would expect back then that the second Czech presidency more than 13 years later would take place amid another Russian fossil fuel crisis and in an era characterised by high inflation and low economic output in Europe. While the respective natures of the two sets of crises differ, one can easily see many similarities of the crises in the first and second Czech presidency, and in 2022, the presidency had to take on the role of a reactive crisis manager once again.² The energy crisis and the high inflation, both of which were caused or increased by the Russian invasion of Ukraine, required immediate solutions. After the endurance test of the Covid-19 pandemic, the Russian invasion of Ukraine further exposed the vulnerabilities of European

societies, such as their high dependence on fossil fuels and the fragility of globalised supply chains. Moreover, the war in Ukraine led to an extraordinary humanitarian situation when over four million people fled Ukraine and sought shelter in the European Union (UNHCR 2023).

As a result of the systemic challenge to the regional and global (geo-) political, security, economic, energy, and migratory order following the invasion of Ukraine, the upcoming Czech presidency was to become primarily dominated by external events. The presidency policy agenda was likely to be radically securitised and geo-politics driven. Put differently, the Czech presidency's primary task was to guide the EU through the troubled waters of a 'Zeitenwende' by focusing on accelerating the development of policies that ensure peace and security, while promoting the achievement of the green and energy transformation and alleviating the current security, energy, and humanitarian crisis. At the same time, the Czech presidency still could not lose sight of the future institutional reform of the EU, the result of the Conference on the Future of Europe, and concerns about democratic values and rule of law in several member states.

Related to the last point, the new Czech government also engaged in a re-evaluation of its position in the Visegrád Group (V4). The government's programme stated that Czechia would continue in its close cooperation with its V4 allies, but some coalition parties and politicians, such as Prime Minister Petr Fiala and Minister for European Affairs Mikuláš Bek, made it clear that Czechia would look for other partners within the EU (URBANOVÁ – GRIM 2022). After the Hungarian elections of May 2022, which produced a constitutional majority for Viktor Orbán's Fidesz, and following the Hungarian reluctance to back up the sanctions against Russia, it became plainly visible that the V4 countries often promoted different interests in EU policies. While the V4 was not to collapse altogether, its profile within the scope of the Czech presidency did not feature very high. Despite established practice, the prime ministers of the V4 countries did not meet for a coordinating meeting before the last European Council summit, which took place before the beginning of the Czech presidency in June 2022.

THE PRIORITIES OF THE 2022 CZECH PRESIDENCY: A SHORT OUTLINE AND THE EXPECTED FOCUS

The priorities of any single presidency are not constructed in a vacuum. The first point of departure for the Czech presidency was the programme of the presidency trio (France, Czechia, Sweden) for the period of January 2022 to June 2023. The programme of the trio outlined four overarching priorities: (1) protecting citizens and freedoms, (2) developing the economic base and promoting a new growth and investment model for Europe, (3) building a climate-neutral, green, fair and social Europe, and (4) promoting Europe's interests and values in the world (COUNCIL OF THE EUROPEAN UNION 2021). While the joint programme of the trio is shared, it provides room for navigating different national sensitivities and prioritising certain files over others in the programmes of each of the three presidencies.

As argued above, Czechia had to revise its priorities a few months prior to the beginning of the presidency in the context of Russia's aggression against Ukraine and the resulting rapid and dramatic changes in the (geo-)political environment. The overall objective of the Czech presidency was to contribute to creating the conditions for the security and prosperity of the EU in the context of the European values of freedom, social justice, democracy and the rule of law and environmental responsibility. More specifically, against the backdrop of the ongoing fighting in Ukraine, the Czech government proposed five main topics to drive the presidency: (1) managing the refugee crisis and Ukraine's post-war recovery, (2) energy security, (3) strengthening Europe's defence capabilities and cyberspace security, (4) strategic resilience of the European economy, and (5) resilience of democratic institutions (CZECH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION 2022B).

While the outgoing French presidency focused mostly on the ecological and digital transformation and the strengthening of the presence of the European Union as a sovereign actor on the world stage, including the adoption of the Strategic Compass (FRENCH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION 2021; MARTIN – DE LIEDEKERKE 2022), the Czech presidency was less likely to focus on grand plans for reforming and ascertaining the agency of the Union. Despite its motto 'Europe as a Task: Rethink, Rebuild, Repower', which was largely borrowed from Václav Havel's speech at the

Charlemagne Prize award ceremony in 1996, the Czech presidency was more likely to focus on short-term solutions to the current problems than on rebuilding and rethinking the foundations of the EU. Indeed, even a quick look at the priorities suggests that the leitmotif of the Czech presidency was the war in Ukraine and its impact on Europe. The programme of the Czech presidency largely aligned with the new initiatives of the European Commission and the member states since February 24 and further refined and developed them.

The changing global, regional, and domestic context described in the previous section was significant not only for the priorities and programme of the Czech presidency, but also for its day-to-day conduct. How would the Czech presidency deal with the enlargement file now that Ukraine asked for candidate status? What aspects of the European Green Deal (EGD) would it prioritise over others? How would it proceed with the reform of the agricultural policy amidst the food security concerns exposed by the war in Ukraine? Would the discussions of the follow up to the Conference on the Future of Europe be overshadowed by other agenda and priorities? The rest of this section will now try to elaborate on how the Czech presidency was likely to respond to these and similar questions, which specific files it was likely to prioritise within larger policy areas, such as the EGD, and which key, yet polarising files it was set not to be able to ignore.

Beginning with the EGD, one of the important tasks of the Czech presidency was to withstand the pressures that instrumentalised the war in Ukraine to undermine the whole initiative. The Russian invasion of Ukraine had immediate consequences for the wider EGD agenda. On one hand, it created a pressure for a long-term energy transition away from fossil fuels and a pressure to step up decarbonisation. On the other hand, it created a backlash against increasing the investment into climate change adaptation and mitigation due to soaring energy prices, and it led to a (short-term) shift towards more extensive use of local, non-imported fossil fuels. Some politicians immediately argued that it was not the time to burden the industry with new targets and regulations. Almost three-quarters of the experts approached by the Institute of European Environmental Policy believed that the war would have negative consequences for the Green Deal implementation in the short term (KOŽMÍNOVÁ ET AL. 2022). Similarly, six out of ten respondents in the same survey saw Czechia as not committed

to the implementation of the EGD. The ongoing crisis provided the Czech government with a handy excuse to hide its climate-scepticism behind immediate problem-solving efforts. Indeed, the five main priorities of the Czech presidency included energy security but not climate or environmental issues. Therefore, it was likely that the long-term EDG agenda, such as energy transition, decarbonisation of the economy, reduction of greenhouse gases and the carbon border adjustment mechanism, would give way to more short-term energy security agenda, such as the reduction of the EU's dependence on Russian fossil fuels and security of supply.

The Russian attack on Ukraine and the related disruption of grain markets also affected the debate about the Farm to Fork (F2F) strategy. Food security, production and supply-focused concerns came to the fore at the expense of the environmental, sustainability, and biodiversity objectives of the strategy. In fact, the agricultural lobby seized the moment to undermine the F2F strategy, which they mostly disliked from the beginning. Given the long-term Czech call for flexibility of the F2F targets, the presidency was likely to invest much more time into safeguarding food security than into advancing environmental concerns (FOOTE 2022).

Unlike those in 2009, the 2022 presidency priorities do not mention the word “enlargement” even once. The absence of references to enlargement may be surprising given that enlargement (to the Western Balkans) is a long-term priority of the Czech EU policy that cuts across time and governments (KOVÁŘ – TICHÝ – KOVÁŘ 2013). The priorities just mentioned that Czechia would work towards the granting of candidate status to Ukraine but that already happened at the EU summit in June 2022 (where Ukraine received candidate status together with Moldova). The job of the presidency was then to organise the first steps in the accession process of both countries. Nonetheless, the situation opened a whole new discussion about the future of the EU enlargement policy *and inspired a lot of creative thinking*. The work of the Czech presidency was to navigate through that debate and move the accession process forward in both the Western Balkans and the Eastern neighbourhood. One may argue that making progress on the Western Balkans enlargement became even more important after the EU granted candidate status to Ukraine and Moldova, thus increasing the pressure to deliver on earlier promises. The Czech presidency was to steer between the fast-track and merits-based approaches to enlargement and

the danger that one approach may disappoint countries to the East and the other those in the Balkans.

The issue of enlargement was made even a bit more complicated for the Czech presidency when in May, French President Emmanuel Macron put forward the concept of the European Political Community (EPC), which could include countries both within the EU and outside it to create a community of shared values and a venue for discussing matters of common interest. The proposal was later supported by the European Council president Charles Michel as well as the European Commission president Ursula von der Leyen. However, it immediately raised fear among the candidate and potential candidate countries for EU membership that it was an excuse for the EU not to deliver on its enlargement promise, and that it was either a stalling tactic or even a permanent alternative to EU membership. It was decided that the EPC would be formally launched in the margins of the informal European Council summit organised by the Czech presidency in October. The question of EU enlargement and cooperation with the Union's neighbours was likely to become a topic before and for the first summit of the EPC and this had a clear bearing on the Czech presidency and the Czech EU policy interests (STRATULAT 2022). Interestingly, in this respect, the Czech presidency could indirectly establish a link to its 2009 presidency, during which the EU's Eastern Partnership initiative was launched at the European Council summit in Prague. In addition, the Bulgarian veto on the opening of accession talks with North Macedonia and Albania was another sticking point that the Czech presidency was hoping to resolve. Similarly, it had to broker the accession of Croatia, Bulgaria, and Romania to Schengen, which was likely to face opposition from several member states, particularly from the Netherlands and Austria.

The Czech presidency's prioritising of the resilience of democratic institutions, including an explicit reference to the rule of law, could have raised hopes in some circles that Czechia would take a strong stance on the rule of law issues and distance itself from countries having issues in the area (mostly its partners within the V4) (POVÝŠILOVÁ 2022). However, such a reading of the priorities of the Czech presidency would be an overstretch or at least wishful thinking. Czechia was never really posited to take a proactive role on rule of law and clash with the governments in Hungary and Poland, not least because of the close ideological ties between the largest

coalition partner in the Czech government, the Civic Democratic Party, and the ruling Law and Justice party in Poland. Within the priority of resilience of democratic institutions, the Czech presidency was more likely to focus on other issues, such as media freedom (through the European Media Freedom Act), dialogue with citizens and political party financing. Most importantly, the focus of the Czech presidency in this area was likely to be hybrid threats, particularly fighting disinformation in both online and offline environments, given the public administration's experience with the working of the Centre against Hybrid Threats within the Czech Ministry of Interior.

Finally, the Czech presidency was scheduled to move forward with the debate regarding the initial implementation of the recommendations of the Conference on the Future of Europe (CoFoE). The European Parliament, later supported by Emmanuel Macron, proposed the establishment of a convention. Nonetheless, thirteen member states, including Czechia, clearly stated in a non-paper their opposition towards treaty reform ^(EURACTIV.COM WITH AFP 2022). Moreover, the Czech government had been sceptical even toward institutional and procedural changes which do not require treaty amendments, such as the switch to qualified majority voting using the so-called passerelle clause ^(VLÁDA ČESKÉ REPUBLIKY 2022). It was thus likely that the implementation of the CoFoE recommendations would be buried during the presidency, despite them being explicitly mentioned in the priorities.

In summary, the priorities prepared by the Czech presidency made much sense in the light of the changing global and regional (geo-)political environment even if many important issues were missing. At the end of the day, the perceived success of the Czech presidency was less about the programme and priorities, and more about how it would be able to navigate the EU through the 'Zeitenwende', and whether it would be able to continue to politically, economically, and militarily support Ukraine, coordinate a common EU response to the war, maintain European unity, and manage the internal repercussions of the Russian aggression. At the beginning of the presidency, it appeared that the upcoming six months may put Czechia into one of the most important leadership roles since its founding less than 30 years before.

THE OUTLINE OF THE FORUM ON THE CZECH PRESIDENCY

The collection of contributions in this forum on the Czech presidency aims at providing an early scholarly reflection on and an evaluation of the presidency. The individual contributions build on the conceptual basis of the current scholarly debates in the field, provide a link to current policy debates, and offer the authors' subjective evaluations of the successes and failures of the presidency. They combine analytical rigour with crisp and incisive writing aimed at an audience of academics and practitioners alike.

Given that the scope of activities of any EU Council presidency is as wide as the policy agenda of the EU and too wide for one special forum to meaningfully cover ^(ALEXANDROVA ET AL. 2013), the editors of the forum decided to narrow down the focus of the forum to the evaluation of the Czech presidency in three selected policy areas: (1) external security with a particular focus on the Common Foreign and Security Policy and the Common Security and Defence Policy, (2) energy, climate, and environmental policies, and (3) democratic institutions, including the rule of law. The editors of the forum selected these three policy areas for several reasons. First, all three areas belonged to the priorities of the Czech presidency ^(CZECH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION 2022B). While the environment and climate, unlike the other two areas, were not explicitly mentioned, they were present implicitly through the issues of energy security and resilience of the European economy. All three areas have also been highly salient in Czech and European debates. The CFSP/CSDP was quickly developing since the adoption of the EU Global Strategy in 2016, particularly in the form of new institutions and instruments, such as the permanent structured cooperation in defence, the European Defence Fund, and the European Peace Facility established in 2021. The Russian invasion of Ukraine provided an additional impetus for more European activity in the area. Similarly, the energy crisis following the invasion further increased the urgency of the already existing debate about energy transition and the EGD. The issue of rule of law was also high on the EU political agenda with new procedures and regulations introduced between 2014 and 2021 to prevent abuse of EU funds and nudge member states to stick to EU values. At the same time, the Czech presidency found itself in a politically precarious position as the two ongoing procedures targeted its nominal close allies in the Visegrád Group, Poland and Hungary. Focusing

on these three presidency priorities provides ample space for the evaluation of the success or lack of thereof of Czechia when it was at the helm of the EU in areas which it had delimited as its major areas of focus.

The editors asked each of the contributors to answer three guiding questions: (a) What have been the most important achievements of the Czech Council presidency? (b) What have been the most important failures of the Czech Council presidency? (c) What are the legacy and left-overs of the Czech Council presidency? While the individual contributions do not have to be necessarily organised along the line of these three questions, each contribution attempts to provide an answer to the questions based on an evaluation of the activities of the Czech presidency. Finally, the editors invited one Czech (working at a Czech institution) and one non-Czech European scholar (coming from an institution outside of Czechia) to evaluate each of the policy areas. This dual viewpoint should limit the potential national bias and provide the readers with a more fine-grained and plastic perspective of the 2022 Czech Council presidency.

THE MAIN FINDINGS OF THE FORUM ON THE CZECH PRESIDENCY

All in all, the six contributions to this forum share a generally positive view of the Czech presidency. While any long-term considerations made way for the short-term reaction to the Russian aggression against Ukraine, the presidency managed to fulfil the most important role of them all – brokering EU unity and moving legislation forward. This, however, does not necessarily mean that there were not many leftovers or that the presidency was not able to insert its own national flavour into the management of the Council agenda.

In the first set of articles, Monika Sus⁽²⁰²³⁾ and Oldřich Bureš⁽²⁰²³⁾ focus on the Czech presidency's performance in the area of external security. They both agree that the presidency managed to maintain the EU's unity and move several important agenda items forward. Evaluating the presidency in terms of security policy is particularly difficult because there is a limited legislative agenda in the CFSP, and the presidency shares the role of the agenda-setter and broker with the High Representative of the Union for Foreign Affairs and Security Policy and the EEAS. The two contributions

also evidence how contested the understanding of security policy can be. The EU's reaction to the Russian invasion of Ukraine was a clear reaction to a "security" threat, but it has encompassed several issues, from the CFSP/CSDP through sanctions to the hybrid security toolbox.

The second pair of articles, by Izabela Surwillo ⁽²⁰²³⁾ and Martin Jirušek ⁽²⁰²³⁾, cover the vast topic of energy and climate policies. Again, the presidency was hugely influenced by events, here in the form of the steep rise of energy prices and the effort to cut out Russian gas from the European energy mix. But there was also a lot of legislative agenda that had been scheduled and could be anticipated within the implementation of the Fit for 55 package. Both contributions agree that the presidency had to deal with the security of supply crisis, which has had an impact on what could be achieved elsewhere. But they also share the feeling that the presidency could have been more ambitious in the climate agenda.

Lastly, the contributions by Sonja Priebus ⁽²⁰²³⁾ and Ivo Šlosarčík ⁽²⁰²³⁾ tackle the controversial issue of the rule of law. Once again, they show that one can understand the rule of law agenda relatively narrowly by looking at the internal procedures to safeguard rule of law in EU member states, particularly the Article 7 procedure and the budgetary conditionality, or broadly by incorporating other agendas as well, such as the fight against disinformation, media freedom and international prosecution of crimes committed during the Russian invasion of Ukraine. Both contributions agree that the Czech presidency managed to score a political victory by concluding the procedure against Hungary in a manner that presented Czechia as committed to European values. At the same time, the presidency succeeded in stalling other points of the agenda that were considered politically inconvenient, which can be seen as a success for the Czechs, but less so for the EU as a whole.

ENDNOTES

- 1 The roundtables, for instance, recommended that the Czech government prioritise within its presidency the green recovery of the EU economy and energy transition.
- 2 In fact, the logo of the Czech EU presidency can be understood as suggesting that Czechia sees itself as a compass needle pointing in the direction Europe should take in the new global order (Czech Presidency of the Council of the European Union 2022c).

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NOTE

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Making Use of a Window of Opportunity: The Czech Presidency's Performance in Foreign and Security Policy

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ABSTRACT	<p>This article assesses the achievements of the Czech presidency of the Council of the EU regarding foreign and security policy in the second half of 2022, while taking into account the external context provided by the Russian war in Ukraine, national conditions in which the presidency was conducted, and issue-specific characteristics related to EU foreign and security policy. It discusses where the Czech presidency has managed to contribute to progress, such as the implementation of the Strategic Compass and the reinvigoration of the enlargement process, as well as pointing out shortcomings where it failed to deliver results. Overall, the article argues that by skilfully setting and scheduling the agenda and staying on top of the key policy dossiers, Prague successfully leveraged the window of opportunity triggered by the Russian invasion of Ukraine to push tangible progress within security and defence issues forward.</p>
KEYWORDS	EU foreign and security, Strategic Compass, enlargement, PESCO, QMV, Ukraine
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An assessment of the Czech presidency of the Council of the EU regarding foreign policy, including security and defence issues, must depart from the observation that in the absence of major formal rights for this role, it cannot be expected to have a strong influence on the process and outcome of decision-making in the Council. The Treaty of Lisbon has constrained the competences of the Council Presidency, in particular regarding foreign and security issues. The shift of responsibilities from the rotating presidency to the permanent presidencies – to the President of the European Council and the High Representative for Foreign Affairs and Security Policy (HR) – within most issues related to the external representation and the Common Foreign and Security Policy, deprived the presidency of hitherto existing channels of influence. Moreover, the HR and the European External Action Service were tasked with the chairing of the Foreign Affairs Council (FAC), the Political and Security Committee (PSC) and several Council preparatory bodies while the rotating Presidency is still in charge of chairing COREPER II. It is thus not surprising that scholars point to the reduced role of the rotating Presidency and thus its decreased impact on the political output (DINAN 2013; KAROLEWSKI ET AL. 2015). However, there is also academic evidence indicating that there are still opportunities for rotating presidencies, particularly in terms of agenda-setting and agenda-scheduling, with the latter being defined as the power to influence the allocation of the Council's political attention to specific policy issues by distributing limited time and space resources for meetings (HÄGE 2017: 296). Moreover, as France has demonstrated during its term in the first half of 2022, the rotating presidency can engage in venue shopping. It is a strategy aimed at alternating between policy venues – institutional loci where authoritative decisions on a given policy are taken – that can be used to impact the agenda more effectively (BAUMGARTNER – JONES 1991). Because of the relevance of the defence portfolio and its desire to set the agenda in this policy domain, the French Presidency decided to transfer most defence-related issues from the PSC (chaired by the EEAS) to COREPER (chaired by the rotating presidency) (Sus forthcoming). In this way, it enhanced its room for manoeuvre in shaping this policy portfolio.

Against this backdrop, the study draws on the criteria for the performance of Council presidencies developed by Vandecasteele and Bossuyt (2014) and their subsequent applications (HÖGENAUER 2016). It first looks at the external conditions for the Czech Presidency's performance, and then it

turns to the national conditions to conclude with a short consideration of the issue-specific characteristics that concern the policy domain at stake – EU foreign policy with its security and defence dimension. A brief reflection on these three criteria sets the background for the main discussion provided by the study, which is to reflect on the most significant achievements of the Czech Council presidency with regard to foreign and security policy issues and discuss the shortcomings and ascertain the legacy of the Czech tenure at the helm of the Council.

