

'Fierce battle for votes' from El País (16 June 1997)

Caption: Published in the Spanish daily newspaper El País during the Amsterdam Intergovernmental Conference held on 16 and 17 June 1997, this article describes how the system of weighting votes within the Council has evolved since the foundation of the European Communities, and summarises the arguments surrounding its reform.

Source: El País. 16.06.1997. Madrid. "La cruenta batalla del voto", auteur:Oppenheimer, Walter.

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Fierce battle for votes

Institutional reform focuses on division of power in the Council

Walter Oppenheimer — Amsterdam

Reform of the institutions, the key to a successful enlargement to include the countries of Eastern Europe, could boil down to no more than a battle for votes. The Fifteen appear to be incapable of reaching agreement on reforming the European Commission, and both extending the areas in which decisions are taken by qualified majority and *flexibility*, the most innovative mechanism of the reform, will have limited effect. The battle for votes will be the last and, possibly, the fiercest battle of Amsterdam. It is a two-sided fight: the countries with the largest populations on the one hand (Germany, France, the United Kingdom, Italy and Spain), and the rest (Netherlands, Belgium, Luxembourg, Portugal, Greece, Austria, Finland, Denmark, Sweden and Ireland).

Votes in the Council are allocated in accordance with the number of inhabitants, but without a direct correlation between the two. It is a very delicate balance that seeks to ensure that decisions have the support of various large countries. The system originated with the Europe of the six founding members (Germany, France, Italy and the three small Benelux countries). The balance began to unravel with enlargement to include the United Kingdom, Ireland and Denmark (1972), and then Greece (1979). The accession of Spain and Portugal (1986) created a situation of five large countries and seven small ones, close to the original balance.

Total breakdown came, however, when Austria, Sweden and Finland acceded in 1996. Until then, it was sufficient for a group of countries to secure 23 of the 76 votes in the Council to block a decision. After the 1996 enlargement, 26 of the 87 votes were required. The upshot was a provisional agreement in Ioannina (Greece), which extends the process when votes in the Council fall between the former and the current blocking minority. All this will be irrelevant, however, when the Eastern European countries join: one large (Poland), one medium-sized (Romania) and nine small (Czech Republic, Slovakia, Slovenia, Hungary, Bulgaria, Lithuania, Latvia, Estonia and Cyprus).

Several countries have declared that they will veto the reform if they are not satisfied. Spain, France and the United Kingdom are the most militant. Germany, confident that its influence and weight are more important than votes, is happy with a minimal reform. Italy, as is so often the case, is an unknown quantity.

The proposal submitted by the Dutch Presidency does not satisfy Spain [...]. Before the most recent enlargement, it managed to block a decision with the support of one of the large countries and one of the small to medium-sized countries. Both with the current voting system and the one proposed by the Presidency, Spain needs to enlist the support of three of the fifteen Member States.

France has blocked an alternative that originated in the academic community and that was beginning to gain support in Brussels: the double majority. This relates to a decision which, in this instance, would require the support of a majority of Member States, irrespective of their size, but on condition that they represented a certain percentage of the European population. The small countries view this as between 60 % and 65 %, while Spain is calling for between 75 % and 80 %. France is not interested because it breaks the current balance among the four large countries. Germany, the country with the most inhabitants, would emerge greatly strengthened.

Whatever agreement is reached, another controversial issue is the date on which the system should come into force. The Presidency has proposed that voting reform should be negotiated now but that it should not come into force until the Union has 18 Member States. Spain has agreed to suspend the matter until the EU expands, even if only one country accedes.

Reform of the voting system is important not only for restoring the former balances but also because such balances will be more necessary in the future. The new Treaty seeks to increase the number of decisions taken by qualified majority rather than by unanimity (when there is unanimity, there is no need to count votes — the

support of all the Member States is required).

The draft Treaty submitted in Amsterdam proposes that the veto be abolished with regard to various important policies (industry, water, research and development and the environment), and partly in foreign and security policy. Spain is dreading the possibility of losing the right of veto in many of these areas.

Better alone than in bad company

The Amsterdam Summit was supposed to approve one of the most innovative aspects of the reform of the Treaty of Maastricht. As in so many cases, its name is incomprehensible: *flexibility*, or enhanced cooperation. This involves allowing a group of countries to carry European integration forward without having to drag reluctant states along with them. The plan originated in the heat of the difficulties traditionally raised by the United Kingdom so as to allow momentum to build up for a more united Europe. The mechanism that will be approved, however, is circumscribed with reservations and conditions. It is the only way to prevent the Union from breaking up under the influence of flexibility or being paralysed without it.

The Member States that wish to take part in enhanced cooperation will have to account for more than half the existing Member States and respect the Treaty and the Union's unique institutional framework. Flexibility should be the last resort, it should not affect the rights of those that do not take part, and it should allow them to join in at any time.

Areas of exclusively Community competence are excluded from flexibility: Community policies, actions or programmes. These may not affect citizenship of the Union or discriminate between Community citizens and may not raise obstacles to free trade or distort free competition.

The process, which will require Council approval by qualified majority, will begin following a European Commission opinion. Its development falls within the exclusive competence of the participating countries, which will adopt decisions by qualified majority. The rest are entitled to take part in the deliberations but will abstain from voting.

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