

Sheet 3

HOW WILL DECISIONS BE TAKEN IN A UNION WITH 27 MEMBERS?

The strengthening of the community institutions' efficiency in terms of decision making has been one of the major challenges faced by the Union since the beginning of the 1990's.

The Lisbon Treaty's goal comprises the enhancement of the Union's **ability to take decisions and act** in a Union that has integrated **twelve new members since May 1st 2004** whilst guaranteeing the legitimacy of its decisions and actions – a condition for Europe to draw closer to its citizens.

1) A NEW VOTING RULE AT THE COUNCIL OF MINISTERS TO FACILITATE DECISION MAKING

With the Commission and the Parliament, the Council of Ministers is the third "side" on the "institutional triangle" (See Annex 2 – How the European Union's institutions are run). It approves the "laws" put forward by the Commission but according to a specific rule: the "qualified majority".

What is the "qualified majority"?

The majority is said to be "qualified" because right from the start of the construction of Europe, for a European decision taken by the Council of Ministers (where the representatives of the State sit) to be accepted and deemed legitimate, it had to win **support beyond the simple majority** (50% of the votes plus one) taking **the weight of the States into account**.



BEFORE THE LISBON TREATY (WITH THE NICE TREATY – 2001)

The qualified majority calculated according to a **weighting of votes**:

- ⇒ Member States have a certain number of votes notably according to their **demographic weight**.

WITH THE LISBON TREATY

The double majority calculated according to two criteria:

- ⇒ **State**: **55%** of EU States (ie at 27, 15 Member States)
- ⇒ **Population**: **65%** of the EU's population

A **blocking minority** has to include at least **4 Member States**.

Not only is the double majority system more democratic but it is also more effective in comparison with the system employed in the Nice Treaty (2001) since it facilitates the creation of majorities and therefore decisions can be taken – a vital detail in a Union with 27 Member States.

2) THE "IOANNINA COMPROMISE"

The new voting rule that emerged with the Lisbon Treaty (the double majority) will not come into force until **2014** and maybe even **2017**.

Indeed, in order to win over **Poland** during negotiations a transitional measure was included whereby if Member States who are against a text are significant in number but still insufficient to block the decision (**1/3 of the Member States or 25% of the population**), all of the Member States commit to seeking a solution to rally opponents whilst reserving the option to vote at any time.

The **Ioannina compromise** takes its name from an informal meeting of Foreign Affairs ministers in Ioannina in Greece in 1994. It enables a group of states close to the minority blockage – but who have not achieved this – to request the re-examination of a decision adopted by the qualified majority in Council.

3) THE EXTENSION OF THE QUALIFIED MAJORITY VOTE TO NEW AREAS

The enhancement of the efficiency of the decision making process also implies **the extension of the qualified majority vote to new areas**.

The qualified majority replaces unanimity **in several areas** (*See Annex 3 – List of the articles coming under qualified majority voting*) involving major issues which result from requests made on the part of public opinion, such as the adoption of measures relative to **external border control, asylum, immigration** or measures relative to the reception of asylum seekers and the processing of their case.