EXTERNAL CONTEXT, NATIONAL CONDITIONS, AND ISSUE-SPECIFIC CHARACTERISTICS

As scholars show in their previous studies of EU Council presidencies, a favourable external environment can be perceived as both facilitating the success of the presidency (by, e.g., offering opportunities for leadership) and constraining its room for manoeuvre. The deterioration of Europe's security environment started a decade ago, with security crises happening in the wider Sahel region, including Mali, Libya, Syria, Afghanistan, and the EU Eastern neighbourhood (RIDDERVOLD – BOSILCA 2021; SUS – HADEED 2020), as well as the Covid 19 pandemic; these have had a decisive influence on the performance of almost every Council presidency in recent years. However, Russia's invasion of Ukraine in February 2022 triggered a crisis of unprecedented magnitude, fundamentally changing Europe's security landscape. The war that broke out during the French presidency also largely determined the actions of the Czech presidency in the second half of 2022. After the initial shock of the invasion, the European Union and its member states faced a series of foreign policy challenges, including the short-term need to support Ukraine with military equipment, hardening the sanctions against Russia, offering Kyiv the prospect of membership, further integrating joint defence procurement and strengthening resilience in the cyber security domain. As will be demonstrated below, these topics determined the programme of the Czech Presidency.

As far as the national conditions for chairing the Council were concerned, these were definitely more favourable than those of the previous Council presidency run by the Czechs in 2009, which suffered from the collapse of the Czech government and the subsequent political turmoil (BENEŠ – KARLAS 2010). The autumn 2021 elections in Czechia led to a transfer

of power to a new five-party cabinet led by the liberal-conservative Prime Minister Petr Fiala. The departure of the populist Andrej Babiš from this post caused much optimism, both within the country and in Brussels, and raised hopes for a pro-European and efficient Czech Presidency.

Regarding the issue-specific characteristics that concern EU foreign policy, in its security and defence dimension, two aspects stand out. Firstly, as mentioned above, in order to leave a trace within this policy domain, the Czech Presidency had to skilfully navigate between other institutional stakeholders such as the HR, the EEAS and the European Commission, with the Commission dealing with the joint defence procurement and playing a decisive role with regard to the cyber security portfolio. Second, the Russian invasion in Ukraine initiated a shift in the balance of power in the EU, where more attention and informal political power began to shift to the countries of Central and Eastern Europe. Both the historical experience and the geopolitical location of the Czech Republic fostered the country's credibility as a key player in shaping the EU's response to the Russian war in Ukraine. The visit of the newly elected Czech Prime Minister to Kyiv in March 2022 further fostered Czechia's standing in this regard. Related to these factors is also a particular set of competencies that Czech diplomacy has built with regard to the EU Eastern neighbours (WEISS 2016), which enhanced the Czech authority in dealing with the unprecedented security crisis. The Czech credibility with regard to the EU response to the Russian war also facilitated the role of the Presidency in the sanctions agenda. The sanctions regime against Russia was mainly negotiated within COREPER, with the rotating presidency taking the lead. Arguably, the initial agreement on the scale of the sanctions that was present after the outbreak of the war has begun to grow weaker, with Hungary protesting any strengthening of the sanctions. However, during the Czech term the EU managed to stay united and adopt three more sanctions packages.

THE REVIEW OF THE CZECH PRESIDENCY'S PERFORMANCE IN THE FOREIGN AND SECURITY DOMAIN

The Czech Minister of Foreign Affairs, Jan Lipavský, when presenting the priorities for the Czech presidency to the European Parliament, highlighted security, and defence issues as one of the five main areas on which Czechia aimed to focus. Specifically, he declared its unconditional support

for Ukraine, called for a fast delivery of weapons and advancing efforts to plan the country's post-war reconstruction, and stressed the need for a strong transatlantic partnership, and for discussing how the EU should reassess its relations with Russia in the long-term perspective. The EU-NATO cooperation, the EU support to Ukraine, and the implementation of the Strategic Compass (which has been adopted by the European Council in March 2022, marking the first time in the history of the Union that heads of state and government formally committed themselves to a comprehensive arrangement on security matters) ^(EUROPEAN EXTERNAL ACTION SERVICE 2022) have been also mentioned by the Czech Deputy Defence Minister Jan Jireš, who outlined his country's priorities in the security and defence domain ^(EUROPEAN PARLIAMENT 2022). When reflecting on the activities of the Czech Presidency in the second half of 2022, three issues stand out as being particularly relevant: the implementation of the Strategic Compass, the strengthening of the EU-NATO cooperation, and the further advancement of the enlargement policy.

The Russian war in Ukraine gave an additional sense of urgency to the implementation of the policy instruments introduced by the Strategic Compass. The Czech Presidency leveraged this momentum, contributing to the progress in several policy areas. An illustrative example is provided by the progress within the field of military mobility, which constitutes a joint interest of both the EU and NATO. During the second half of 2022, the member states managed to push the project on military mobility developed within the framework of the Permanent Structured Cooperation forward. The project, led by the Netherlands, has been launched in 2018 and is a political and strategic platform aimed at unifying national cross-border military transport procedures and enabling the rapid movement of military personnel and equipment across Europe by land, rail, sea, or air. Military mobility constitutes a key element of EU security and defence, as it facilitates Europe's preparedness for swift responses to conflicts and crises.

During the Czech presidency, the long-awaited agreement on the participation of the United Kingdom in the military mobility project was reached. With that, London joined the 24 EU countries and 3 non-EU NATO allies (Norway, the United States and Canada) participating in this endeavour ^(GALLARDO 2022). It happened at a record speed as the UK's application was approved by the participating EU states in early October and

its formal approval was subsequently given at a meeting of EU defence ministers on 15 November. The participation of the NATO allies in this project brings a significant added value as it advances the operational capabilities on the European continent and facilitates joint military exercises. Furthermore, as foreign policy had been excluded from the Trade and Cooperation Agreement, which regulates the post-Brexit cooperation between Brussels and London, the participation of the UK in the most significant PESCO project constitutes a sign of the growing willingness on both sides of the channel to accept pragmatic solutions and an intensification of collaboration in this domain. Apart from advancing the number of participants in the project, the member states also agreed on a comprehensive Action Plan for Military Mobility for the period 2022–2026 that outlines a range of measures that will be introduced in the next four years (EUROPEAN COMMISSION 2022). These include measures to protect transport infrastructure against hybrid threats, increase the energy efficiency of transport systems and identify infrastructure gaps to be filled through financial instruments such as the European Defence Fund.

Another example of a policy area identified as crucial by the Strategic Compass, and in which progress has been achieved, is cyber security. Combating cyber threats and delivering faster effective EU responses to various types of hybrid action by external actors has been one of the goals of the EU Hybrid Toolbox (EUHT) introduced by the Compass. Accelerating the implementation of the Toolbox and other related measures gained importance in the context of the Russian war as it has proven the significance of cyber threats. Therefore, pushing the work on the EUHT forward was very high on the agenda of the Czech presidency from the beginning (POLLET 2022). Among the concrete actions undertaken by the Czechs in this regard were the organization of a conference on Strengthening Resilience and Countering Hybrid Interference and the circulation of a questionnaire among the member states with questions concerning their preferences for the provisions for invoking the EUHT. The latter also supported the preparations of the directive on measures to achieve a high common level of cybersecurity across the Union (the NIS 2 Directive) (LASOEN 2022), which has been adopted by the European Parliament by the end of December 2022 and came into force in January 2023.

Closely linked to the implementation of the Strategic Compass was another priority on which the Czechs managed to deliver: the strengthening of the long-term cooperation between the EU and NATO. The outbreak of the war has provided an additional impetus for the multilateral cooperation and demonstrated the necessity of these two organizations closely working together, especially considering the above-mentioned advancements within the EU defence and the risk of duplication. The Czech Presidency stayed on top of this issue, making sure that NATO representatives were invited to numerous events that took place within the Presidency's framework. The third EU-NATO Joint Declaration, which was signed in early January 2023, and which underlines the complementarity of both actors and their mutually reinforcing roles in supporting international peace and security, was also largely prepared under the umbrella of the Czech Presidency (BRZOZOWSKI 2023).

Finally, another tangible achievement in which the Czech Presidency played a role was the revitalization of the enlargement process, which has been a contentious issue over the past years. By granting candidate status to Ukraine and Moldova in June 2022, the member states, on the one hand, expressed their general openness to EU enlargement, but, on the other hand, put themselves in a difficult position vis-à-vis the Western Balkan countries, which have been waiting for years for the EU to speed up their accession process. As the Czech Republic has traditionally been a supporter of EU enlargement, the region had high hopes that the Czech Presidency would bring some progress in this regard. In addition, the escalation of the geopolitical tensions between Europe and Russia has prompted many EU countries which have been rather reluctant to expand the EU to be more forthcoming regarding the aspirations of countries that, like Bosnia and Herzegovina, have been applying for candidate status since 2016. The Czech Presidency has managed to capitalize on fears that the volatility caused by the Russian war in Ukraine could spread to the vulnerable Western Balkans and contributed to the decision to grant Bosnia and Herzegovina a candidacy status. As for Ukraine, despite expectations of the Czech Presidency's involvement in organizing the first stages of its accession process and "*ideally achieving the opening of accession negotiations [with it] within 2022*" (TEKIN ET AL. 2022: 8), this did not materialize. The EU countries decided to follow the regular procedure of the accession process, expecting Ukraine to follow the rules. Arguably, Czechia developed strong arguments "*on why the*

EU needed to bring Ukraine closer, as well as [for] deliver[ing] concrete benefits to the Ukrainian citizens” (HAVLÍČEK, 2023), but it failed to establish a political consensus on this issue among the EU member states. However, the Czech Presidency has managed to keep the comprehensive support for Ukraine on the top of the EU agenda, countering the potential ‘war fatigue’ feared by experts (TEKIN ET AL. 2022: 8).

It has also actively participated in the preparations of the EU-Ukraine summit in February 2023, which was not only highly symbolic as it took place in Kyiv but also confirmed the commitment of both sides to Ukraine’s accession to the EU. Another success of the Presidency regarding Ukraine was the brokerage of the Council’s decision to grant Ukraine a loan of 18 billion euros to cover, inter alia, pensions and salaries and prevent an economic breakdown in the country. Despite the initial veto of Hungary, which was refused funds from the Recovery Fund due to its rule of law issues and thus decided to take the loan for Ukraine hostage (POVÝŠILOVÁ 2022), the member states managed to reach an agreement on the financial support for Kyiv. Furthermore, in relation to the EU enlargement dossier, the Czech Presidency skilfully managed to leverage the summit of the European Political Community – a political initiative of President Macron – which took place in Prague and was attended by heads of state and – a political initiative government of 44 European countries. Despite the summit not being linked to the Presidency, the Czech diplomacy took advantage of the presence of many EU leaders in its capital city and organized a follow-up informal summit of the European Council there.

Among the issues where the Presidency’s response has not proven to be successful was the discussion on the activation of the passerelle clause to remove unanimity voting in some policy areas within the EU foreign policy. The issue has long been discussed in Brussels and taken up by leaders of both EU countries and EU institutions, but it remains controversial in the view of many countries, including the Czech Republic, which is rather reluctant toward this idea (KOENIG 2022: 5). However, the war in Ukraine has added momentum to the discussion in relation to two aspects: the recurrent need to speed up the decision-making, and the context of a potential enlargement of the Union, which will entail a process of institutional reform. In addition, a move away from the unanimity rule in EU foreign policy was also recommended by the citizens’ panels at the Conference

on the Future of Europe. Still, such a decision would require a unanimous agreement of the FAC and, regarding some policy areas, also the consent of the European Parliament. Aware of the sensitivity of the problem and the high level of disagreement among member states, some of which cherish their veto right over the foreign policy domain, which is seen as a core state power, Czechia, acting as an honest broker, aimed to sound out the potential support within the EU for such a move (ZACHOVÁ 2022). Yet, the discrepancies among the member states did not allow any progress in this respect (WESSEL – SZÉP 2022).

Moreover, the possibilities of the rotating presidency have been proven limited regarding the acceleration of the accession process of the Western Balkan countries. The political agenda has been dominated by Ukraine and EU-internal issues such as the energy crisis and high inflation. Despite the above-mentioned revitalization of the enlargement process and the granting of the candidacy status to Bosnia and Herzegovina, the countries of the region expected more – in particular North Macedonia and Albania – and their expectations were overshadowed by the Russian war in Ukraine. In this regard, despite recognizing the geopolitical relevance of the region, the Czech Presidency was not able to effectively advocate for its interests in the EU forum.

CONCLUSIONS

Considering the involvement of various stakeholders in the EU foreign policymaking, with the rotating presidency being one of them, it is impossible to ascribe the above-presented progress achieved during the second half of 2022 solely to the Czech chair. All decisions in this policy domain must be supported unanimously by all member states as decision-makers and accepted by the EU supranational institutions. However, by skilfully setting and scheduling the agenda and staying on top of the key policy dossiers, Prague succeeded in leveraging the window of opportunity triggered by the Russian invasion of Ukraine to push for tangible progress within security and defence issues. Labelled as a “crisis counsellor” by Politico (BAYER 2022), the Czech Presidency managed to navigate between the divergent preferences of the member states regarding divisive issues such as the sanction regimes and the amount of financial support for Ukraine and broker a compromise. At the same time, the brief presentation of the two

policy examples where Czechia did not manage to succeed, demonstrates the limits of the power of the rotating presidency. Despite having an impact on the agenda, the chair has only limited powers regarding getting other member states in line, especially when decisive issues are at stake.

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A Performance Assessment of the 2022 Czech Presidency of the Council of the EU: External Security

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ABSTRACT

This contribution to the forum on the Czech Presidency of the Council of the EU (CZ PRES) in 2022 focuses on external security policy issues. It provides a tentative assessment of the legislative agenda, non-legislative deliverables, and relevant political initiatives of the CZ PRES. Building on recently developed methodologies for assessments of EU presidencies, it is based on a set of measurable indicators directly related to the work and efforts of the presidency during its six-month term. The findings indicate a solid execution of the key functions of EU presidencies – political leadership, brokerage, and external representation – in response to the challenges stemming from the war in Ukraine in terms of both legislative and non-legislative deliverables. Regarding the assessment of the political initiatives, the performance of the CZ PRES was above average overall, albeit several initiatives have not realized their maximum potential when it comes to result delivery.

KEYWORDS

Czechia, European Union, Czech Presidency of the Council of the EU, security, CSDP/CFSP, Strategic Compass, sanctions, Ukraine

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INTRODUCTION

This contribution to the forum on the Czech Presidency of the Council of the EU (CZ PRES) in 2022 focuses on external security policy issues, excluding energy security, which is covered in other contributions. Pending the forum editors' guidelines, the following three questions are addressed, building on the methodologies recently developed by Toneva-Metodieva (2002) and Veleva-Eftimova and Haralampiev (2022) for assessments of EU presidencies:

What have been the most significant achievements of the CZ PRES?

What have been the most important failures of the CZ PRES?

What are the legacy and leftovers of the CZ PRES?

The structure of the article is as follows. The first section offers a review of the antecedent academic literature on the presidency of the Council, which sheds light on the key roles and functions of the presidency, the impact of the institutional changes introduced by the adoption of the Lisbon Treaty on these roles, the internal and external factors that (ought to) play a role when it comes to the performances of EU Member States holding the rotating presidency, and the assessments of the 2009 CZ PRES. The second section outlines the conceptual and methodological challenges related to evaluations of the rotating presidency in terms of measuring specific results and outcomes and specifies the criteria used in this article in order to offer a tentative assessment of the legislative agenda, non-legislative deliverables, and relevant political initiatives of the CZ PRES in the area of external security. This assessment is presented in section four, which is preceded by a succinct overview of the official CZ PRES priorities in the third section. In addition to a summary of the key findings related to the most significant achievements (both legislative and non-legislative deliverables in response to the challenges stemming from the war in Ukraine) and failures (the limited result delivery of several political initiatives), the concluding section also discusses the leftovers (especially the development of the EU's rapid response capabilities) and legacy of the 2022 CZ PRES in the area of security.

LITERATURE REVIEW

While the review of the antecedent literature reveals a growing interest in the study of the presidency of the Council, essential gaps persist when it comes to evidence-based and methodologically sound assessments of the performances of individual Member States as Council chairs. First, much of the existing literature focuses on the key roles and functions of the presidency when it comes to EU-level decision-making, i.e., agenda setting (including its own initiatives); political leadership (including priority setting); brokerage in policy disputes; and national and external representation (BATORY – PUETTER 2013; ELGSTRÖM 2006; VAN GRUISEN – VANGERVEN – CROMBEZ 2019; HÄGE 2017; METCALFE 1998; PRINCEN 2003; SCHOUT – VANHOONACKER 2006; TALLBERG 2004; THOMSON 2008; WARNTJEN 2008). Overall, there is a tentative consensus regarding the multi-dimensionality of the role of the rotating presidency. In practice, the boundaries between the roles are not always well defined; they can be mutually supportive as well as conflicting, some roles may dominate for specific presidencies, and not all roles are relevant in every policy area, as which roles are relevant depends on the conditions of the environment in which the presidency operates (SCHOUT – VANHOONACKER 2006: 1056). In terms of theoretical explanations, rational choice institutionalists have stressed “*utility maximization and the ambition of member states to use the exclusive leadership functions and resources of the presidency.*” In contrast, historical and sociological institutionalists have emphasized “*the relevance of the internalization of the impartiality norm and the obligation to fulfill core leadership functions to the benefit of the Union*” (BATORY – PUETTER 2013: 99–100).

Second, scholars have examined the impact of the institutional changes introduced by the adoption of the Lisbon Treaty on the role and the leadership potential of the Presidencies (BATORY – PUETTER 2013; DINAN 2013; HÄGE 2017; TONEVA-METODIEVA 2020). While the introduction of a ‘permanent’ President (appointed for two and half years to lead the European Council) and assigning the presidency of the Foreign Affairs Council to the High Representative took away important responsibilities from the rotating presidency (BATORY – PUETTER 2013: 98), much of the antecedent literature shows that the presidency still “*plays an influential role in shaping the agenda of the Council in line with its priorities and that this power has not significantly waned as a result of the institutional changes introduced by the Lisbon treaty*” (HÄGE 2017: 701; VELEVA-EFTIMOVA – HARALAMPIEV 2022: 156).

Third, the available literature suggests a relatively long list of internal and external factors that (ought to) play a role in the performances of the EU Member States holding the rotating presidency. In addition to the aforementioned impact of treaty changes, the former include the importance of the topic to the country holding the presidency; preferences, commitments and actual negotiation strategies of key players; the level of preparations; and sensitivities between coalition partners (SCHOUT – VANHOONACKER 2006: 1058). Several studies also emphasized the importance of the relatively tight six-month timeframe concerning Council outcomes, i.e., the legislative agenda, schedules, deadlines, etc. (METCALFE 1998; RITTBERGER 2000; TSEBELIS – MONEY 1997), and the timing of the presidency itself, i.e., at what time the presidency is placed within the European institutions' cycle; at what time the presidency is placed in terms of the multiannual financial framework cycle; and at what time the presidency is placed within the Trio setting (BATORY – PUETTER 2013; JENSEN – NEDERGAARD 2014; TONEVA-METODIEVA 2020). When it comes to the importance of domestic specifics of the Member State holding the presidency, e.g., its size, year of accession, GDP per capita, past presidency performance, public opinion about the EU, and authority, the findings from existing studies are “ambiguous” (SCHOUT – VANHOONACKER 2006; VELEVA-EFTIMOVA – HARALAMPIEV 2022: 154).

When it comes to external factors, the following have been discussed: the degree to which a topic has been explored (new versus old); the level of trust in the Chair of the presidency; the presence of other brokers in the system; the shadow of the future; the political sensitivity of a topic (SCHOUT – VANHOONACKER 2006: 1057–1058) and the (succession of) various crises that the EU has to overcome at the time of the presidency, e.g., the financial one in 2008–2010, the refugee-related one in 2015–2016, or the Russian-Ukrainian one since 2022 (TONEVA-METODIEVA 2020).

Fourth, when it comes to the assessments of the performances of Member States as Council chairs, individual case studies have been relatively numerous (SEE TONEVA-METODIEVA 2020: 652), even beyond the yearly overviews published by the Journal of Common Market Studies from 1998 till 2013 (COPSEY – HAUGHTON 2013), substantially outnumbering comparative cases (E.G. BENGTSOON – ELGSTRÖM – TALLBERG 2004). Importantly for this article, several studies prioritized policy area case studies over comprehensive presidency assessments, focusing, for example, on the role of the presidency in

brokering a specific agreement ^(E.G. GALLOWAY 1999) (on Agenda 2000) or its impact on the development of a particular policy area ^(E.G. BJURULF – ELGSTRÖM 2004) (on transparency policy). I am not aware, however, of any study examining specifically the performance of an EU Council presidency in the area of security, either internal or external.

Finally, it is worth highlighting the findings of the antecedent literature assessing the 2009 CZ PRES. Among the Czech expert community, this presidency is arguably most remembered for the change of government in the middle of its six-month term. While the expectations were relatively low already before this event due to domestic factors, including the relative lack of experience of the Czech Republic as a recent entrant to the EU, and the avid Euroscepticism of the then Czech President Václav Klaus and the government that initially executed the presidency (led by the center-right Civic Democratic Party), several important external factors also had a major impact ^(BENEŠ – KARLAS 2010; KRÁL – BARTOVIČ – ŘIHÁČKOVÁ 2009). These included at least three the gas dispute between Ukraine and Russia; the renewed hostilities in the Gaza Strip; and the global financial and, later, economic crisis), the lack of cohesiveness of the trio consisting of France, the Czech Republic and Sweden, and the French President's foreign major crises (policy ambitions and management of the economic crisis, which were problematic to the extent that the *“activities of the CZ PRES and President Sarkozy came across as uncoordinated and even adversarial”* ^(BATORY – PUETTER 2013: 101)). Nevertheless, most evaluators of the 2009 CZ PRES concur that its effectiveness could be characterized as mixed. In the security area most pertinent to this analysis, the 2009 CZ PRES performed well in external energy security and EU relations with Eastern Europe. However, its management of the Gaza crisis, *“as well as of transatlantic relations, was not free from serious lapses”* ^(BENEŠ – KARLAS 2010: 78).

DEFINING AND MEASURING SUCCESS

As aptly noted by Schout and Vanhoonacker ^(2006: 1051), *“[j]udging presidencies is easy, evaluating them is not.”* Many academic assessments of presidencies *“are short and do little more than list the major developments”* ^(SCHOUT – VANHOONACKER 2006: 1051), and among policy-makers, *“political correctness often requires that Presidencies are evaluated as a success”* ^(TONEVA-METODIEVA 2020). Consequently, despite the growing academic interest,

genuine evidence-based evaluations of EU presidencies are still in short supply, and “*the study of the presidencies, including of their political initiatives, remain[s] at the level of the narrative statement*” (VELEVA-EFTIMOVA – HARALAMPIEV 2022: 154). This is due to a number of factors.

First, definitions of success are often only loosely specified. In line with the aforementioned key functions of the presidency, they range from the ability to increase the pace of integration; managing political divergence; realization of “considerable progress” (SCHOUT – VANHOONACKER 2006: 1051–1052); and the influence of the presidency on the EU political system to delivered results in terms of negotiation outcomes (TONEVA-METODIEVA 2020: 652–653). An evidence-based evaluation has to go beyond such general statements in order to avoid contradictory conclusions.

Second, few analyses specify a methodology for evaluating the presidency in terms of measuring specific results. Most analyses of the Council presidency “*focus on particular aspects of the preparation or the performance of the Presidency and remain descriptive in nature, rather than offering a methodologically sound framework of indicators for the findings and judgements offered*” (IBID.). According to Toneva-Metodieva (IBID.: 651–653), the methodological difficulty of performance assessments of the presidency is a consequence of the level of complexity in the Council and the EU decision-making, which is further compounded by limited access to information about the negotiations in the Council and its preparatory bodies, as well as the other two key institutions in the policy process at EU level – the Commission and the Parliament. Moreover, the volume of EU-level decision-making has increased substantially, making “*it very difficult to track each process, involved actors, concerned stakeholders, influences, bargaining strategies, outcomes and impact*” because “*there is no standardized practice of reporting of the Presidencies, as the Presidency is not an institution bound by requirements for accountability, but rather a function occupied only for a limited period*” (IBID.: 653). Finally, the results of a presidency “*are intertwined with (a) circumstances at EU level and in the Member States, (b) the strategies of a plethora of institutions, actors, and stakeholders, [and] (c) developments on the international arena*” (IBID.: 651). These contextual issues are beyond the presidency’s control but can significantly impact its agenda, progress, and outcomes.

As such, albeit this analysis is limited to assessing the external security agenda of the 2022 CZ PRES, the conducting of a full-fledged evidence-based assessment would necessitate a research effort that would be far beyond the limited time scope (50 days since the end of the presidency) and resources of a single author with two research assistants. Therefore, to the extent possible, the following analysis follows the methodologies recently developed by Toneva-Metodieva (2020) and Veleva-Eftimova and Haralampiev (2022) for presidency assessments. These are based on a set of measurable indicators directly related to the work and efforts of the presidency during its six-month term, thus excluding the aforementioned contextual factors.

Since the primary function of the Council is the adoption of legislative acts, a key indicator for assessing the performance of the presidency is the number of legislative dossiers discussed and the stage of advancement achieved. However, a comprehensive legislative agenda assessment would only be plausible regarding “internal” security, i.e., Justice and Home Affairs (JHA), where the EU has legislative powers. When it comes to “external” security, i.e., the Common Foreign and Security Policy (CFSP) and the Common Security and Defence Policy (CSDP), it is still the Member States which remain sovereign policy actors in their own right. As a consequence, no legislative acts can be adopted in these areas at the EU level and the Ministers of Defense meet only informally. The few possible exceptions of ordinary EU legislation with security implications are related to the strong competences of the EU for regulating the single market, such as the EU Money Laundering Directives, which are relevant in the fight against terrorism, or the adoption of various sanctions (restrictive measures), where relevant Council Decisions are implemented with accompanying EU Regulations.

This situation is different when it comes to non-legislative deliverables adopted by the Council, including Recommendations and Conclusions, and policy documents such as strategies, road maps, action plans, reports, EU positions for international organization summits, conventions, or concluded international agreements (TONEVA-METODIEVA 2020: 654, 660–651). The evaluation of these deliverables by the presidency can be performed both for JHA and the CSFP/CSDP because the Lisbon Treaty gives the Union an explicit external mandate. Specifically, according to Art 24, EU

competence “shall cover all areas of foreign policy and all questions relating to the Union’s security,” and Arts 23–46 spell out specific provisions for the CFSP and the CSDP.

Political initiatives are “*initiatives of political and strategic nature, initiated or carried forward (ex. diplomatic processes, strategic debates, expert and public discussions)*”, which “*each presidency has the opportunity to put forward or continue[...] based on its individual preferences and the conditions on the EU political arena. This area of activity is what shapes the image of a Presidency and what it is often remembered for*” (TONEVA-METODIEVA 2020: 655). For their evaluation, the following criteria were used with numerical scores assigned to their values (see Table 1): the type of initiative; the degree of intensity of the action performed; and the quality of the result (for which conditional grades were given). By adding up the numerical scores of each of these indicators, the overall assessment was calculated for each specific initiative, and this score was then normalized; i.e., the specific numerical value derived was related to the possible maximum which can be achieved for the respective work, set at 100, and also to the possible minimum, set at 0. In this way, an index with indices of individual political initiatives conducted by the presidency was obtained (see Figure 1 and the online Appendix).

TABLE 1: KEY QUALITY PARAMETERS FOR EVALUATING POLITICAL INITIATIVES

1. Initiative type/score:	Conference-forum/5, Diplomatic negotiations/4, Political meeting-dialogue/4, Expert meeting-dialogue/3, Training/1, Other/1
2. Action intensity/score:	One-off (for example, one event)/4, Repeated (a series of initiatives with a follow-up)/3
3. Quality of the result/score:	No documents have been adopted/0.5, Documents of a purely declarative nature/2, Documents containing specific proposals for action – with a deadline and without funding/3, Documents containing specific proposals for action – without a deadline and with funding/3.5, Documents containing specific proposals for action – with a deadline and with funding/4

Source: Author’s compilation based on Veleva-Eftimova – Haralampiev (2022).

To account for the differences in the relative importance of specific political initiatives, the sum of numerical values assigned to three additional indicators was used to determine their conditional weight: the stage of the implementation process of the initiative; the scope of the institutional participants; and to what extent the initiative was a priority for the EU (see Table 2). Thus, a single general index for all the political initiatives conducted by the presidency was obtained as a calculation of a weighted average of

the indices of the individual initiatives (see the online Appendix). Since this overall index is a number in the range from 0 to 100, it can be interpreted on the basis of its similarity to a percentage, and as such, it can be used as an indicator of the degree of success of the performance of the main activities of the presidency (in our case it is limited only to the external security agenda).

TABLE 2: CONDITIONAL WEIGHTS FOR EVALUATING POLITICAL INITIATIVES

1. The stage of the implementation process of the initiative/score:	A new initiative launched by the presidency/4, A continuation of work already undertaken/an already existing process/2
2. The scope of the institutional participants/score:	The Council of the EU alone/3, The Council of the EU jointly with other institutions from the EU triangle/4, The Council jointly with other institutions outside the EU triangle/5, The Council jointly with other non-governmental participants (local or international)/4
3. Is the topic a priority for the EU?/score:	Yes, it is on the Leaders' Agenda, in the Conclusions and of priority for the presidency/6, Yes, it is on the Leaders' Agenda and in the Conclusions of the European Council/4, Yes, it is in the Conclusions of the European Council and of priority for the presidency/4, Yes, it is on the Leaders' Agenda and of priority for the presidency/4, Yes, but it is only on the Leaders' Agenda/2, Yes, but it is only in the Conclusions/2, Yes, but it is only of priority for the presidency/2, No/1
4. The priority for the EU according to the standing of participants/score:	Not a priority, experts are involved/1, Not a priority, but ministers are involved/2, Not a priority, but leaders of the states are involved/6, Single priority, experts are involved/2, Single priority, ministers are involved/4, Single priority, leaders of the states are involved/8, Double priority, experts are involved/4, Double priority, ministers are involved/6, Double priority, leaders of the states are involved/10, Triple priority, experts are involved/6, Triple priority, ministers are involved/8, Triple priority, leaders of the states are involved/12

Source: Author's compilation based on Veleva-Eftimova – Haralampiev (2022).

A fundamental limitation of this assessment of the 2022 CZ PRES activities is the shortage of data necessary to properly evaluate all of the relevant indicators listed in Tables 1 and 2. Due to time constraints, the author was only able to collect the data for directly measurable indicators of the nature of the CZ PRES performance in terms of political initiatives, which can be found in a number of primary sources, i.e., documents published by EU institutions and the Czech government/ministries/agencies. In contrast, much of the information on the negotiation processes of legislative and non-legislative initiatives cannot be derived from open sources. The operationalization of the relevant indicators would therefore necessitate a substantial number of interviews with representatives of the presidency team and interviewees from the General Secretariat of the Council and/or the European Parliament as co-legislators (TONEVA-METODIEVA 2020: 663). This task was beyond the limited human and time resources available for

writing this article. Consequently, only a rudimentary assessment of the negotiation progress (i.e., no progress, some progress, or major progress) made on security-related legislative and non-legislative initiatives undertaken by/during the 2022 CZ PRES is presented below. Their complete list is provided in the online Appendix.

THE CZECH PRESIDENCY PRIORITIES IN (EXTERNAL) SECURITY

The CZ PRES from 1 July to 31 December 2022 was in the middle of the trio, as it was preceded by the French and followed by the Swedish presidency. The original joint programme of the presidencies approved on 14 December 2021 by the General Affairs Council had four priority thematic areas: 1) protecting citizens and freedoms; 2) building economic foundations: a European model for the future; 3) building a climate-neutral, green, equitable and social Europe; 4) promoting European interests and values in the world. Albeit the first priority area was (internal) security oriented, overall, the priorities *“were mainly aimed at addressing and mitigating the negative economic and social impacts of the COVID-19 pandemic”* (CZECH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION 2022A). When it came to (external) security, the trio plan merely noted that *“the three Presidencies will also work towards a stronger and result-oriented Common Security and Defence Policy (CSDP) through the endorsement and implementation of the Strategic Compass”* (COUNCIL OF THE EUROPEAN UNION 2021: 3).

The emphasis on (external) security, however, became the number one priority following the Russian aggression in Ukraine in February 2022. In fact, it can be argued that the (search for the) EU response to the war in Ukraine dominated the entire CZ PRES agenda. This was clearly reflected in all five of the priority areas specified in the CZ PRES programme: managing the refugee crisis and post-war reconstruction of Ukraine; energy security; strengthening European defense capabilities and cybersecurity; the strategic resilience of the European economy; and resilience of democratic institutions (CZECH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION 2022B). The programme included 61 explicit references to the “Russian aggression” against Ukraine and stated that the CZ PRES would support the EU’s efforts to defend the sovereignty and territorial integrity of Ukraine via further use of EU instruments for arms supplies and other assistance

measures for Ukraine, in particular under the European Peace Facility (EPF); the application and enforcement of the sanction regimes and their further extension; and ensuring accountability for crimes against international law committed during the war in Ukraine (CZECH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION 2022B: 17).

Beyond the war in Ukraine, the CZ PRES programme included the following key (external) security topics: the implementation of the Strategic Compass; strengthening the EU-NATO cooperation, the development of capabilities in this respect and the strengthening of European defense capacities; the development of rapid response capabilities and streamlining CSDP missions and operations; resilience against disinformation and strategic communication at the EU level; and the external aspects of the fight against terrorism (CZECH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION 2022B).

THE FULFILLMENT OF THE CZECH PRESIDENCY PRIORITIES IN (EXTERNAL) SECURITY

When it comes to the legislative and non-legislative deliverables related to the war in Ukraine, substantial and tangible progress was made in fulfilling the following CZ PRES priorities in the area of external security:

- The quick adoption of the 7th, 8th, and 9th package of EU sanctions against Russia, which was to be supplemented with a price cap on Russian oil in cooperation with the G7 countries; and the agreement on fully suspending the EU-Russia visa facilitation agreement (see the online Appendix for specific Council Decisions and Regulations).
- The launch of the Union's Military Assistance Mission (EUMAM) in mid-November 2022. The mission aims to train around 15,000 Ukrainian soldiers in EU countries in two years. Its full operability is expected to start at the beginning of 2023.
- The implementation of several assistance measures under the EPF, with successfully negotiated compromises in increasing the financial and material support for Ukraine by setting the mechanism for reimbursement of supplies, which enabled the EU Member States to continue to provide the support (the total reimbursements from the EPF amounted to EUR 3.1 billion),

and an agreement to increase the EPF's total budget by EUR 2 billion in 2023 and by up to EUR 5.5 billion in the period up to 2027 (OFFICE OF THE GOVERNMENT OF THE CZECH REPUBLIC 2023: 6, 11–13).

- Albeit not explicitly earmarked as a security matter, the December 2022 approval of an EU loan of EUR 18 billion to prevent a financial breakdown in Ukraine in 2023 is also worth noting here, given the need to overcome the long-standing veto by Hungary (EUROPEAN COUNCIL 2022).

No tangible progress was made when it came to ensuring accountability for crimes against international law committed during the war in Ukraine. In this area the CZ PRES only issued political calls for support of the work of the International Crime Tribunal and the establishment of a special international tribunal to prosecute the crime of aggression committed by Russia at the UN Security Council meeting in September 2022 (PERMANENT MISSION OF THE CZECH REPUBLIC TO THE UN 2022).

When it came to the other external security priorities, some progress was reached in the following areas in the implementation of the Strategic Compass, where the CZ PRES:

- Actively cooperated in the preparation of the new Pact for a Civilian Common Security and Defence Policy.
- Contributed to the completion and approval of the text of the Council Conclusions on foreign manipulation of information and interference.
- Helped to find consensus on the implementation guidelines for the Framework for a coordinated EU response to hybrid campaigns, thanks to which the hybrid toolbox became operational.
- Oversaw the United Kingdom joining the PESCO project on military mobility;

Contributed to the development of the European defense industry with the agreement at the Council level on the EDIRPA Regulation (support for collaborative public procurement), which represents the first step towards expanding the possibility of a joint acquisition of military material by EU Member States (OFFICE OF THE GOVERNMENT OF THE CZECH REPUBLIC 2023: 11–13).

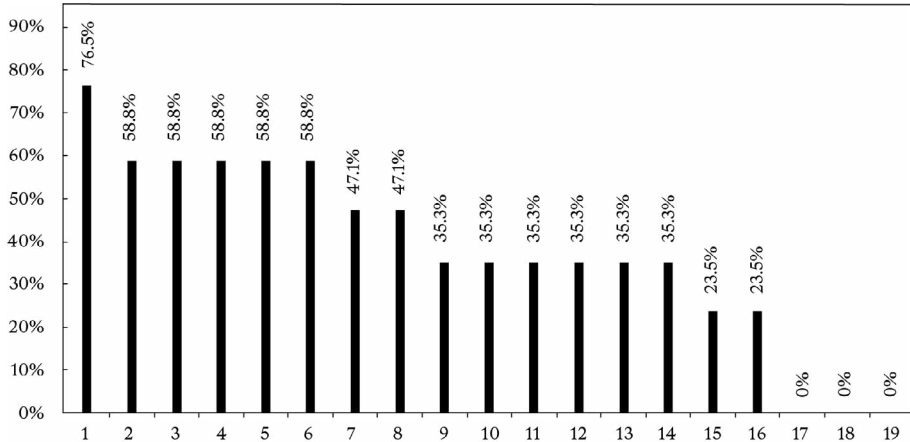
Regarding the other priorities, the CZ PRES contributed to implementing the Council's conclusions on the external dimension of counter-terrorism. When it came to strengthening the EU-NATO cooperation, the CZ PRES made progress on the third joint EU-NATO declaration, which was completed and signed in early January 2023, and which specifies key areas of future cooperation, including resilience and the protection of critical infrastructure, emerging and disruptive technologies, space, the security implications of climate change and foreign information manipulation and interference (EUROPEAN COUNCIL 2023). Little, if any, progress was achieved when it came to the development of rapid response capabilities and streamlining CSDP missions and operations.

Beyond the initially stated priorities, the CZ PRES also oversaw the EU responses to two other external developments: 1) the launch of the EU civilian monitoring capacity at the Armenian part of the border with Azerbaijan and the start of the preparations for setting up a standard CSDP civil monitoring mission in Armenia; 2) the imposition of additional sanctions against Iran for its repression of civil protests and also for its supplying Russia with drones that were used in the aggression in Ukraine (OFFICE OF THE GOVERNMENT OF THE CZECH REPUBLIC 2023: 11–13). Overall, when it came to non-legislative outcomes, 43 were adopted during the four meetings of the Foreign Affairs Council during the CZ PRES (see the online Appendix).

Regarding the assessment of the political initiatives, Figure 1 presents the normalized assessment in the form of indices of individual political initiatives conducted by the CZ PRES (see the online Appendix for the complete list) using the quality parameter criteria specified in Table 1. The political initiative with the highest index (76.5) was the August 2022 Informal Meeting of EU Ministers of Defence, where the political agreement on the Military Assistance Mission (EUMAM) was reached. The political initiatives with the lowest index (0) were the Away Days for the working groups Military Committee Working Group and Headline Goal Task Force (EUMCWG and HTF), and the Working Party on Maritime Issues Away Day, which are all held regularly every six months and involve the given group's visit to the presidency country, during which the group members have the opportunity to learn about the culture and history of the host country. What is important here is the structure of the distribution – only six out of 19 political initiatives have reached over half of the

maximum possible potential for achieving a result and five initiatives have reached less than one fourth of the potential.

FIGURE 1: INDICES OF POLITICAL INITIATIVES (IN DESCENDING ORDER)



Source: Author's calculations. For the list of all the initiatives and their scoring, see the online Appendix.

Following the application of conditional weights (see Table 2) to account for the differences in the relative importance of specific political initiatives, the general index assessment of the political initiatives of the CZ PRES is 43 (see the online Appendix for details). Since the index is a number in the range from 0 to 100, it can be interpreted based on its similarity to a percentage. Considering that virtually no Council presidency is likely to achieve an overall index higher than 70–75 (TONEVA-METODIEVA 2020: 664), the CZ PRES's achievement when it comes to the political initiatives' results in the area of external security can be qualified as a good, but only slightly above average performance.

CONCLUDING REMARKS

The analysis of legislative and non-legislative deliverables of the 2022 Czech Presidency in the area of external security (CFSP/CSDP) points to an overall excellent performance when it comes to addressing the challenges of the war in Ukraine and a medium performance when it comes to other policy priorities, in particular the implementation of the Strategic Compass and EU-NATO relations. In two of the initially mentioned priority areas – ensuring accountability for crimes against international

law committed during the war in Ukraine and the development of rapid response capabilities, and streamlining CSDP missions and operations – little progress was achieved. Regarding the assessment of the political initiatives, the performance of the CZ PRES was good overall, albeit several initiatives have not realized the maximum potential when it comes to result delivery.

Several caveats are in order. First, due to the lack of data from interviews, the assessments presented in this article are tentative only. In particular, it is impossible to assess the quality and quantity of the contributions of different actors involved in the preparation and delivery of specific deliverables and initiatives (the CZ PRES versus the High Representative and the European External Action Service), since much of the underlying work happens behind closed doors in more than 30 working groups (KEUKELEIRE – DELREUX 2014: 70). Secondly, from a methodological point of view, the selection of political initiatives and the criteria used for their normalized quality assessments and conditional weighting may require further adjustments, both in general and to compensate for the fact that the criteria were not originally designed to measure specific policy areas only. Third, the standard of comparison matters which would require a comparative perspective to other priority policy areas (two are covered in other contributions to this special forum) and to other presidencies.

Nevertheless, some general observations can be made. First, the importance of the impact of external crises on the agenda of the CZ PRES is crystal clear. While the original trio programme paid limited attention to external security issues, the CZ PRES agenda was dominated by security challenges resulting from the Russian aggression in Ukraine. Second, it is a major achievement that the CZ PRES has lived up to the vast majority of these challenges while simultaneously delivering a decent, if at times average, performance on other security priorities at the EU level. In this respect, it can be argued that the 2022 CZ PRES managed the entire external security agenda much better than the 2009 CZ PRES. Third, the few external security priorities with little to no progress arguably concerned relatively long-term challenges, such as the development of the EU's rapid response capabilities and the streamlining of CSDP missions and operations, which were bound to persist long beyond the six months of the CZ

PRES. As such, these left-overs of the CZ PRES in the external security policy area are possibly better characterized by the ‘long-runners’ label.

Overall, one can therefore argue that the CZ PRES’s solid execution of the key functions of EU presidencies – political leadership, brokerage, and external representation – in response to the war in Ukraine, the largest conflict on the EU’s doorsteps in decades, represents the single most important legacy of the 2022 Czech Presidency.

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Examining the Czech Presidency's Role in the Convergence of the EU's Energy-climate Agenda

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ABSTRACT

The Czech presidency of the Council of the EU faced a challenging term, commencing just months after Russia invaded Ukraine. Its priorities were to maintain the unity of the European bloc against Moscow, manage the energy crisis, and adhere to the ambitious climate agenda. During its term, the Czech presidency significantly improved the EU's energy security by promoting energy solidarity, cooperation, and reaching key agreements on issues such as the windfall tax or reduction of gas demand. Although the climate policy remained in sight, the revisions of the Renewable Energy Directive and Energy Efficiency Directive not only lacked momentum and important commitments, such as an agreement on reducing energy demand, but also strong compulsory measures. Despite the Czech presidency's prioritization of security of supply over ambitious climate goals, its overall successful performance in both areas has contributed to aligning energy and climate policies between Western and Eastern Europe in the long term.

KEYWORDS

European Union, Czech Republic, Council of the EU, energy security, energy transition

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Russia's military invasion of Ukraine in February 2022 prompted the EU to reevaluate its energy policy toward Moscow. Faced with the need to rapidly diversify its fossil fuel imports away from Russia and hit by skyrocketing energy prices, the EU Member States started to hastily look for alternatives.

The incoming Czech Presidency in July 2022 therefore had a daunting task ahead of it, as it had to keep unity in the bloc's policy approach towards the Kremlin and manage the unfolding energy crisis that increasingly hit European consumers while not losing sight of the ambitious climate change mitigation targets.

Dealing with heightened energy security concerns while maintaining a focus on the climate agenda would have been a challenge even under normal circumstances, given how much the policy approaches in both areas differ across the EU. Recent studies noted that the energy transition in Europe has been marked by a multi-speed dynamic, with one group of (mostly Western) countries focusing on the development of renewable energy as a way of lowering import dependency, and the other group of (mostly Eastern) countries being more preoccupied with security of supply at affordable prices (PÉREZ – SCHOLTEN – STEGEN 2019). Western states, having more developed economies with higher GDP per capita, better developed energy infrastructures and markets, and longer expertise in the RES sector, were more likely to see development of renewable energy as an industrial opportunity (IBID.). The fact that the energy sectors of many Western states are more diversified due to a mix of economic and geographical factors also played a role here. In Central and Eastern Europe, on the other hand, even though societal attitudes to sustainable energy and climate change have been closely following Western Europe (SURWILLO – POPOVIC 2021), the primary focus has been on energy security (JANELIŪNAS 2021), especially security of fossil fuel supply as opposed to renewables and energy efficiency (FIGULOVÁ – WERTLEN 2021), and that focus frequently overshadowed the energy transition agenda (JIRUŠEK – VLČEK 2021).

Factors such as path dependencies stemming from the Soviet legacy (ZSOLT 2021), reliance on fossil fuels and centralized energy systems, and the emphasis on competitiveness vis-à-vis Western counterparts, coupled with the challenge of meeting EU climate goals, hindered the transition in the CEE region (MIŠÍK – ORAVCOVÁ 2021). Furthermore, some analyses

illustrated that factors such as national identity and historical narratives have also influenced policy agendas in the region, tying them to concepts such as ‘sovereignty’ or ‘independence’ (E.G., BERLING – SURWILLO – SLAKAITYTE 2022; KUCHLER – BRIDGE 2018).

As a result, while Western Europe concentrated on transmission network development, the CEE region prioritized diversification policies in the gas sector, with new infrastructure projects such as LNG terminals, gas pipelines, and interconnectors designed to improve regional supply security vis-à-vis the Russian monopoly. Several countries from the CEE region – including the Czech Republic – have also actively tried to block the progress toward the EU’s ambitious climate goals on several occasions by, e.g., protesting significant GHG emissions or blocking the progress toward the EU 2050 carbon-neutral target while frequently opting for a gradual approach to the sustainable energy transition that would minimize the impact on their economies (ZEILINA 2019; VAN RENSSSEN 2014).

The economic dimension would also come to the fore as far as the levels of energy poverty across Europe are concerned. Recent studies illustrated that whereas some percentage of households across most EU states might struggle to meet their basic energy needs, the classic economic development distinction between the core and periphery is also applicable to the geographical divide of energy poverty in the EU, with Southern and Eastern European Member States being the most negatively affected by energy poverty (BOUZAROVSKI – HERRERO 2017: 70).

The multiple disparities in approaches to energy security and energy transition, as well as the differing levels of energy poverty, have led to divergent energy and climate policy preferences across the EU, resulting in a complex dynamic in the energy and climate sectors. A study published three years prior to the outbreak of the war in Ukraine (PÉREZ – SCHOLTEN – STEGEN 2019) outlined three scenarios for the European energy transformation if this two-speed dynamic was to continue. The first scenario would see an emergence of two competing blocs in Europe, each with divergent views on energy security, and focusing either on renewables or on fossil fuels, and this would result in limited cooperation. In the second scenario, the two blocs’ energy security interests would diverge from each other, but cooperation and grid interconnectedness would develop between them as

well, leading to a more versatile energy security; the two blocs would balance each other out, depending on the changing costs and energy outputs from different sources. In the third scenario, after an initial divergence, the two blocs would come closer to each other in terms of their energy security strategies and their cooperation on network interconnectedness. This scenario could be facilitated through renewable energy technology transfers, environmental protests, or greater incentives from the European Commission (EC).

The war in Ukraine has had a significant impact on the European Union's energy and climate policies. In the short to medium term, the disparities in approaches to energy and climate policies are likely to persist and resemble the second scenario outlined by Perez et al. (2019). However, the shift in the EU's policy approach towards Moscow is expected to push the EU Member States towards the third scenario in the long term. Russia's use of energy as a tool of political pressure following the outbreak of the war in Ukraine has increased the sense of urgency across Europe regarding the need to secure energy supplies. This has led to a greater consensus on the geopolitical dimension of energy security across the EU. Simultaneously, the need for an accelerated energy transition has provided a further impetus for countries in the CEE region to invest in renewable energy sources and energy efficiency measures. The increased focus on both energy and climate policies across Western and Eastern European states is likely to lead to greater cooperation and convergence of approaches in the long term, as Member States will work together to achieve their climate goals while also ensuring energy security. However, there are significant challenges ahead, as was evident during the Czech Presidency of the Council.

The war in Ukraine reshaped the priorities of the Czech Presidency of the Council, which was guided from the start by the motto 'Rebuild, Rethink, Repower,' with energy security being one of the top five issue areas to be tackled (DR 2 CONSULTANTS 2023). It was clear on the eve of the Czech Presidency that Prague would need to successfully lead triologue talks on key legislative proposals within the 'Fit for 55' package and work on the advancement of the 'REPowerEU' plan. The 'REPowerEU Communication' and 'Action Plan' published by the European Commission in spring 2022 both highlighted the importance of the diversification away from the Russian energy sources, tackling the high energy prices and further investment in

low-carbon technologies ^(EUROPEAN COMMISSION 2022C). With the EU being highly dependent on Russian gas (40%), oil (27%), and coal (46%) prior to the outbreak of war in Ukraine, it was paramount to set the deadlines for the phase-out of Russian fossil fuels. Diversification of natural gas – in both the gaseous and liquified forms – was particularly pressing, as was increasing the interconnectedness of the European gas and electricity networks. With the prospect of winter ahead, energy experts and policymakers also stressed the importance of further solidarity arrangements between the Member States, a necessary cooperation to maximize the EU’s collective political and market power (e.g., through joint gas purchases from the external suppliers), and ensuring sufficient gas storage before the incoming winter heating season.

During the Czech Presidency, there was a focus on implementing the REPowerEU plan, which included fast-tracking the targets of the ‘Fit for 55’ package. That meant increasing targets for renewables and energy efficiency, simplifying and accelerating procedures for permitting projects in renewables, and further regulations necessary for increased investments in the renewable energy sector, including solar energy, wind energy, biomethane and renewable hydrogen. These measures were not only intended to speed up the energy transition process, but they could also help offset the phase-out of fossil fuels.

Commitments to clean mobility ^(KOŽMÍNOVÁ ET AL. 2022) and considerations related to the societal impact of decarbonization (e.g., the need for a just transition for European regions with the help of the Social and Climate Fund and the Just Transition Fund) were also highlighted. Although cutting energy demand and increasing energy efficiency measures would be fastest and most cost-efficient strategy in the short term, it was recognized that incentives for energy efficiency and savings measures would need to be accompanied by appropriate national schemes for price regulation to shield European companies, farmers and vulnerable individual consumers from the energy prices’ volatility.

Fast forward to December 2022, the Czech Presidency of the European Council was widely complimented for its many accomplishments, not least those in the energy sector. Maintaining the Union’s unity against Russia, e.g., in the form of sanctions, and preventing the European

energy market from collapsing were mentioned by the Czech side as some of its most prominent achievements ^(PEDZIWOŁ 2022). The praise, as far as the track record in the energy-climate sector was concerned, was largely deserved. However, several pressing issues and missed opportunities remain, especially as far as the progress on the EU-wide RES and energy efficiency targets are concerned. And the slower progress on the latter reflects the continuously different policy priorities across the EU.

THE MOST SIGNIFICANT ACHIEVEMENTS OF THE CZECH COUNCIL PRESIDENCY

In many ways the Czech Presidency exceeded expectations, as it managed to largely maintain the Union's common front and steer its political direction in times of crisis. Several key agreements in the energy and climate sectors have been negotiated along the way to achieve that. Those included an agreement on the windfall tax and the introduction of a cap on profits from power plants (apart from gas and hard coal), a commitment to reduce the gas demand by 15 percent, an agreement on energy saving at peak hours, a cap on gas prices, and a commitment to joint gas purchasing and solidarity in case of gas supply cuts ^(IBID.).

Significant progress has also been made on the revisions and provisional agreements within the 'Fit for 55' package. To start with, the Carbon Border Adjustment Mechanism (CBAM) was introduced. This scheme targets imports of products in carbon-intensive industries from non-EU business partners, who are, in turn, incentivized to fulfill the EU's high climate standards. The mechanism is meant to prevent carbon leakage and create a level playing field, leading to the convergence of global climate ambitions ^(DR 2 CONSULTANTS 2023).

A provisional agreement on the reform of the EU's emissions trading system (EU ETS) negotiated in December 2022 was another important achievement. The reform involves further acceleration of the emissions reductions targets (from 43% to 63% by 2030), a faster reduction of the cap on allowances (from the original plan of -2.2% per year by 2030 to -4.3% per year between 2024 and 2027, and then -4.4% per year between 2028 and 2030), more sectors being covered by the ETS, including maritime transport (from 2024), and a separate new ETS for buildings, road

transport, and fuels for additional sectors. For sectors not covered by the EU ETS (road and domestic maritime transport, buildings, agriculture, waste and small industries) an emission reduction target of 40% compared to 2005 to be achieved by 2030 was agreed.

This ambitious EU climate agenda was also enhanced by the LULUCF regulation, which set an overall EU-level objective of 310 Mt CO₂ equivalent of net removals in the land use, land use change and forestry sector by 2030 (COUNCIL OF THE EU 2022A).

The Czech Presidency also has a good track record regarding the progress on clean transport regulations. Just before Prague took the leadership of the Council, the European Parliament voted in June 2022 for a ban on the production and sale of new cars with an internal combustion engine from 2035. A month later, the EP adopted its position on new draft rules to increase the uptake of sustainable fuels by planes in EU airports. The new accelerated targets state that the minimum share of sustainable aviation fuel at EU airports should be 2% from 2025, which would then increase to 37% by 2040 and 85% by 2050 (EUROPEAN PARLIAMENT 2022A). The expected share of electricity and hydrogen plays a key role in this future fuel mix (with the EC proposing 32% for 2040 and 63% for 2050).

Moreover, in October 2022, the EP voted for the Alternative Fuels Infrastructure Regulation (AFIR), which aims to increase the number of the recharging and alternative fuel refueling points for cars, planes and ships across the EU (IRU 2022). A new set of rules promoting the use of renewable and low-carbon fuels in maritime (FuelEU Maritime) (EUROPEAN PARLIAMENT 2022B) and air transport (ReFuelEU Aviation) (EUROPEAN PARLIAMENT 2022C), was also introduced to cut emissions in each sector respectively. As far as maritime transport is concerned, the GHG emission targets are to be cut by 2% as of 2025, 20% as of 2035, and 80% by 2050, as compared to the 2020 level (GREEN CAR CONGRESS 2022).

The progress in the climate policy has been accompanied by important developments in the energy sector. A crucial development for the Czech Presidency was achieving an agreement on the acceleration of the deployment of renewable energy projects, including procedures and deadlines for issuing permits for solar, repowering, and heat pump projects

(COUNCIL OF THE EU 2022B). The regulation is mostly applicable to RES projects and technologies with the highest potential for quick deployment and the least impact on the environment (COUNCIL OF THE EU 2022C).

Recognizing that tackling energy demand and energy efficiency measures is the quickest and most cost-effective way of mitigating the crisis, in September 2022 the Energy Council reached an agreement on the common measures on electricity demand reduction (EUROPEAN ENVIRONMENTAL BUREAU 2022). One month later, a general approach to the Energy Performance of Buildings Directive (EPBD) was adopted (IBID.). The Czech Presidency also sought to focus on mitigating the energy price increases and shielding the most vulnerable consumers. Several policy decisions were taken to lessen the economic impact of the energy crisis on the societies.

Most importantly, an agreement on a windfall tax for energy companies, which sets a mandatory temporary solidarity contribution on the taxable business profits in the crude petroleum, natural gas, coal, and refinery sectors, was reached (COUNCIL OF THE EU 2022D). In addition, the regulation applies to regular national taxes on profits that amounted to more than a 20% increase of the average yearly taxable profits since 2018 in the fiscal year starting in 2022 and/or 2023. The additional funds generated from the windfall tax are to be directed to individual households and companies to help them deal with the effects of high retail electricity prices.

Moreover, some of the revenues generated from the ETS for fuels in additional sectors would be transferred into the social climate fund aimed at mitigating the negative impact of carbon pricing within the new ETS system (EUROPEAN COUNCIL OF THE EU 2023).

Given the EU's high dependency on the Russian fossil fuels and its need for their gradual phaseout and diversification of fossil fuels, the Member States have agreed at the Energy Council meeting in July 2022 to reduce natural gas demand by 15% before winter 2022 (EUROPEAN ENVIRONMENTAL BUREAU 2022). Equally important was the introduction of new measures facilitating joint purchases of gas by the Member States and the emphasis on solidarity in the new regulations that introduced an obligation for the states to share gas with each other in periods of sudden acute shortages that would affect electricity production (COUNCIL OF THE EU 2022B).

These policy decisions will strengthen the EU's negotiating position on the global energy market in the long term and aid in refilling gas storages across the EU before the next winter heating season, that of 2023\2024.

THE SHORTCOMINGS OF THE CZECH PRESIDENCY

The Czech Presidency of the Council certainly had to make responding to the energy crisis a priority, and as such it managed to successfully steer the Council decisions on some key emergency legislation. However, despite important progress being made also on the 'Fit for 55' package, the track record in the renewables and energy efficiency sectors illustrates some missed opportunities, with the revisions of both the Renewable Energy (EUROPEAN COMMISSION 2022A) and the Energy Efficiency Directive (EUROPEAN COMMISSION 2022B) not being very ambitious.

The outcome of the negotiations on energy efficiency measures, cutting energy demand and setting new RES targets between the EU bodies and the Member States has been insufficient. Already in May 2022 the European Commission's 'REPowerEU' plan aimed to increase the energy efficiency target (initially agreed in 2021) from 9% savings to 13% by 2030. In September the EP followed up on this by backing a mandatory energy saving target of 14.5% to be achieved by 2030. However, the EU Member States greenlighted only the 9% target back in July 2022, and with the Council under the Czech Presidency backing the same level of commitment it created a difficult ground for negotiations with the other EU bodies and posed a risk of states not implementing the necessary tougher measures in the medium term. It is worth noting that Member States had already missed their energy savings targets for 2020 (KURMAYER 2022). The Member States also proved to be reluctant toward the idea of adopting another stronger target for the annual energy savings obligations, which would ensure a decrease in their consumption of oil, gas and electricity. Whereas the Commission suggested a 1.5% target from 2024 onwards and the EP has been pushing for a higher target of 2%, the EU countries prefer a staged approach instead (TAYLOR 2022).

Despite reaching a commitment on reducing energy demand, the Czech Presidency also did not manage to negotiate strong compulsory measures. The overall 10% gross electricity consumption reduction target

is voluntary, albeit it does include the 5% mandatory electricity reduction target to cover at least 10% of peak hours (which are to be identified by Member States by March 2023) (COUNCIL OF THE EU 2022D). As the agreement hinges on the voluntary efforts of the Member States, and only twelve of them have adopted domestic mandatory energy reduction regulations so far, the progress might prove insufficient.

A study conducted by the European Environmental Bureau (EBB) showed that by mid-December 2022 Italy, Germany, France and Spain have introduced the strongest gas saving measures so far (KAULARD – HEIGER 2022). Being a large importer of Russian gas prior to the war in Ukraine (55% of its gas imports), Germany has also implemented a gas auctioning model to incentivize industrial consumers to reduce their gas consumption. Several Member States – Portugal, Slovenia, Denmark, Belgium, Malta, Greece, Ireland and Hungary – have opted for a mix of a few mandatory gas consumption reduction measures in public buildings and voluntary measures for private entities and citizens. The rest of the countries have focused on voluntary measures, while a few of them have not implemented any measures yet (IBID.).

A certain lack of momentum could be also spotted in the revisions of the Renewable Energy Directive. Although in mid-September 2022 the European Parliament voted in favor of an ambitious 45% target for RES in the EU's energy mix to be reached by 2030, as outlined in the 'REPowerEU' plan in spring (with the Greens and the Left advocating for even more radical targets – 55–56% RES by 2030 and 100% by 2040) (MESSAD 2022), this target has not been upheld in the Renewable Energy Directive (RED III). Instead, the 40% RES objective in the Union's gross final consumption to be reached by 2030 was maintained (an increase from the 32.5% by 2030 target in the 2018 Renewable Energy Directive) (COUNCIL OF THE EU 2022E). This raises questions as to whether the new regulations are ambitious enough, especially as no binding national renewable energy targets for EU countries were set.

When it comes to other policy developments, quite noteworthy was the Council's approach to the Energy Performance of Buildings Directive (EPBD) adopted in autumn 2022. Buildings account for 40% of the energy consumption in the EU and their poor performance in this regard became

evident in the current crisis amid the skyrocketing energy prices (EUROPEAN COUNCIL FOR AN ENERGY EFFICIENT ECONOMY 2022). Improving that performance is therefore one of the key ways of tackling the energy crisis and protecting vulnerable consumers. However, the Council's revision of the directive appears to be only moderately ambitious in the current double crisis of energy and climate change. The Council maintained the main revision objectives of the directive as set out by the Commission, including for all new buildings to be zero-emission by 2030, and for all existing buildings to be transformed into zero-emission buildings by 2050. Regarding new buildings, it was also agreed that new buildings owned by public bodies would become zero-emission by 2028 (EUROPEAN BUILDERS CONFEDERATION 2022). However, although the Czech Presidency was determined to maintain the Minimum Energy Performance Standards (MEPS) for all segments of the building stock, it took a less ambitious approach to this than the European Commission. For instance, no clear benchmarks have been set for the MEPS, while a number of exceptions were introduced. Moreover, the provisions on the harmonization of Energy Performance Certificates and improvement of indoor environmental quality in all types of buildings suggested in the European Commission's proposal, turned out to be much weaker in the Council's approach.

When it comes to renewables, environmental actors have been pointing to the rather weak regulations on biomass. Bioenergy currently constitutes 60% of the renewable energy resources in the EU (EUROPEAN COMMISSION 2019), and biomass was included in the EU's RES mix with the caveat that its share cannot exceed the average recorded volumes in 2017–2022. The EP outlined a plan for the progressive phase down of biomass. However, no end date for its complete phase out was indicated (MESSAD 2022).

Lastly, when it comes to a wider international focus, the Czech Presidency also worked jointly with the European Commission to reach an agreement at the UNFCCC COP27 in Egypt on November 20th on loss and damage and maintaining the commitment to the 1.5C degrees target. Although the Union showed a unified front, the commitments made in relation to climate mitigation are not high enough and might put the 1.5C degrees goal in jeopardy.

THE LEGACY OF THE CZECH COUNCIL PRESIDENCY

Similarly to the other Visegrad states, the Czech Republic was not considered as the most climate-ambitious actor. Adding to that the immense challenge of the energy crisis following the Russian invasion of Ukraine, the Czech Presidency was faced with a multiplicity of necessary policy decisions to be made in the energy and climate sectors.

In contrary to the common belief, the Czech Republic was well suited to deal with the pressing issue of energy supply, as the topic had been high on the CEE regional security agenda for years. Hence, despite the challenge of the numerous emergency regulations needed, Prague showed strong leadership in successfully pushing for greater energy solidarity in new regulations, cooperation on joint purchases of gas, implementation of a cap on gas prices, a windfall tax for energy companies and a significant reduction of gas demand.

Regardless of the presidency being preoccupied with energy security, the climate agenda remained in sight and significant progress has been made on the Carbon Border Adjustment Mechanism (CBAM), the reform of the EU's emissions trading system (EU ETS), and clean transport regulations (AFIR, FuelEU Maritime, ReFuelEU Aviation). Crucially, the Czech Presidency also managed to reach an agreement on the acceleration of the deployment of renewable energy projects.

However, the revisions of the Renewable Energy and the Energy Efficiency Directive so far lacked momentum, while the important commitment to reducing energy demand was not backed up by strong compulsory measures. From a wider perspective, this reflects the reluctance of numerous EU Member States to implement more ambitious sustainable targets in the current crisis. In some way, though, this is also a reflection of the Czech Presidency itself and the traditional policy focus in the CEE region on the security of supply rather than on an ambitious climate policy targets.

Nevertheless, the legacy of the Czech leadership of the Council gives hope that important tasks can be accomplished in a short time period and that despite their differences, the Member States can maintain a united front and reach strategic compromises. The Presidency has also illustrated the importance of personal determination, as the conduct of some of its key

politicians was particularly noteworthy. The Czech Minister of Industry and Trade, Jozef Síkela, who oversaw the EU Council of Ministers discussions on energy and called a meeting on this eight times to successfully reach several important agreements, is a case in point here.

Given that significant progress is still needed in the renewables and energy efficiency sectors, the incoming Swedish Presidency needs to prioritize both areas and push for stronger RES and energy saving targets, as proposed by the European Commission in ‘REPowerEU’ and as supported by the EP.

The acute situation on the European energy market following the Russian invasion of Ukraine in 2022 naturally shifted the attention to the need for diversification and the ultimate phaseout of fossil fuels, including gas. Although several EU states still envision the use of gas as a ‘bridge fuel’ in their energy transition, in the future there is a need to put more emphasis on the importance of new RES technologies. The development of the renewable hydrogen market and infrastructure and boosting solar photovoltaic and wind capacity are crucial. And regions such as CEE still have a lot of untapped potential that should be explored when it comes to the development of RES.

At the same time, from a more long-term perspective, the policymakers will need to ensure that new projects in fossil fuel infrastructure (including gas pipeline connections and LNG terminals) are well coordinated to avoid overinvestment and a carbon lock-in effect that could side-track the energy transition in the long term.

The Russian invasion of Ukraine and the resulting energy crisis have created a pivotal moment for the future of Europe’s energy transition. As outlined in Pérez, Scholten and Stegen’s (2019) scenarios, the crisis has exposed the divergent takes on energy security of the two blocs. However, the EU’s response to the crisis has not followed this bleak path. Instead, there was a shared recognition among the Member States of the need for greater energy security and diversification, as well as increased cooperation and interconnectedness in energy and climate sectors. While clear divisions remain across different parts of the EU for the time being, the Swedish Presidency and the subsequent Presidencies of the Council hold the potential to drive forward the task of further policy alignment in both areas, despite the challenges ahead.

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The Czech EU Presidency: Strengthening Energy Security Amidst the Crisis

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ABSTRACT

The Czech Republic took over the presidency of the European Union Council from France during a deep crisis ignited by the aggressive Russian invasion of Ukraine. In fact, as a result of the invasion, the Czech presidency had to deal with a multitude of crises: not only the actual security crisis, that is, Russian forces attacking a country at the EU's border, but also an energy crisis manifested by price hikes and supply insufficiency, and an economic crisis caused by both of the above. As energy was among the priorities of the presidency, the article focuses on this area, assessing the presidency's performance in strengthening the bloc's energy security. The text focuses on electricity and natural gas markets, given the impact of the crisis on these areas and the fact that their functioning is communitarized. Retrospectively, it also takes on the topic of what the presidency's main message and legacy were when it passed the proverbial baton to Sweden at the end of 2022. The research found that the agreements reached under the Czech presidency can increase the Union's energy security, namely the availability and affordability of energy supplies. The presidency also showcased the Czech Republic's ability to achieve broad agreement even on controversial points.

KEYWORDS

European Union, Czech Republic, EU presidency, energy security, Russia

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INTRODUCTION

The second Czech presidency in the European Union Council took place against a backdrop seemingly similar to the one in 2009. The European Union (EU) was going through an energy crisis involving Russia and Ukraine. However, in almost all other aspects, the situation in 2022 was markedly different. Not only was the institute of the presidency formally different from the one the Czech Republic assumed in January 2009, but also, the crisis barely bore any resemblance to the 13-year-old one. First, European states were dealing with an all-out war on the continent, an unseen phenomenon since 1945. That itself would provide for a difficult presidency as Europe had to deal with heightened geopolitical tensions and Russian threats. On top of it, however, the energy crisis set in motion circa half a year before the presidency, drove natural gas and electricity prices high, putting pressure on the already strained European economies. It was clear right from the start that the Czech presidency had a lot on its plate with very little room for mistakes as an atmosphere of concerned expectations was lingering around. The presidency was originally prepared by the preceding government of Prime Minister (PM) Andrej Babiš, who had dedicated a very limited budget to the task. The slashed budget had thus prompted concerns about a potentially very limited presidency.

The following text assesses the Czech presidency of the EU Council with regard to the energy sector and energy security issues. It takes stock of the agreements sealed during the presidency and contrasts them against the general definition of energy security. It then proceeds to analyze whether these agreements result in increasing the energy security of the EU. To address the task, the following research question was formulated: *Did the EU's energy security increase due to the agreements sealed during the Czech presidency?* The text's primary focus is on natural gas and electricity as these are traded on the common market, and are thus within the EU's institutional reach. Crucially, these are also the energy sectors most influenced by the Russian invasion of Ukraine.

TAKING ON THE PRESIDENCY MANTLE

Even before July 1, the first day of the Czech presidency of the EU Council, it had been clear that the Czech representatives were not off to a smooth

start. The first and most obvious problem was the state Europe was in with the war ravaging Ukraine since February 24, 2022. Although to the surprise of many, Ukraine survived the first concentrated attack and was even retaking the initiative in some regions, the situation was still rather bleak. The second concern for the Czech presidency was that it had to deal with the limited resources assigned for the presidency by the previous government, which gravely underestimated the needed funds and staffing (ČEMUSOVÁ 2019). Although the new government of PM Petr Fiala made some last-minute adjustments to accommodate the expected high demands of the presidency during the trying times, the 6-month period tested the state's capacities extensively. The presidency even required some government staffers to change their assignments and work on EU matters for the time of the presidency (BOUBÍNOVÁ 2022).

Notably, the Czech Republic was simultaneously facing a refugee crisis at home, as it provided shelter to almost half a million refugees cumulatively, which was the highest number out of all the European countries, and it was by no means an easy task for a country of ten million (STATISTA 2022). At the same time, the country was dealing with high energy prices, a topic intensely politicized in domestic political battles. For this reason, energy market functioning and energy prices became the most closely observed issue of the Czech presidency. On the EU level, the energy-related agenda was also among the most followed topics, as energy prices and supply shortages were the main real-life war impacts in the EU countries. In fact, outside of the countries dealing with the influx of refugees, the energy price hikes were the only noticeable impact on everyday life. When the Czech Republic took on the mantle of the presiding country on July 1, electricity prices had already risen sharply, with the Czech Republic marking one of the steepest increases (EUROSTAT 2022A). Therefore, it was clear that something had to be done, and all eyes were on the Czech Minister of Industry and Trade, Josef Síkela, and the Council of Ministers he presided over. After all, energy security was the number 2 priority of the official Czech presidency program (CZECH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION N. D.: 4). Therefore, it was understandable that the presidency was expected to broker an EU-wide solution to this problem. The Czech presidency had a clear advantage over their French counterparts, who started their stint six months earlier during peacetime and had to abruptly accommodate to a new reality after the all-out war broke out less than two months

into their presidency. Unsurprisingly then, The Czech presidency focused heavily on the energy-related agenda. At the same time, it cannot be said that the energy crisis was anything new, as the prices of natural gas and electricity started to climb up in mid-2021; therefore, the time was ripe for thorough systemic adjustments ^(EUROSTAT 2022B).

ADDRESSING THE ISSUES

The commonly used definition of energy security is the one used by the International Energy Agency (IEA), which defines energy security as the *“uninterrupted availability of energy sources at an affordable price”* ^(IEA 2019). This definition corresponds with the officially stated priorities of the Czech presidency concerning energy security. These were:

- 1) Implementation of the REPower EU plan, including source diversification and new supply routes, energy savings, and a speeding up of the energy transition;
- 2) Replenishing natural gas storages and fostering joint purchases of natural gas;
- 3) Implementing measures to tackle high energy prices.

While the first two goals addressed the uninterrupted availability component of the abovementioned definition, the third one was meant to take on the remaining component, affordability. As the energy and economic crisis had already been in full swing by the summer when the Czech Republic took on the presidency, it was clear that it would need to deal with the gas and electricity prices. Simultaneously, as electricity and natural gas are traded on the common market, they are the energy sectors where the EU has the biggest say and where the presidency can help make a difference. Dealing with the supply security and energy market functioning thus became the biggest presidency task.

The most visible immediate measure addressing the first point, i.e., savings, was a voluntary gas consumption reduction of 15% in the 2022/2023 heating season ^(COUNCIL OF THE EUROPEAN UNION 2022A). This measure can be attributed to the first defining factor of energy security – the availability of energy sources, which ultimately increases the overall available volume. Although the measure was received with criticism as it was not

made compulsory, with mandatory provisions available only under emergency conditions, the agreement sent out an important signal about the will to come to terms and find a common denominator in times of crisis.¹ Due to the combination of high commodity prices and consumer anxiety, the gas demand did eventually decrease. In fact, in the Q3 and Q4 of 2022, the demand decreased by more than 20% compared to the same period in 2021, thus even exceeding the 15% goal (EUROSTAT 2022C). Although the responsibility for this decrease cannot be clearly ascribed to the presidency, as the decline started even before the agreement in reaction to the high prices, and the reduction was not made compulsory, the presidency-facilitated agreement indeed helped to highlight the importance of the task. Additionally, the measure has the potential to increase the availability component by definition; plus, the savings can be made compulsory under emergency conditions, as noted above.

Addressing the second point, it was set out that gas storages had to be refilled before the upcoming winter (CZECH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION 2022A). Although in retrospect, the effort was successful, and the member states secured stable supplies for the 2022/2023 heating season (based on the situation at the time of writing in early March 2023), the hasty effort to replenish storages was likely among the reasons driving the gas spot price to an unprecedented height in August 2022 (EUenergy n.d.). Therefore, although meeting this priority increased the availability and stability components, it undermined the affordability component. The measures to aggregate the demand and procure joint gas purchases that were agreed on later that year should at least partly mitigate such an effect in the future, thus fostering affordability (see below).

Joint gas, LNG, and hydrogen purchases via the EU Energy Platform were agreed on towards the end of the presidency in November 2022. The presidency sealed the deal on establishing a joint platform for gas purchases at the fourth extraordinary meeting of EU energy ministers. The measure is based on aggregating gas demand and seeking the supply jointly so that the participating members do not compete with each other, which would undermine their respective positions. The idea is based on the assumption that the aggregated demand will provide greater leverage on the competitive market than the members acting individually. Taking part in the measure is voluntary except for the provision that the members

have to buy 15% of the storage levels of gas via this measure ^(COUNCIL OF THE EUROPEAN UNION 2022B). The next major achievement was the transborder solidarity measure, which, in fact, relied on the basic framework of energy solidarity, which had been already enshrined as early as in the Treaty on the Functioning of the European Union years earlier ^(EURLEX 2008). Both the solidarity measure and the demand aggregation will help increase the stability and availability component.

Council presidencies usually put the less conflictual points on the agenda before those with a higher potential for disputes, and the Czech presidency followed the same tactics. The common denominator was agreed on first, with the more complicated issues left for later. That way, the presidency was able to reach an agreement on transborder solidarity, demand aggregation, and consumption reduction before agreeing on the perhaps most controversial point – the gas price cap – just before the presidency ended ^(COUNCIL OF THE EUROPEAN UNION 2022A; CZECH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION 2022B). In hindsight, the reaching of an agreement on these important yet less groundbreaking measures in the first place turned out well and perhaps gave the presidency the needed confidence before it took on the more difficult agenda.

PREOCCUPIED WITH THE PRICE CRISIS

To address the third point, high energy prices turned out to be a recurring topic throughout most of the presidency; hence, let us dedicate a separate section to it. As hinted above, addressing electricity and gas prices clearly falls under the affordability component. The severity of the situation in the electricity and gas markets was undisputed, given the potential impact of high prices on society. During the summer, and particularly in August, the presidency's main topics were the electricity and gas price caps, so much so that the climate issues were pushed back, as was actually stated in the original presidency goals ^(CZECH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION N. D.: 47). Even though some of the implemented measures actually help foster the energy transition agenda as well, the emphasis was clearly on the energy and economic crisis the EU was going through. For instance, the gas consumption reduction measures could be ascribed to the decarbonization effort; however, the purpose of the measure was to alleviate the strain on

the supply chain in the first place ^(COUNCIL OF THE EUROPEAN UNION 2022A). Such a prioritization was unsurprising given the security situation at the time and the government's stance towards the Russia-inflicted war. Since the beginning, PM Fiala's government has been among Ukraine's most visible supporters and framed the whole issue from a geopolitical perspective, making clear that it sees Russian energy supplies as a dangerous weapon ^(FIALA 2022).³ Hence, securing energy supplies fits well into this narrative.

By August 2022, the high energy prices could no longer be ignored. The summer of 2022 caught Europe in what could legitimately be called the perfect storm. The combined effect of an unexpected production outage of nuclear sources in France, and severe droughts and thus a low hydropower output, required natural gas power plants to fill in the supply gap right at the time when the gas prices were high. Although this seemed to be temporary, as it was driven by the sudden surge in demand, the pressure from the civil society as well as the commercial sector prompted governments to act. Eventually, the discussion boiled down to two possible options. The first one was the so-called "Iberian exception", i.e., decoupling natural gas from price setting ^(PATEL 2022). However, the European Commission did not favor imposing this solution, which was viable in the rather specific conditions of the more-or-less isolated Iberian market. In fact, the Commission generally resisted any idea of gas price caps as it maintained that such a cap would inevitably increase demand while strengthening reliance on natural gas as a fuel. The Commission apparently did not favor tampering with the energy market functioning and feared that any such decoupling of commodity prices would be hard to reverse. Eventually, it was agreed upon to cap the "cheap" sources (i.e., those that profit the most from a price set by the expensive natural gas, i.e., renewables and nuclear sources) and use the outstanding profit to soften the impact of the electricity price on consumers ^(OFFICE OF THE GOVERNMENT OF THE CZECH REPUBLIC 2022). The Czech presidency was happy about the outcome despite the actual measure eventually having a rather dubious and indirect impact.⁴ Nevertheless, the agreed measure inherently impacts the electricity price, thus helping to improve the affordability component.

At the same time, a split emerged among the EU members, indicating what was to be a source of an argument also in the negotiations on the gas price cap later that year. As the year's end neared, the Czech representatives

pushed to reach an agreement, ideally, a unanimous one. Even though unanimity was not, *per se*, required, the Czech representatives wanted to get as many members on board as possible as Minister Síkela apparently wanted to make a name for himself and his team (SHIRYAEVSKAYA 2022; WILLOUGHBY 2022). Also, closing the presidency with a major agreement was crucial for the Czech government. The Czechs, along with other members who felt the price hikes the most (e.g., Spain, Italy, Belgium, and Poland), opposed the somewhat merely symbolic measures for dealing with them proposed by the Commission (LIBOREIRO 2022). On the other hand, they had to convince some of the EU's heavyweights, like Germany, the Netherlands, Austria, and Denmark, who maintained that price caps would inflict higher consumption.

In order to reach an agreement, several snap councils were conveyed, highlighting the extensive amount of organizational work done by the presidency. Eventually, the agreement was reached in the eleventh hour on December 19 (CZECH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION 2022B). Even though the deal set the price cap relatively high, it could be regarded as a success from the energy security perspective. Although the measure would serve as more of a “panic brake” than a precaution, it can positively affect the affordability component. Also, the message sent out by the presidency, that is, that it was able to strike a deal based on a wide, if not universal, agreement, should not be understated (ABNETT 2022). The table below summarizes the measures and their impact on the EU's energy security for an easier overview.

As a side note, it should be stated that as much as the government's performance at the EU level was generally praised, the communication of its successes at home was somewhat modest and left a lot to be desired. The opposition's criticism of the government for allegedly not doing enough to tackle the high energy bills was a staple throughout the presidency and was rarely met with a comprehensive response from the government. The government focused on the EU level, relying on a comfortable majority in the Chamber of Deputies. As a result, the opportunity to present the EU presidency to the public and improve the reputation of the Union was not fully used.

TABLE 1: AGREED MEASURES AND THEIR IMPACTS ON ENERGY SECURITY

Measure	Impact
Consumption reduction	Increased availability
Storage refilling	Increased availability
Transborder solidarity	Increased availability
Demand aggregation	Increased affordability
Electricity price cap	Increased affordability
Gas price cap	Increased affordability

Source: the author.

CONCLUSION

The ongoing war and the related crises in the energy and economic sectors heavily influenced the Czech presidency. Expectedly, strengthening the bloc's energy security was among the presidency's priorities. The article utilized the widely used definition of energy security to assess whether the measures agreed on during the presidency could increase the Union's energy security.

The research was based on the definition used by the International Energy Agency, which defines energy security as the uninterrupted availability of energy sources at an affordable price. Based on this definition, it was revealed that natural gas saving measures, storage refilling, and transborder solidarity would increase the availability component. The demand aggregation with electricity and gas price caps, on the other hand, would increase the affordability component.

The agreements reached during the 2022 Czech EU presidency should also be praised for their consensual nature and the presidency's effort to reach a wide agreement even when a qualified majority would suffice. Here, the presidency's ability to broker a collective agreement, especially in the face of the energy and economic crisis, should not be understated.

Besides, the Czech government's staffers gained valuable experience during the presidency and will thus likely bring a new quality to state institutions. However, the trying times stretched the human and institutional capacity of the government to its limits. The focus on EU matters may have even caused some domestic tasks to be put on the back burner for the time of the presidency. In any case, the government officials showcased their ability to work as honest brokers, a valued quality for the EU Council presidency.

Although the presidency focused mainly on mitigating the energy and economic crises, several of its measures also positively impacted the climate-related agenda, such as the energy savings measures. Despite being in the shadow of the energy crisis management, these achievements should be recognized. In the face of the potential supply crisis, the presidency also strengthened the role of transborder energy solidarity. Although the solidarity and the agreement on savings were presented as being among the undisputed achievements, they still earned some critique for the built-in exemptions and rather tame goals. Nevertheless, the political importance of the agreement and the joint commitment was significant.

In general, it could be said that the Czech presidency was a success and showcased the state apparatus's ability to broker deals under pressure, even in the sphere where the EU merely shares its powers with member states. Even though the issues highlighted some of the persisting cleavages among member states, the Czech presidency showed its ability to reach an agreement where possible by going the extra mile where needed. Given that the markets have calmed down since the heated moments in the summer of 2022, the most visible legacy of the presidency has remained the way the presidency managed its role in the trying times.

ENDNOTES

- 1 A similar, yet more modest, agreement was reached for electricity consumption (Office of the Government of the Czech Republic 2022).
- 2 Although only a minor part of the capacity was traded at that price and the hike was likely partly driven by speculative actions, it did draw the attention of the public and prompted governments to action.
- 3 The government has supplied military support to Ukraine since the war began, and PM Fiala was among the first visitors to Kiev after the war started.
- 4 The questionable effect of the price caps is given by their rather loose nature, as they set the mechanisms in motion too late for most of the consumers, like in the case of the gas price cap, or had only a very indirect effect, like in the electricity price case. While in the former case, the price cap is higher than the recent price hike, in electricity, the financial help is indirect, using money deducted from profits of the sources benefiting from the high price level.

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The Czech Presidency and the Rule of Law: Not Hungary's Satellite Anymore

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ABSTRACT

This article assesses the achievements and failures of the 2022 Czech presidency in one of its priority areas, namely democratic resilience and the rule of law. By analysing the two inherited Article 7 (1) procedures against Poland and Hungary as well as the rule of law conditionality mechanism against Hungary, I argue that the Czech presidency's major achievement was the successful completion of the conditionality procedure despite Hungary's hostage policy. Besides, the Czech presidency's handling of the rule of law procedures had crucial symbolic implications. The government managed to distance itself from the notion that Czechia is a member of the 'illiberal' Visegrád bloc and instead demonstrated its pro-democratic and pro-European orientation.

KEYWORDS

Czech presidency, rule of law, resilience, Article 7 (1), rule of law conditionality

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INTRODUCTION: THE CZECH PRESIDENCY AS AN 'HONEST BROKER'?

From July to December 2022, the Czech Republic held the rotating Presidency of the Council of the EU for the second time since its accession to the European Union.¹ Just like the French presidency in the first half of 2022, the Czech presidency was overshadowed by the Russian war against Ukraine, which forced the Czech government to partially rewrite its original EU priorities (LAZAROVÁ 2022). In addition, two domestic political conditions were potential obstacles to a successful presidency. First, by the time Czechia took over, the five-party government led by Prime Minister Petr Fiala (*Občanská demokratická strana*, ODS) had been in office for only six months. Hence, it was not clear how stable this oversized government would be in case of internal debates. A second challenge was that a fair share of the preparations for the presidency had taken place under the previous government of Andrej Babiš (*ANO 2011*), which had not considered the presidency as a top priority. As a result, the government had allocated a comparatively small budget for the preparations (ZACHOVÁ 2021).² Nourished by the memories of the first Czech presidency, when the government was ousted by the opposition's vote of no confidence in the middle of the presidency (SEE LINEK – LACINA 2010), these domestic challenges raised some doubts about the government's ability to manage the presidency successfully.

This contribution assesses the presidency's achievements, failures and leftovers in one of its presidency priorities, namely the resilience of democratic institutions. While this policy field also includes questions of how to strengthen the democratic resilience of the EU polity as a whole (for example, by ensuring free and fair elections or protecting media freedom in the EU), the question of how to respond to threats to the rule of law and democracy at the national level are at the core of this debate. Thus, the article focuses on the rule of law conflicts with the Hungarian and Polish governments. In particular, it assesses how the Czech presidency managed the ongoing Article 7 (1) procedures against both Poland and Hungary as well as the first-ever application of Regulation 2020/2092 on the general regime of conditionality for the protection of the Union budget, which was initiated against Hungary by the European Commission in April 2022.

I argue that the Czech presidency was successful in this area because it fulfilled its commitment to act as an ‘honest broker’ (LAZAROVÁ 2022) in the rule of law-related negotiations with Hungary and Poland. Although it did not substantially bring forward the Article 7 (1) procedures against Hungary and Poland in the Council, it brought the first application of the conditionality mechanism to a successful end. In particular, the presidency succeeded in getting Hungary to not block an 18 billion Euro assistance package for war-torn Ukraine in exchange for lifting the procedure and managed to secure a necessary qualified majority in the Council in favour of suspending EU funds. In addition, the Czech government effectively countered the image of a coherent Visegrád Group whose members are united in their opposition to liberal democracy, ‘western’ values and further integration.

The article starts by reviewing the presidency of the Council from a theoretical angle, highlighting its agenda-shaping powers in the Council. After a brief overview of Article 7 (1) and the rule of law conditionality procedures, I assess the Czech presidency’s handling of these procedures. I conclude with an overall assessment of the presidency’s performance and its implications for the Czech government’s position in the EU.

THE POWERS OF THE PRESIDENCY OF THE COUNCIL OF THE EU FROM A THEORETICAL PERSPECTIVE

The role of the rotating presidency, which is carried out by a member state government for six months, has been reduced with the Treaty of Lisbon (BATORY – PUETTER 2013). First, the functions of the presidency of the Council were separated from those of the European Council by establishing the post of a permanent President of the European Council serving for a two-and-a-half-year term. This reduced the rotating presidency’s formal responsibilities and duties and, as a result, also its informal powers in shaping EU policies. Second, since after Lisbon the rotating presidency is no longer at the helm of the Foreign Affairs Council (BATORY – PUETTER 2013: 98), its influence on the Union’s Common Foreign and Security Policy is diminished.

Despite this, the state holding the presidency still enjoys enormous agenda-shaping powers in the Council (HÄGE 2017; TALLBERG 2003). It can set the agenda by putting certain proposals and issues on the agenda

(*agenda-setting*), it can structure the agenda by emphasizing or de-emphasizing certain issues (*agenda-structuring*), and it can prevent certain issues from being placed on the agenda (*agenda-exclusion*). While blocking certain issues is not an option in some cases (e.g. in crises, when decisions are urgent or in rule of law-related matters; see below), the presidency can use its scheduling power to set the pace and to determine which issues it will prioritize and devote special attention to (HÄGE 2017). Hence, the presidency still has the power to steer the course of EU policies into its preferred direction and to determine issues of particular importance.

At the same time, the presidency is expected to act as a mediator and an 'honest broker' by "*suggest[ing] compromise solutions with a view to reaching an agreement in the Council*" (COUNCIL OF THE EUROPEAN UNION 2018: 9; QUAGLIA – MOXON-BROWNE 2006: 351). Moreover, it is also expected to be neutral concerning the fulfilment of its duties (COUNCIL OF THE EUROPEAN UNION 2018: 10). In sum, while the presidency is allowed to delineate political priorities and use its agenda-shaping powers, it is not allowed to exploit these powers for its political objectives.

The question of how to assess whether a presidency was successful or not, or how to determine its achievements and failures, is the subject of much scholarly discussion (SEE MANNERS 2013; QUAGLIA – MOXON-BROWNE 2006) and there is no commonly accepted set of criteria to measure success. As a consequence, such assessments are always subjective to a certain degree (MANNERS 2013: 70), depending on the criteria used. In the following, I differentiate between a *substantial* and a *symbolic* dimension of success or failure in rule of law matters. The substantial dimension denotes the achievement of a formal goal, e.g. the completion of a procedure. The symbolic dimension refers to the symbolic message a particular action carries. Rule of law protection through the EU at the national level is highly contested: While some member state governments support stronger EU oversight mechanisms, others are cautious or reject EU interference in domestic matters. Whether and how presidencies handle rule of law issues thus carries strong symbolic weight. Through these decisions, they implicitly position themselves either in the camp of governments favouring a more sovereigntist position or in the camp of those supporting EU interference.

THE RESILIENCE OF DEMOCRATIC INSTITUTIONS AND THE PROTECTION OF THE RULE OF LAW UNDER THE CZECH PRESIDENCY

Starting in 2010 and 2015 respectively, Hungary and Poland have taken the path of democratic backsliding (SEE E.G. BAKKE – SITTER 2022), resulting in continuous conflicts over the national rule of law and democracy with the EU. Given these internal challenges to the rule of law and democracy - both of which are fundamental values of the EU – it is not surprising that the Czech Presidency made democratic resilience one of its five core priorities. In addition, the government’s choice might have arguably been influenced by its wish to be perceived as the anti-populist, pro-democratic and pro-European alternative to the previous government (HAVLÍK – KLUKNAVSKÁ 2022). Hence, it pledged to “*focus on strengthening the resilience of institutions that have a major influence on maintaining and developing values of democracy and the rule of law in the EU*” (CZECH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION 2022: 9). Besides its commitment to support EU legislative acts designed to strengthen the EU’s overall resilience as a political system, the presidency announced that it would moderate a discussion on the implementation of the rule of law on the basis of the Commission’s Annual Rule of Law Report. Moreover, it promised a “constructive approach” (IBID.: 14) in the ongoing Article 7 (1) procedures against Hungary and Poland.

Article 7 (1) and the conditionality procedure

The EU has several rule of law instruments at its disposal. Some of these are only preventive in nature, designed to prevent rule of law deficits from happening in the first place or meant to highlight existing deficiencies (e.g. the Annual Rule of Law Report). Others are designed to react to and sanction member states in case of actual breaches of the rule of law, such as the Article 7 (2) procedure or the recently established rule of law conditionality mechanism. When Czechia took over the presidency, it ‘inherited’ three distinct procedures: the Article 7 (1) procedure against Poland launched by the Commission in December 2017, the Article 7 (1) procedure against Hungary initiated by the European Parliament in September 2018, and the conditionality procedure triggered against Hungary in April 2022.

The Article 7 (1) procedure, also called the preventive mechanism, can be initiated when “*there is a clear risk of a serious breach by a Member State of the values referred to in Article 2*”. Often confounded with the sanctioning mechanism in Article 7 (2), Article 7 (1) cannot result in the member state losing some of its rights (such as voting rights in the Council). It can only lead to recommendations issued by the Council after it has decided with a four-fifth majority that a member state risks breaching the Union values. Before such a decision is made, the Council has to hear the member state in question. These hearings, structured by the so-called standard modalities laid down by the Council in 2019, hence form the major part of the procedure. After the opening statement by the member state itself, delegations may pose questions related to the topics covered by the hearing, followed by answers and the asking of follow-up questions (PRIEBUS 2022).

Regulation 2020/2092 on the general regime of conditionality for the protection of the Union budget, the so-called rule of law conditionality, was adopted in December 2020 (BARAGGIA – BONELLI 2022; HILLION 2021). It can be activated when “*breaches of the principles of the rule of law in a Member State affect or seriously risk affecting the sound financial management of the Union budget or the protection of the financial interests of the Union in a sufficiently direct way*” (Article 4). The procedure has several stages involving the Commission and the Council. If the European Commission finds evidence of such breaches, it can send a written notification to the member state and request further information. The government in question must respond – and may already propose remedial measures – within one to three months, depending on the exact amount of time granted by the Commission. The Commission then must assess these answers within one month. Should the member state response not suffice, the Commission can submit a proposal for an implementing decision on the appropriate measures to the Council; i.e., the Commission can suggest suspending or reducing a certain amount of EU funds. The Council subsequently must decide on the Commission’s implementing decision within one month, although it may extend this period by a maximum of two months if necessary. It can adopt and/or amend the Commission proposal with a qualified majority.³

When assessing the presidency’s achievements or failures concerning the rule of law procedures, it is important to differentiate between the Article 7 (1) procedure as an instrument *without* fixed deadlines, and the

conditionality mechanism as a tool *with* fixed deadlines. While Article 7 (1) outlines the conditions for its triggering and its procedural stages, neither the treaty nor the standard modalities specify deadlines as to when the procedure has to be concluded, the number of hearings to be held before tabling a vote or the intervals between the hearings (PRIEBUS 2022). As a result, the presidency has complete discretion in deciding whether or not to proceed with the procedure in the Council by scheduling hearings during its six months in office. Concerning the Article 7 (1) procedure, the presidency thus enjoys enormous agenda-shaping powers. In contrast, the conditionality regulation contains clear deadlines, setting time limits as to when the procedure has to be finished. Hence, after this procedure is launched, the presidency's agenda-shaping powers are limited because it has to decide on the Commission's proposal within one to three months.

The Article 7 procedures: More symbolic than substantial achievements

The Czech presidency put both Article 7 procedures on its agenda, although not to the same extent. In the case of Poland, the presidency held an 'exchange' on the situation of the Polish rule of law in October 2022, meaning that Council members were only updated by the Commission on developments concerning national rule of law issues in this case (COUNCIL OF THE EUROPEAN UNION 2022B).

In contrast, it conducted a fifth non-public hearing of Hungary in November, which, however, led neither to pathbreaking results nor to a conclusion of the procedure. The discussions focused on a wide variety of issues, ranging from academic freedom, media pluralism and LGBTQ rights to issues related to the independence of the judiciary and government-funded campaigns targeting EU sanctions against Russia (COUNCIL OF THE EUROPEAN UNION 2022A). Despite the lack of substantial results, the relevance of the hearing should not be underrated. To begin with, the hearing kept the deteriorating situation in Hungary on the agenda and allowed Council members to interrogate the Hungarian delegation about recent political developments. More importantly, however, it carries a symbolic weight: The decision to hear Hungary can be read as an implicit statement on the Czech government's position on Hungary and its rule of law conflicts with the EU. Arguably, by tabling a hearing the presidency sided with those

governments supporting the protection of the rule of law and democracy at the national level through the EU. Moreover, it is a sign that the Czech government does not support the path taken by Poland and Hungary, and a sign of its effort to distance itself from the image of a coherent Visegrád Group united in its members' opposition to the rule of law and the EU.

What merits discussion is that the Czech presidency decided to hear Hungary but not Poland, although Hungary had previously been heard in May, while Poland's last hearing had taken place in February 2022. Three possible explanations might account for this. First, the situation in Hungary is more dynamic compared to that in Poland, especially after the April 2022 parliamentary elections, which secured Viktor Orbán's government another two-thirds majority in parliament and led to a further tightening of his grip on power (e.g., by extending the possibilities to rule by decree) (PRIEBUS – VÉGH 2022). Second, the differing positions of the governments on the war against Ukraine seem crucial (SEE JARACZEWSKI 2022). While Poland is an active supporter of Ukraine and the EU sanctions against Russia, the Hungarian government keeps supporting President Vladimir Putin's regime and repeatedly vetoes or at least threatens to veto EU sanctions against Russia. Therefore, it can be assumed that due to Poland's crucial role in the EU's response to the war, the Czech presidency decided not to upset the Polish government with an official Article 7 hearing. While this trade-off between protecting the rule of law and the war in Ukraine is debatable (BAYER 2022), it is consistent with the logic of EU decision-making in certain policy fields (such as foreign and security policy) where the support of all member state governments is needed to reach a binding decision. Lastly, partisanship might have also been at work. Prime Minister Fiala's ODS is a member of the party group of European Conservatives and Reformists in the European Parliament, just like the ruling Polish Law and Justice Party (Prawo i Sprawiedliwość, PiS). Thus, the Presidency might have been anxious not to strain the inter-party relations by holding another hearing.⁴

The conditionality procedure against Hungary: Managing Hungary's hostage policy

After the Commission launched the procedure against Hungary in April 2022, it put forward its proposal for an implementing decision to the

Council in September, recommending the suspension of 65 per cent of the commitments in three programmes financed from the European Regional Development Fund (ERDF), the Cohesion Fund (CF), the Just Transition Fund (JTF) and the European Social Fund Plus (ESF+) (European Commission 2022a). It left, however, room for compromise by announcing that upon the fulfilment of the 17 remedial measures by 19 November, which the government had proposed in August, the conditionality procedure could be suspended (EUROPEAN COMMISSION 2022B). On 30 November, however, the Commission concluded that the Hungarian lawmakers' reforms were insufficient to remedy the problems and maintained its original proposal from September (EUROPEAN COMMISSION 2022C). Subsequently, the Economic and Financial Affairs Council (ECOFIN) had to decide on the proposal by 19 December at the latest. The decision-making process was, however, complicated by the Hungarian government's hostage policy. The Hungarian delegation vetoed two unrelated EU proposals requiring a unanimous vote, namely the decision on the introduction of a global minimum tax on multinationals and an aid package of 18 billion Euro for Ukraine, to blackmail the EU (TAMMA – BAYER 2022).

To make Hungary lift its vetoes, the Czech presidency used its agenda-structuring power: It linked the two proposals blocked by Hungary with the conditionality procedure and another Hungary-related file – the approval of Hungary's national plan, which is needed to unlock the money from the Recovery and Resilience Facility⁵ – by putting all four issues on the Council's agenda on 6 December. Moreover, it sequenced the issues in a particular order by putting the decision on the two issues blocked by Hungary first and the decision on the Hungary dossiers second, hoping to pressurize Hungary into giving in (VELA – SHEPTALOVICH 2022). This strategy backfired, however, when the Hungarian government blocked the aid package, forcing the presidency to postpone the voting on the other issues (ALLENBACH-AMMANN 2022).

Subsequently, the Czech presidency had to find a solution to this impasse. Instead of simply giving in to Hungary, Minister of European Affairs Mikuláš Bek made clear that the outcome of the conditionality procedure was dependent on Hungary's position towards Ukraine: If the Hungarian government lifted its veto, the Council members would be willing to make concessions concerning the conditionality procedure and the recovery

plan ^(HALMAI 2022). Against this background, the presidency under the Czech ambassador to the EU, Edita Hrdá, brokered an agreement a week before the deadline. This deal saw Hungary lift its veto in exchange for a reduction of the originally proposed 65 per cent of the three EFDR funds to 55 per cent ^(COUNCIL OF THE EUROPEAN UNION 2022C). Moreover, the Council also approved Hungary's recovery plan, albeit with further conditions that need to be fulfilled before the money is released ^(COUNCIL OF THE EUROPEAN UNION 2023).

In conclusion, the Czech presidency managed to end Hungary's hostage policy and reach a decision to suspend the money. While the Czech compromise included a reduction of the originally proposed amount of money, the presidency's strategy was nevertheless successful because it secured an agreement on all four issues. Apart from this, the Czech presidency's successful management of the first-ever application of the regulation is crucial as it will serve as a blueprint for its future applications.

CONCLUSION: CZECHIA BACK AT THE CENTRE OF THE EU

Commission Vice-President Frans Timmermans hailed the Czech presidency as *“one of the most successful presidencies in the last few decades”* ^(ZACHOVÁ 2023). Concerning democratic resilience and the rule of law – which traditionally are very sensitive matters affecting state core powers – the Czech presidency's major achievement was to bring the conditionality procedure against Hungary to a successful end. It averted Hungary's hostage policy, i.e. its attempt to block the aid package for Ukraine in exchange for lifting the procedure. Instead, the presidency secured Hungary's agreement on the Ukraine package the Commission's implementation proposal altogether. Also, while it did not conclude the pending Article 7 (1) procedures, leaving those as leftovers to future presidencies, it nevertheless signalled its support for these by putting them on the agenda.

What seems even more crucial is that the Czech presidency's position on rule of law matters was a commitment to the EU and its values. When asked about what the major achievement of the Czech presidency was, Prime Minister Fiala named the improvement of Czechia's image and its position within the EU ^(PANCÍŘ 2022). The Czech government indeed used the presidency as an opportunity to give a strong pro-European signal and demonstrate that it is not part of the 'illiberal' bloc often associated with all members of

the Visegrád Group. This is important because the Czech Republic's relations with the EU were strained under the Babiš government, not only because of the corruption allegations against Babiš himself, which involved EU funds (BAYER 2021). Babiš and his party ANO have also been sympathetic to the sovereigntist, starkly Eurosceptic policies pursued by Hungary and Poland, evoking concerns that his government could become the driver of an 'illiberal turn' (HANLEY – VACHUDOVA 2018) or at least an 'illiberal swerve' (BUŠTÍKOVÁ – GUASTI 2017). With its handling of the inherited rule of law procedures, the presidency restored the image and demonstrated that Czechia is not "Hungary's satellite" (ZACHOVÁ 2023).

ENDNOTES

- 1 For an evaluation of the 2009 presidency see Beneš – Karlas 2010.
- 2 By establishing a separate Ministry for European Affairs, the new Prime Minister Fiala did not only underline the importance of European affairs under his government but arguably also sought to strengthen the political coordination of Czechia's EU policy.
- 3 At least 55 per cent of member states, which must represent at least 65 per cent of the EU population.
- 4 In comparison, Fidesz was a member of the European People's Party until it left in March 2021. Its members sit as non-attached deputies in the EP since then.
- 5 Apart from the conditionality procedure, the Commission also put pressure on Hungary through other financial means, especially the withholding of money from the Recovery Fund. As a result, the negotiations on these two separate mechanisms proceeded in parallel. See Scheppele – Morijn 2022.

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Rule of Law and the 2022 Czech Presidency: Strengthening Resiliency and Avoiding Conflicts

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ABSTRACT

The insertion of “resiliency of democratic institutions” into the five key priorities of the 2022 Czech presidency indicates a political commitment to focus on the rule of law agenda. The following text aspires to map the practice of the Czech presidency in the domain of democratic institutions and rule of law and explain the reasons behind its (in)ability to deliver the expected outcomes. Firstly, the article analyses the specifics of the EU regulatory framework for the rule of law, and the impact of the Czech internal political situation after the 2021 parliamentary elections on the presidency’s performance. Secondly, the text covers four key policy issues that required the presidency’s attention in the second half of 2022: the evaluation of the judicial systems of member states, the formation of new EU rules for media freedom and the fight against disinformation, the amendment of the EP election process, and the judicial response to the crimes committed during the Russian invasion of Ukraine.

KEYWORDS

Czech Republic, rotating presidency, Council of the EU, rule of law, judiciary, media freedom, Hungary, international crimes, International Criminal Court, Poland

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THE EUROPEAN CONTEXT: A RULE OF LAW POLY-CRISIS WITH VAGUE BORDERS?

The debate on the crisis of democratic institutions and rule of law has consumed a substantial amount of the political energy of the EU institutions and the academic community in the last decade (SADURSKI 2019; KRÁSTEV – HOLMES 2019; ZIELONKA 2018; SCHROEDER 2016). In practice, the EU has reacted to the backsliding of democratic institutions and challenges to independence of judiciary in several member states by both triggering already existing instruments (infringement procedures, Article 7 of the TEU procedure) and creating new mechanisms (the rule of law dialogue, the EU budget conditionality) at the EU level, and supporting the relevant academic debate.¹

The 2022 Czech presidency's activities focused on democratic institutions and rule of law have been influenced by the structural features of the relevant EU policy framework. The catalogue of the EU competencies connected with democratic institutions and rule of law is notoriously vague, as they are scattered throughout the EU treaties and the EU Charter, while being framed by democracy and rule of law as general values of the European integration (KELLERBAUER ET AL. 2019: 23–28). The fluid borders of the relevant EU governance framework can be demonstrated by the fact that the European Commission includes in its annual reports on rule of law not only independence of judiciary and public prosecution, but also media freedom, the anti-corruption framework, institutional issues related to checks and balances, (non)implementation of judgements of the European Court of Human Rights (which is not an EU court), and even the impact of anti-Covid measures (EUROPEAN COMMISSION 2021, 2022B). The specifics of the EU regulatory framework are further strengthened by the EU's strong reliance on external expertise (e.g. the European Court of Human Rights, the Venice Commission, the European Audiovisual Observatory) and judicial case-law (PECH 2021B; KONSTADINIDES 2017: 145).

At the same time, the ambiguity of the EU regulatory framework provides the presidency with a higher flexibility regarding the choice of the institutional platform beyond the most obvious Council formations (the General Affairs Council [GAC], and the Justice and Home Affairs Council [the JHA Council]) and a greater ability to include more relevant actors in deliberations – e.g. inviting the director of the EU Fundamental

Rights Agency to the debate on resiliency of democratic institutions held during the JHA Council meeting in October 2022, or inviting the International Criminal Court (ICC) prosecutor, the president of Eurojust and the Ukrainian Minister of Justice to the informal JHA Council meeting in July 2022.

From the Czech domestic institutional perspective, the vague borders of the EU democratic and rule of law agenda have required the involvement of a variety of governmental institutions - in addition to the Office of the Government, which directly supports the Prime Minister (Petr Fiala) and the Minister of European Affairs (Mikuláš Bek), the Ministries of Justice, the Interior, Foreign Affairs, Finance and even Culture were vested with different democracy / rule of law portfolios (ÚŘAD VLÁDY ČESKÉ REPUBLIKY 2022: 11–62).

THE CZECH DOMESTIC CONTEXT: A NEW GOVERNMENT WITH A LESSER REPUTATIONAL BURDEN

The internal political situation of a member state holding the presidency has an impact on its performance at the EU level and thus contributes to the success of the presidency itself (QUAGLIA – MOXON-BROWNE 2006; KASSIM – BUTH 2020; COSTA ET AL. 2003). The Czech Republic has not been an exception from this rule, as the fall of the government in the middle of the first Czech presidency in 2009 (KRÁL ET AL. 2009: 26–29) caused significant reputational damage to the country and weakened its capacity to pursue its presidency priorities (KANIOK 2010; BENEŠ – KARLAS 2010, ŠLOSARČÍK 2016: 100–101).

Fortunately, the 2009 scenario was not repeated in 2022 but other challenges emerged. The new government of the Czech Republic was formed in December 2021, i.e. less than seven months before the launch of the presidency. The governmental coalition was composed of five political parties with different preferences regarding the EU input into the formation and control of democratic institutions and rule of law, with the Prime Minister representing a more (euro)sceptical approach (FIALA 2010). In practice, however, the presidency's performance was influenced more by its ability to detach itself from the conflict of interests and political alliances which had burdened the previous administration led by Andrej Babiš. Without the Prime Minister controlling a major print media outlet in the Czech Republic,² the Czech government was also able to act more

persuasively as an honest broker during the preparation of the EU legislation for the protection of media freedom. The credibility of the Czech presidency has been further enhanced by the implosion of the political influence of the President of the Republic, Miloš Zeman, who was known for his hostility to critical media and his diplomatic ties to non-democratic regimes, as well as for his cavalier approach to the constitutional limits of the presidential function (NOVOTNÝ 2020: 125–129; KOSAŘ – VYHNÁLEK 2021: 117–119). Finally, the new government has also discontinued the cosy political relations between the Czech and Hungarian governments from the Babiš era,³ thus reducing another potential reputational burden for the presidency's activities addressing rule of law. In contrast, the government's political alliance with Poland has strengthened in 2022, reflecting the new security situation after the Russian invasion of Ukraine.

The new political profile of the government has been imprinted into new presidency documents. *“Resilience of democratic institutions”*, whose strengthening *“[has] a major influence on maintaining and developing values of democracy and the rule of law in the EU”*, has been listed among the five key priorities of the Czech presidency published in June 2022 (ÚŘAD VLÁDY ČESKÉ REPUBLIKY 2022), with a special focus given to *“transparent financing of political parties, the independence of mass media and an open dialogue with citizens”* (IBID.: 9). This new priority set demonstrates the shift from the older presidency priorities catalogue formulated by the Babiš administration in 2021, which declared only an intention to *“support the debate on respecting rule of law principles”*, with particular attention given to *“the objectivity principle, equal treatment of all member states and [...] a constructive approach to Article 7 of the TEU procedures”* (ÚŘAD VLÁDY ČESKÉ REPUBLIKY 2021: 4), thus reflecting the political alliance with Hungary and downplaying the institutional dimension of rule of law.

EVALUATING JUDICIAL INDEPENDENCE: DE- ESCALATION OF BILATERAL CONTROVERSIES

Political challenges to judicial independence, in particular the judicial reforms in Hungary and Poland, have occupied a central position in the recent EU political debate concerning rule of law. The changes of the constitutional and legislative environment that were implemented since the electoral victories of Fidesz in Hungary (2010) and the Law and Justice Party (PiS)

in Poland (2015), have strengthened governmental control over judiciary in those countries by a combination of reforms of the constitutional judiciary, new mechanisms for the appointment, promotion and dismissal of ordinary judges, and even constraints imposed on communication between national judges and the Court of Justice of the EU (SADURSKI 2019: 61–79, 96–123; SZELÉNYI 2022: 142–147). The European Union's reaction has been based on a mixture of infringements initiated by the European Commission (BELAVUSAU 2013; HALMAI 2017; PECH 2021A; ANDERS – PRIEBUS 2021), the CJEU's answers to preliminary questions on EU guarantees of judicial independence (KRAJEWSKI – ZIÓLKOWSKI 2020), the initiation of Article 7 of the TEU procedure against Poland and Hungary, and the creation of a new rule of law conditionality for financial transfers from the EU budget (BORGER 2022).⁴ At the same time, the EU institutions reacted to criticism accusing them of applying dual standards (and thus discriminating against new EU states) by establishing a new general rule of law dialogue at the EU level (PECH 2021B: 318–327).

Hence, the Czech presidency was expected to manage a complex rule of law (poly)crisis involving several interconnected procedures with different legal bases and institutional designs. In particular, the presidency was expected to unlock the institutional inertia concerning the application of Article 7 of the TEU procedures against Poland and Hungary; both procedures were initiated by the European Commission and the European Parliament in the years 2017–2018 but they have been waiting for the (European) Council's reaction since then.

Particularly during the first months of its presidency, the Czech government stressed the necessity to elaborate general EU evaluation and cooperation mechanisms for rule of law, while downplaying specific controversies. The GAC meeting in September 2022 focused on the European Commission's regular rule of law general report and five country reports (for Poland, Portugal, Romania, Slovenia and Sweden) while the JHA Council held on 13–14 October 2022 dealt with the European dimension of the education of judges. The situation in Poland was addressed during a GAC meeting in October 2022, during which the Czech presidency positively commented on the ongoing or promised Polish judicial reforms, in particular the plans to dismantle the criticised disciplinary panel for Polish judges. The reluctance of Czech presidency to impose a substantial political pressure on Poland thus corresponded both to the new Czech-Polish

political alliance formed after the Russian attack on Ukraine and to the more cooperative Polish political communication addressed to EU institutions in 2022.

Rule of law in Hungary has turned out to be a more complex challenge. In addition to article 7 of the TEU procedure, Hungary was facing an interruption of several EU financing channels in 2022. In the middle of the Czech presidency, the European Commission formally proposed, using the new rule of law financial conditionality mechanism, to suspend 65% of the EU commitments for three Hungarian cohesion programmes. In contrast to Article 7 of the TEU procedure, which is without any binding deadlines, the new rule of law financial conditionality regulation required the Council to react to the Commission's proposal within three months.⁵

Firstly, the Czech presidency addressed Article 7 of the TEU procedure. Regardless of the political pressure applied by the European Parliament for a rigid approach in this case (EUROPEAN PARLIAMENT 2022B) and the disagreement concerning the Hungarian stance on the Ukrainian war, the presidency conclusions from the GAC meeting held on 18 November 2022 were rather timid, as the Czech Minister for European Affairs merely stressed the importance of the ongoing Council-Hungarian dialogue and the potential positive impact of the judicial reforms that Orbán's government promised to implement.⁶

Dealing with the rule of law financial conditionality, the presidency provided the Commission with as broad manoeuvring space as was permitted by the EU procedural rules. Using the full extent of the 3-month deadline, the Czech presidency facilitated a dialogue between Hungary and the European Commission, giving Orbán's government an opportunity to communicate about its domestic reforms (anti-corruption measures in particular) that were to be implemented as a response to the Commission's critique. The Czech reluctance to directly confront Hungary was only strengthened by Hungarian threats to veto several EU initiatives requiring unanimity in the Council, including a multibillion euro package of financial assistance to Ukraine and the new EU global taxation regime. However, the Czech tactic of avoiding controversy by leaving the Commission in the centre of the decision-making failed to deliver the intended de-escalation effect. On November 30, the European Commission refused to withdraw

or modify its original proposal. The presidency's immediate reaction was to negotiate a package deal on four initiatives (a global tax, the financial package for Ukraine, Hungary's post-Covid recovery plan and a de-freezing of the Hungarian cohesion funds) within a single Ecofin meeting scheduled for December 6. This plan collapsed mainly due to the split among the EU states as to whether to reassess (i.e. reduce) the sum to be frozen or support the original "hard" position of the European Commission.⁷ The presidency's next step was to prepare an alternative mechanism for financial assistance to Ukraine based on Article 212 of the TFEU,⁸ which requires only a qualified majority in the Council, combined with voluntary guarantees given by individual EU states for loans provided within the macrofinancial assistance instrument for Ukraine (MFA+). Simultaneously, the Czech presidency moved the negotiations about the original package of four initiatives to the COREPER level. COREPER, chaired by the Czech ambassador, reached a consensus on all four issues, including the reduction of the blocked cohesion funds from the proposed 7.5 billion to 6.35 billion euros. The COREPER deal then permitted (regardless of the last minute threat by the Polish Prime Minister to veto the package) the European Council meeting scheduled for 15 December to focus on other issues (Ukraine, the energy crisis, national industrial subsidies) than the Hungarian rule of law crisis (EUROPEAN COUNCIL 2022B).

THE NEW EP ELECTION RULES: EVOLUTION, NOT REVOLUTION

Shortly before the beginning of the Czech presidency, the Conference on the Future of Europe concluded its deliberations and produced a final report with several hundreds of recommendations for more-or-less concrete measures amending the EU political, institutional, and regulatory environment, including the domains of rule of law and democratic institutions (CONFERENCE ON THE FUTURE OF EUROPE 2022). While the European Commission's and the European Parliament's response to the Conference's outputs was formulated in an optimistic and pro-active mood (EUROPEAN COMMISSION 2022A; EUROPEAN PARLIAMENT 2022A), the European Council's reaction stressed the necessity to respect formal treaty-making procedures and the distribution of competencies between the EU institutions (EUROPEAN COUNCIL 2022A: 7).

It is the prerogative of the European Council (and not the rotating presidency) to summon a convention to negotiate about potential treaty amendments, or to proceed directly to an intergovernmental conference in this regard (art. 48 par. 3 TEU). However, the rotating Council presidency has a privileged position (both procedurally and politically) within the European Council even in the post-Lisbon EU (WESSELS 2016: 134–135). Further, the Council itself is authorised to trigger simplified formats of EU treaty revisions (PIRIS 2010: 105–109). In practice, the formal follow-up of the Conference has received only limited attention from Czech politicians, and no decision with an ambition to trigger the EU treaty amendment process has been adopted during the Czech presidency. The exception was the debate on the reform of the voting procedure for the European Parliament (ÚŘAD VLÁDY ČESKÉ REPUBLIKY 2022: 13–14). The modalities of the EP elections have been changed several times in the last decades, from changes pertaining to relative procedural technicalities to the highly politicised Spitzenkandidaten experiment in 2014/2019 (VAN HECKE ET AL. 2022). An amendment of the Direct Elections Act⁹ for the 2024 EP elections was proposed or at least contemplated by several EU institutions in 2022 (MÜLLER 2022) and the Czech presidency moderated the corresponding debates during several formal and informal GAC meetings. Their rather vague outcome focused on plans to increase the coherency of the EP electoral process, such as the plan to hold the EP elections only within one day, and avoided more radical changes, such as the introduction of transnational candidate lists. The debate on the new EU framework for political advertising (i.e. rules with a potential impact on future EP elections), which was ‘inherited’ by the Czech presidency from its French predecessor, has also delivered only limited progress when sufficient political support for the general approach to the planned regulation was reached (against the opposition of Estonia, Portugal, Austria and Hungary) as late as at the last GAC meeting in December 2022.

MEDIA FREEDOM AND THE FIGHT AGAINST DISINFORMATION: THE FIRST STEPS TOWARDS A NEW EU FRAMEWORK

In contrast to the political debate on judicial independence, where the EU lacked detailed legislative tools, challenges to media freedom and media pluralism in several member states resulted in the proposal of a binding EU legislation in this regard. In September 2022, the European Commission proposed a regulation establishing a common framework for media services

in the internal market¹⁰ (also called the European Media Freedom Act) with new EU rules concerning public and private interference in editorial freedom, protection of journalists' sources, and state-funded advertising. Several other measures, including non-binding standards for media ownership transparency, were inserted into a recommendation¹¹ adopted by the Commission at the same time as the draft regulation.

The Czech presidency then chaired the negotiation on the regulation within the Council. As mentioned above, Fiala's government role as an honest broker was simplified by the absence of a conflict of interest in the media sector. Due to the length of the ordinary legislative procedure used, the Czech presidency coordinated only the early phases of the negotiations (the Council's Audiovisual and Media Working Party, the presentation of the progress report at the Education, Youth, Culture and Sport Council) and then transferred the dossier to the Swedish presidency. In contrast to its establishing standards for media, the presidency's response to disinformation campaigns limited itself to political declarations and general policy directions, such as when the FAC meeting held in July 2022 called *"the High Representative and the Commission to present options, in full respect of human rights and fundamental freedoms, for well-defined measures that could be taken against Foreign Information Manipulation and Interference (FIMI) actors when this is necessary to protect EU public order and security"* (COUNCIL 2022A).

CRIMES COMMITTED DURING THE RUSSIAN AGGRESSION AGAINST UKRAINE: BUILDING THE INVESTIGATION CAPACITY AND DEBATING ABOUT THE PROPER JUDICIAL FORUM

Since the end of the Cold War, the international community has created a relatively robust institutional structure for investigation and prosecution of crimes punishable by international law, the most elaborate institutional manifestation thereof being the ICC in The Hague (SCHABAS 2020). The European Union and its member states have been key political and financial sponsors of those efforts, and the EU's dominant role has been only strengthened by the reluctance of several other important international actors (the United States, China, Russia) to participate in the ICC's work (MERTENS 2011: 11–18; SCHABAS 2020: 50). However, the EU institutions have neither the legal capacity nor the expertise to prosecute individual perpetrators of crimes; instead, the EU prefers to support the activities of

specialised international bodies (the ICC, the International Tribunal for Former Yugoslavia [until 2017]) or national judiciaries in this regard.

The extent of the atrocities committed by the Russian forces during their invasion of Ukraine has put into question the capacity and suitability of the existing international structures for prosecution of criminals under international law. Unsurprisingly, the issue of distribution of roles between the EU, its member states and other international actors was mentioned in the presidency program finalised in mid-2022 (ÚŘAD VLÁDY ČESKÉ REPUBLIKY 2022: 29). Fortunately, the Czech presidency as an honest broker and a representative of the EU in 2022 did not suffer from a reputational burden similar to the one in 2009, when the Czech Republic was the only EU state which had not ratified the Rome Statute of the ICC. In contrast, the 2022 Czech presidency could benefit from a reputational capital created by the recent involvement of Czech judges and prosecutors in the work of international criminal courts (HORNÁT ET AL. 2022: 13).¹²

In practice, the Czech presidency focused on political communication with all the relevant EU and international actors, as well as with Ukraine, and on strengthening the institutional capacity to collect evidence of crimes committed in Ukraine; the specification of the appropriate judicial forum for the related prosecution (the ICC, a special tribunal, a mixed tribunal, a national judiciary) was to be determined later. In this capacity, the Czech presidency chaired the JHA Council meetings in October and December 2022, which explicitly supported the idea of prosecution of crimes committed during the Russian invasion, either by the ICC or by a specialised international tribunal. The JHA Council has also expanded the competences of Eurojust and allocated new funds for the ICC. At the same time, the Czech presidency does not have a monopolised leadership in the agenda. For instance, Czech politicians did not object to the decision that the EU would be represented in the multiparty Atrocity Crimes Advisory Group for Ukraine by the European External Action Service (EEAS) and not by the Council, or to the establishment of the new Commission Working Group “Freeze and Seize” for the enforcement of the EU sanctions.

CONCLUSION: THE VISIBLE BUT LIMITED IMPRINT OF THE PRESIDENCY IN RULE OF LAW

The academic literature tends to evaluate the success of each presidency of the Council of the European Union based on the given state's performance in four roles at the EU level: business-manager, political leader, package-broker and the Council's representative (QUAGLIA – MOXON-BROWNE 2006: 351; HAYES-RENSHAW – WALLACE 2006: 140–152; KANIOK 2010: 24–41; VIDAČAK – MILOŠIĆ 2020: 38–45). How did the 2022 Czech presidency perform in those roles regarding the promotion of rule of law and resilience of democratic institutions?

The Czech presidency had to rely on a relatively inexperienced political team, with the political leaders previously having spent almost a full decade in opposition.¹³ A relatively centralised presidency coordination mechanism has been created inside the Czech Republic while the EU negotiation on the rule of law agenda has been divided into several Council formations (the GAC, the FAC, and Ecofin). Regardless of its rhetorical support for the resilience of democratic institutions, the Czech presidency as a political leader and a promoter of initiatives opted for a rather minimalist and reactive approach,¹⁴ with a possible exception being its approach to cybersecurity (ÚŘAD VLÁDY ČESKÉ REPUBLIKY 2022: 10). In its capacity as the business manager of the Council's work, the Czech presidency tended to avoid negotiations on more controversial and time-consuming issues (e.g. Article 7 of the TEU procedure, the follow-up to the Conference on the Future of Europe), and, ideally, postpone them beyond the time horizon of the presidency. From this perspective, it is significant that the Czech presidency benefited from being 'comfortably' located in the middle of the five-year (2019–2024) EU political cycle, thus avoiding political pressure to conclude many legislative dossiers before the end of its term on December 31, 2022.

The capacity of the Czech presidency as the package broker of the Council has been strengthened by the fact that the new Fiala's government, in contrast to the previous government led by Andrej Babiš, had not suffered from a reputational burden connected to rule of law or media freedom. In general, the Czech presidency tended to deescalate the direct critique of Poland and Hungary within the Council, thus eliminating an obstacle to the emerging broader Czech-Polish political alliance. However, the critical test for the Czech brokerage role materialised during

the negotiations on the “Hungary-centred” package of four EU initiatives in December 2022. Regardless of the original collapse of the negotiations at the ministerial level, the Czech presidency was capable of facilitating a compromise using the COREPER “behind closed doors” platform. In contrast, the presidency was not successful in downplaying the importance of rule of law during the JHA Council negotiations in December 2022, when Austria and the Netherlands blocked the expansion of the Schengen area by including Bulgaria and Romania in it due to deficiencies in the (broadly interpreted) rule of law in both countries (but Bulgaria in particular).

In cooperation with other EU institutions, the Czech presidency opted for an inclusive and non-conflictual approach, regardless of the parliamentary critique of its passivity regarding Article 7 of the TEU procedure. In its external representative role, the Czech presidency cooperated closely with the Ukrainian government regarding collecting evidence of crimes committed by Russian troops, while providing space for other international actors, such as Eurojust, the ICC, and multilateral joint investigation teams.

To conclude, the presidency held by the Czech Republic in 2022 demonstrated its ability to prioritise and focus on more pressing EU policy agendas than the rule of law agenda (e.g. the energy security) without openly challenging already existing procedures (the rule of law dialogue, Article 7 of the TEU) or strongly antagonising other EU actors. The government’s lack of direct experience with EU decision-making seems to have been more than compensated for by the absence of a reputational burden and the strengthening of the Czech-Polish bilateral relations. The political decoupling from Viktor Orbán then permitted the Czech presidency to act as an honest broker during the rule of law financial conditionality applied to Hungary and to conclude its term with an event that could easily be interpreted as a political success.

ENDNOTES

- 1 For instance, the four-year multidisciplinary research project RECONNECT – Reconciling Europe with its Citizens through Democracy and the Rule of Law.
- 2 Andrej Babiš owns / controls dozens of newspapers and journals as well as the most popular commercial radio station.
- 3 For instance, Victor Orbán personally supported Andrej Babiš during the 2021 parliamentary election campaign in the Czech Republic.
- 4 Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget.
- 5 Formally, the regulation operates with a one month deadline, which can be extended by a maximum of a further two months in exceptional circumstances. The Commission's proposal was published on 19 September 2022 – i.e. the maximum deadline for it was 19 December 2022.
- 6 Minister Mikuláš Bek stated that “[...] the dialogue with Hungary on respect for EU values is continuing. In the past months, important developments have taken place on the various issues raised by the Parliament's reasoned proposal. Hungary has presented a list of reforms that are being implemented or are due to be implemented soon and answered ministers' questions on the details of these reforms as well as Hungary's other commitments and the Commission's recommendations. The hearing gave the ministers a timely update of the situation on the ground, including as regards the parallel budget conditionality mechanism” (Council 2022b).
- 7 According to Politico, the group supporting the former position included France, Germany and Italy, while the group supporting the latter was composed of the Baltic, Scandinavian and Benelux states (Politico Brussels Playbook, 2 December 2022).
- 8 Article 212 of the TFEU regulates “economic, financial and technical cooperation measures, including assistance, in particular financial assistance, with third countries other than developing countries”.
- 9 The Act concerning the election of the representatives of the European Parliament by direct universal suffrage, annexed to Decision 76/787/ECSC, EEC, Euratom, amended by Council Decision 2002/772/EC, Euratom of 25 June 2002 and 23 September 2002.
- 10 The Proposal for a Regulation of the European Parliament and the Council establishing a common framework for media services in the internal market (European Media Freedom Act) and amending Directive 2010/13/EU, COM(2022) 457 final.
- 11 Commission Recommendation (EU) 2022/1634 of 16 September 2022 on internal safeguards for editorial independence and ownership transparency in the media sector.
- 12 For instance, the Czech judge Robert Fremr was a member of both the International Criminal Tribunal for Rwanda (2006–2008 and 2010–2011) and the ICC (2012–2021), where he served as vice-president in 2018–2021.
- 13 The strongest political party in the coalition, the Civic Democratic Party, last led the government in the years 2010–2013, and the only governmental post held by the incumbent Prime Minister was that of the Minister of Education, which he held in the years 2012–2013.
- 14 For instance, the Czech presidency refused to support the strengthening Europeanisation of the legal framework for hate crimes (MF Dnes 2022).

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Book Reviews

Henry Kissinger: Leadership: Six Studies in World Strategy

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What is leadership, and by what characteristics do we measure whether someone is a true leader? To answer these questions, Henry Kissinger once more debunks the past to show towering figures in international statecraft in a new light. In his latest book, *Leadership: Six Studies in World Strategy*, the author brings a distilled vision of the 20th-century political figures that embodied “authentic leadership”. Against the background of Konrad Adenauer, Charles de Gaulle, Richard Nixon, Anwar Sadat, Lee Kuan Yew, and Margaret Thatcher, the author further explores his lifetime theme – the art of leadership. According to Kissinger, history is made neither by masses nor concrete events but by a few highly influential individuals who can rise above historical circumstances to shape their destinies.

As one of the most substantial personalities in US diplomacy and statecraft, Henry Kissinger himself has been the subject of multiple literary attempts. Yet still, both American and European authors are eager to explore insights from Kissinger’s tenures as National Security Adviser and Foreign Secretary in the administrations of Richard Nixon and Gerald Ford. Along with his undoubted renown as a bright expert on foreign policy issues, he provokes opposing views among scholars to this day. Niall Ferguson (2015), for example, describes Kissinger in the period from 1923 to 1968 as a “*Kantian idealist [rather than a] Machiavellist realist*”, whereas the Finnish historian Jussi Hanhimäki (2004) portrays Kissinger as a “*superb tactician and flawed strategist*”. Either way, Kissinger can still produce an in-depth view into the minds of historical figures and their role in international politics. Pointing to the leaders’ common feature of “*transforming their society and contributing to the emergence of a new world order*” (p. 395), all the leaders’ portraits are done in a vivid and illuminating way. The author’s encounters with all the described politicians makes this phrase insightful, but also varnished in the case of Richard Nixon and unimaginative in the case of Margaret Thatcher. Furthermore, the book fails to bring forward any analysis of strategy in the 21st century. Under today’s challenges in world politics, there was an enormous potential for the book to bring forth a valuable and timely response to contemporary politics based on a historical exposé, but this does not happen. Despite these drawbacks, *Leadership* offers a solid background of the main historical currents in the period from the early post-WW2 period until the 1980s, and as such, it should not be missed by anyone who is interested in international history and politics.

As he draws from his vast experience, the biggest contribution of Kissinger's latest book lies mainly in examining the characteristics of true leaders and dissecting what made them so effective. The author describes good leaders as those who have the ability to appreciate the past and imagine future perspectives. Following this logic, in each of the six chapters the author deals with one leader and their set of analytical skills that were projected in the milieu of world politics, and he calls this projection a "strategy".

The first chapter discusses Konrad Adenauer in the prime of his life as the first chancellor of the Federal Republic of Germany. Kissinger views Adenauer as a shrewd statesman whose rudimentary goal was to restore "*dignity and legitimacy to [German] society*" (p. 5) through the newly established federation. For Kissinger, a former Jewish emigrant and a scholar interested in the 19th-century balance of power, Adenauer's attempt to create a federative model for post-war Germany was even more critical.

In foreign policy, the author rightfully observes three main principles of the German restoration and the role of Adenauer in achieving them. Firstly, there was the aim to strengthen ties with the West, especially with the United States. Kissinger further explains that by accepting the Marshall Plan speech, Adenauer acquiesced to the 1949 Ruhr Agreement, which enabled the Allies to retain control over German industry. The second aim was to reconcile with France. Kissinger implies here that the success in this was mainly due to Adenauer's agility in dealing with the French foreign minister Robert Schuman, which led to the number of Occupation Forces being reduced and ultimately created a path to the Council of Europe and later to the European Coal and Steel Community. And the third aim was to challenge the Soviet Union by rebuilding the West German economy and establishing progressive institutions, and the efforts in this regard were prompted by Adenauer's endeavor, Kissinger notes.

The second chapter deals with Charles de Gaulle. Kissinger views this French president as a man with great military insights, political gifts, and historical knowledge when these qualities were so rare in the 20th century (p. 117). Despite his aloofness and pettiness, de Gaulle was, in Kissinger's eyes, almost a mythic leader with a brilliant intuition and a spirit of encouraging the enforcement of often unpopular beliefs. As

a sheer follower of Richelieu's 17th-century statecraft, de Gaulle continued on a similar track when trying to place France in a position where its acceptance of uncomfortable international policies would be prevented while arrangements beneficial for France would simultaneously be fostered (p. 114).

In an almost picturesque way, Kissinger describes de Gaulle's path to achieving political power, as he went from being a decorated officer in WW1 to being the leader of the in-exile government called Free France to finally establishing the Fifth Republic in 1958. With his combination of "*extraordinary prescience [which] was matched by the courage to act on his intuition, even when the consequences appeared to be political suicide*" (p. 118), Kissinger writes, de Gaulle catapulted France into the orbit of successful states. As in the case of Konrad Adenauer, the legacy of Charles de Gaulle proved to be inspirational throughout the whole 20th century, and even today, as Kissinger points out, French foreign policy can be described as "Gaullist".

In the following chapter, Kissinger shows the foreign-policy skills of Richard Nixon. As he was Nixon's indispensable counselor on foreign policy as well as a considerable asset in this president's reelection campaign (DALLEK 2007), Kissinger's memories of Richard Nixon remain fairly positive. In the context of Nixon's presidency, its notorious "Realpolitik" is viewed as a canny approach under the given historical circumstances. Kissinger also takes an uncritical approach to his own role during Nixon's presidency. He cites the US involvement in South-East Asia and the alignment with Mao Zedong's régime as undoubted successes with no willingness to answer to any controversy surrounding these decisions. Instead, Kissinger (1979, 1982, 1999, 2014) only restates his positions from his previous books.

The only exception to this is the author's discussion of the 1971 crisis between the separated parts of West and East Pakistan, which he here gives more attention to than in his previous books. The gradually increasing desire of the East Pakistanis to become independent from their Western counterparts resulted in a tremendous death toll, with increasing numbers of refugees crossing the sub-region border. Here Kissinger's viewpoint aligns with the US official strategy at the time: the goal was to supply Pakistan with military equipment to stop the flood of refugees and not allow the partition of Pakistan into two political units. When India, backboned by

the Soviet Union, finally intervened, the result was the creation of a new state called Bangladesh. Here Kissinger laments the lack of a US response and quite convincingly argues that the India-USSR intervention transformed the conflict “*from a regional and humanitarian challenge into a crisis of global strategic dimensions*” (p. 200).

In his overall remarks, Kissinger duly highlights the national interest, the importance of maintaining the global equilibrium, and the utilization of intense discussions between major countries as key principles of the Nixon administration. According to the author, these principles should be further followed, regardless of the moral dimension of the related decisions.

The following two chapters focus on Anwar Sadat and Lee Kuan Yew. Portrayed as the architects of post-war Egypt and modern Singapore, respectively, Sadat and Lee Kuan Yew are admired by Kissinger for their willingness to change their somewhat rigid states into open modern societies. Unlike the legacies of the other leaders described in this publication, Sadat’s legacy is characterized mainly by the “moral value” of his approach toward changing the political climate between Arab states, and, most notably, his policy towards Israel.

Emerging as a successor to Gamal Nasir, Sadat played a crucial role in the Camp David Accords in 1973. When describing the historical process leading to this crowning yet tentative achievement, Kissinger makes an important distinction between Sadat and Nasir when he emphasizes Sadat’s diplomatic manner, which was almost of a Western fashion. This was, according to the author, a decisive approach that resulted in the peace treaty between Israel and Egypt. Although Kissinger admits that the Middle East contest is still very much present, he adds that “*Sadat’s vision of international order among sovereign states, based on national interests defined in moral terms*” (p. 273), could potentially limit the regional calamity to its minimum.

Lee Kuan Yew, on the other hand, is the only Asian representative in this book. His biggest achievement was transforming Singapore’s once isolated and poor island state into a modern Western-oriented country with the highest per capita income in Asia. The excellence of his leadership lies in many factors. The most notable was his handling of the splintered

population that consisted of Malays, Indians, and Chinese. Kissinger underscores how Lee Kuan Yew effectively merged these groups that shared no common history, language or traditions into one stable state, and subsequently set the stage for the world-class economy and technological hub we see today.

Kissinger expresses no doubt when he emphasizes Lee Kuan Yew's ability to handle such challenges. Yet he also adds that economic growth alone is insufficient to cover the ongoing problem of a democratic deficit. The author concludes that Singapore is still in the phase of finding the proper balance between "*popular democracy and modern elitism*" (p. 315), and issues of social cohesion and the one-party ethnic rule remain Singapore's biggest challenge.

The sixth chapter renders a portrait of Margaret Thatcher as the first woman ever to become a British prime minister. Kissinger highlights her personal fortitude as the greatest resource she could have had for the leadership. Being equipped with such a resource, Thatcher made her way up in the predominantly male Conservative Party, and enforced several free market policies heralded by individualism that were, as Kissinger cleverly observes, in contradiction to classical conservative thinking. In essence, Thatcher was less conservative than many people might have thought.

Kissinger pays much attention to her role in foreign policy, which was, according to him, a "*crucial testament to the importance of British-American partnership within the Anglo-American alliance*" (p. 393). It was her actions towards the Falklands, her staunch position on the communist threat during the Cold War, and her approach to the IRA that empowered the relationship between the US and the UK at the time. According to Kissinger, what Thatcher managed to achieve in international affairs was the preservation of the United Kingdom despite any major setbacks, and an international engagement based on democratic principles, prerogatives and domestic governance, all based on the post-war consensus on having a stable health and welfare state (p. 392).

Sadly, the portrayal of Margaret Thatcher mainly derives from what the author retold many times before, and as such, it lacks any new or original commentary on her political career. For Kissinger, the "Iron Lady"

prevailed as a statesman “*whose ideas echoed those of the greatest Conservative leaders since Disraeli*” (Ibid.) and who rescued Great Britain from moral decay, and this view of her still applies today.

In the conclusion, the author contemplates the evolution of leadership. Interestingly, he sees the imminent problem of today in the struggle over a meritocratic model in both Western and non-Western countries. As he points out, none of the leaders discussed in the book came from an upper-class background. The author argues that the leaders’ lower-class or middle-class upbringing molded their perception of political categories, moral values, and the overt venues of international relations, such as world issues or statecraft. He asserts that societies should pay more attention to education, and schools should focus more on humanities in their curricula. The trend nowadays is to produce more and more activists and technicians for the sake of producing humanistically educated potential statesmen (p. 408), as were all of the six leaders portrayed in the book.

Leadership is an intellectually stimulating analysis of some of the main political figures of the 20th century. The reader gets to know each of the towering individuals by learning about them from the horse’s mouth. Most of the given portraits are rigorous in thought and explore the leaders’ personal lives and political development through a particular asset of their abilities – namely strategy. Conversely, however, Kissinger might be overly biased in his vision of past events and thus offers only a limited vision of contemporary realities. As he is in the position of an undisputed academic and policymaker, one would expect his observations to unfold more of today’s issues, and explain them through historical evidence. Given the world’s current challenges, it would be appropriate for Kissinger to emphasize the present crisis and the historical lessons leaders can learn from it. The war in Ukraine can be a demonstrative case. Is there any “historical pattern” derived from the past that can be useful for today’s leaders in their dealings with Russia? Can we find any modern versions of the figures discussed in the book? Unfortunately, none of these questions are addressed, which makes the book rather a “reminder of the good old days” with little value for modern world politics.

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McGlynn, Jade – Jones, Oliver T. (eds.): Researching Memory and Identity in Russia and Eastern Europe Interdisciplinary Methodologies

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This edited volume provides an ambitious contribution to the study of historical politics and the politics of memory. The politics of memory can be defined as a specific interdisciplinary part of political science that studies the influence of the state as well as other non-state actors on the perception of the past in different states. Historical politics can also be understood as a process in which various actors assign certain values to the past in order to give it political hegemony (KANGASPURO 2011). In turn, the politics of memory implies a transition from authoritarian political regimes to democratic ones (ASSMANN – SHORTT 2012; BARAHONA DE BRITO ET AL. 2011; GELDMACHER – MANOSCHEK 2005) with a corresponding change in the discourse about history and memory. This is particularly important in post-communist Central and Eastern Europe. There the collective memory is the central narrative for understanding the politics of democratization and inclusion in the European Union (SIERP 2014; PAKIER – STRÁTH 2010; MILOŠEVIĆ – TROŠT 2021), while states engage in securization or “memory protection” by prioritizing certain historical events over others (MÄLKSOO 2014). It is also relevant for non-members of this democratic bloc in the rest of the region.

Edited by McGlynn and Jones (2022), this volume brings together both highly recognized and promising young experts from across various fields of journalism, psychology, international relations, and security studies. This confirms the need for a multidisciplinary approach to the topics discussed. Covering a region where the deep scars of past violence are misused and instrumentalized in the conduct of everyday politics, the research input includes extensive discussions of the theoretical starting points and displays a variety of methodological approaches so that readers may gain a better understanding of the logics underpinning the perpetual presence of past experiences.

The volume focuses on case studies of Poland, Russia, and Serbia to understand how deeply the politics of memory impacts the changing post-communist world, and how it simultaneously underpins the return of conservatism and memory protection along with it. The authors of multiple chapters answer questions such as how to measure historical memory (Wojtych), how to ensure that subjectivity does not interfere with the study of memory (Jašina-Schäfer, Fürst) and how to ensure that memory is representative in media and literature (McGlynn, Mattingly).

Overall, all the authors try to understand the return of conservatism (in some countries) and of memory protection along with it. The term memory protection refers to the efforts to safeguard certain historical memories from being erased or forgotten, and to prevent alternative interpretations of history from being accepted as the norm. It is often viewed as an important aspect of memory politics, which involves the ways in which nations or groups use the past to create and legitimize their present identity. Memory protection also involves various strategies, such as preserving historical monuments, museums, and archives, and enacting laws or policies that restrict the public display of certain symbols or expressions that may offend or harm certain communities. It can also involve the promotion of certain narratives or interpretations of history through educational institutions, media outlets, and cultural events, which can influence how people understand and remember the past. Some cases in Poland confirm the return of a certain conservative discourse in the politics of memory (Wojtych) or even of the normality of such a practice for the state as a form of self-preservation (GUSTAFSSON 2014). As Frederick and Coman's chapter shows, against the background of such practices, Putin's regime actively promotes an acceptable image of the past, which is strikingly combined with nostalgia for the USSR with a sole purpose: to create a new Russian identity.

Despite their discussions of various cases, all the chapters identify one powerful actor. The influence of the state on the management of historical processes and the creation of a favorable narrative of history is very noticeable in many of the cases. As Wojtych shows, even the use of the internet as a transnational platform with the possibility of free formation and expression of opinion stumbles upon internal boundaries, such as the given place of residence, language, political views, and censorship. In their chapter, Graham and Dutton then emphasize from a sociological perspective the need to understand how offline content is shaping citizens' interaction with the digital environment while national governments exercise control over online content.

Another important topic discussed is the relationship between local initiatives and the state. When local initiatives for preserving famous sites of memory conflict with the official position of the state, this often creates a situation in which the state asserts its dominance over and defiantly does

not support such actions. In relation to the Russian case, Amos' chapter notices that the long-standing struggle between local historical memory activists and state officials over the inclusion of prisoners of war in the commemoration of the dead during the Second World War, was resolved only when the state became again concerned about the glorification of the victims of the Second World War. The Serbian case is also illuminating, as Dureinović's chapter observes how the state's attitudes towards the monarchists, who supported the reverence of the memory of the victims of communist terror, have changed from support to a cautious indifference. This indicates an ideological turn in the memory policy in this country. Finally, Wojtych studies two competing branches of a Polish museum. He (p. 75) argues that the new director of the Museum of the Second World War in Gdańsk, who was appointed by the ruling conservative party, began *"transforming the existing, more transnational exhibition into one that would showcase the alleged bravery and martyrdom of the Polish nation"*, while the opposite branch, which is located in Germany, suggested a more liberal narrative towards the war. However, such initiatives sometimes change the state-led policy of memory, as Amos' example of the inclusion of the Soviet prisoners of war in the area of the martyrs of the Second World War suggests.

What is more, some chapters (Fürst, Jašina-Schäfer, Mattingly) illuminate the research and writing strategies in the field. They describe other interesting cases where the personalization of the historical process was explored. These cases involved the historian incorporating their own attitude towards the events when revealing important narratives. When explaining self-reflective writing, Fürst (pp. 28–29) advises that it is no longer possible to ignore the historians in ourselves because we, as humans, *"love, grieve, fight, suffer and are joyful, while we are researching and writing history [while] history helps us to make sense of our own personal lives"*.

Fürst's advice seems very relevant for me since my own experience of visiting and interpreting the situation in Chechnya also left certain personal imprints in me, although it was not directly related to the politics of memory. The field research helped me to develop a certain research position (ROMANOVSKIY 2019). My own research of Chechnya conducted in 2017 and my own thoughts about it left a deep personal imprint on my own attitude towards Chechnya. In 2017, Chechnya was gripped by panic amid

the persecution and killings of members of the LGBTQ+ community, about which *Novaya Gazeta* would write later (MILASHINA 2017). The atmosphere of total fear and distrust made me rethink politics, traditions, memory and history, which resulted in my quite negative interpretation of the structure of the Chechen identity. To conclude, our subjectivity comes into play a number of times in the process of “producing” history. Or, as White (1987) argues, history is dependent on the narrative we chose. Some of our most important historical interventions are made when we decide how to tell the story.

This volume complements the existing literature on the issue of the Russian invasion of Ukraine by providing a more comprehensive and interdisciplinary understanding of the politics of memory in Russia and Central and Eastern Europe. The book offers insights into how the manipulation of historical politics can create a basis for military action and justify aggression towards neighboring countries. Furthermore, the book offers a more nuanced understanding of the relationship between memory and identity in the region. It helps us to explore how national and transnational identities are constructed and how historical narratives are used to create a sense of national identity, legitimize political power, and reinforce state sovereignty.

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