

The accession of the 10 new Member States and the adaptation of the Union's institutions

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Even though the Treaty of Nice was drafted with a view to the accession of 12 new Member States, it had to be supplemented to enable the gradual integration of the ten new Member States in the Union’s institutions. A transitional period had to be defined, consisting in successive stages from the signing of the Treaty of Accession (16 April 2003) to the actual accession of the new Member States (1 May 2004). It was then necessary to organise their effective participation in the institutions: from 1 November 2004 for the Twenty-Five’s participation in the Commission and from the European elections in June 2004 as regards the European Parliament.

- the Commission

The European Commission of the Fifteen, which had 20 members, was enlarged to 30 with the arrival of 10 Commissioners from the acceding countries. The existing Commissioners retained their responsibilities, and the new Commissioners were not given portfolios of their own but were able to familiarise themselves with the workings of the College of Commissioners. So that this unusual situation did not continue for too long, the Prodi Commission decided to cut short its term of office, which was scheduled to end on 31 December 2004, and resign on 31 October. The new European Parliament, elected in June 2004, gave its approval to the new Barroso Commission, which took office on 1 November. The College of Commissioners was now composed of 25 members, one for each country, the five ‘big’ countries having given up their second Commissioner in the Treaty of Nice.

The Treaty of Lisbon, if it enters into force, provides for a College with fewer Commissioners than Member States. While the first Commission to take office (2009–2014) would still consist of a Commissioner from each Member State of the Union, the number of European Commissioners would be reduced to two thirds the number of Member States from 2014. The Commissioners would be chosen according to a system of equal rotation between the States.

- the Council

With the enlargement of the Union to include eight countries of Central and Eastern Europe, Malta and Cyprus, the representatives of the new Member States took part in the work of the Council of Ministers and attended the meetings of the various committees and working groups immediately after the signing of the Accession Treaty on 16 April 2003, as observers with a right to speak. The right to vote, however, was only granted once they actually acceded on 1 May 2004. During the transitional period until 31 October 2004, the old Member States retained their existing number of votes for qualified majority voting, and the new Member States were given an equivalent number based on their size, roughly proportional to their respective populations.

The weighting of the votes in the Council of EU from 1 May to 31 October 2004, in accordance with the 2003 Accession Treaty, which delayed the application of the Treaty of Nice, was as follows:

France, Germany, Italy, United Kingdom	10 votes each
Poland, Spain	8 votes each
Belgium, Czech Republic, Greece, Hungary, Netherlands, Portugal	5 votes each
Austria, Sweden	4 votes each
Denmark, Estonia, Finland, Ireland, Slovakia, Slovenia, Latvia, Lithuania	3 votes each
Cyprus, Luxembourg, Malta	2 votes each

This makes a total of 124 votes with a qualified majority of 88 votes for matters based on a proposal from the Commission and 88 votes from two thirds of the Member States for matters not involving a proposal from the Commission.

Following the entry into force of the Treaty of Nice, the number of votes allocated to each Member State was reweighted in favour of the most populous countries so that the legitimacy of the Council’s decisions could be maintained in terms of demographic representativeness.

The weighting of votes in the Council of the EU from 1 November 2004 to 31 December 2006, as laid down in the Treaty of Nice, was as follows:

France, Germany, Italy, United Kingdom	29 votes each
Poland, Spain	27 votes each
Netherlands	13 votes
Belgium, Czech Republic, Greece, Hungary, Portugal	12 votes each
Austria, Sweden	10 votes each
Denmark, Finland, Ireland, Lithuania, Slovakia	7 votes each
Cyprus, Estonia, Latvia, Luxembourg, Slovenia	4 votes each
Malta	3 votes

This makes a total of 321 votes with a qualified majority of 232 votes for matters based on a proposal from the Commission, and a favourable vote from two thirds of the Member States for matters not involving a proposal from the Commission. Moreover, a Member State was able to call for ‘demographic verification’: the qualified majority had to include at least 62 % of the total population of the Union. Failing that, the decision would not be adopted.

The weighting of votes in the Council of the EU since 1 January 2007, in accordance with the Accession Treaty of 25 April 2005, is as follows:

France, Germany, Italy, United Kingdom	29 votes each
Spain, Poland	27 votes each
Romania	14 votes
Netherlands	13 votes
Belgium, Czech Republic, Greece, Hungary, Portugal	12 votes each
Austria, Bulgaria, Sweden	10 votes each
Denmark, Finland, Ireland, Lithuania, Slovakia	7 votes each
Cyprus, Estonia, Latvia, Luxembourg, Slovenia	4 votes each
Malta	3 votes

The number of votes required for a qualified majority is now 255 out of 345 (73.91 %).

If the Treaty of Lisbon enters into force, it will establish the principle of a double majority of States and population. Under this system, a legislative text is adopted in the Council if it receives a favourable vote from 55 % of the States of the Union, or at least 15 of them (this will still be the case in a Union of 28 Member States), representing at least 65 % of the EU’s population. A blocking minority must include at least four members of the Council; if this is not the case, the qualified majority is considered to have been reached.

Until the end of 2006, the old Member States continued to hold the six-monthly Presidency of the Council of the Union, thereby giving the new Member States time to make the requisite preparations. Slovenia was the first State from the latest enlargement to hold the Presidency of the Council of the EU, in the first half of 2008.

The Presidencies of the Council of the EU

Year	First half	Second half
2000	Portugal	France
2001	Sweden	Belgium
2002	Spain	Denmark
2003	Greece	Italy
2004	Ireland	Netherlands

2005	Luxembourg	United Kingdom
2006	Austria	Finland
2007	Germany	Portugal
2008	Slovenia	France
2009	Czech Republic	Sweden
2010	Spain	Belgium
2011	Hungary	Poland
2012	Denmark	Cyprus
2013	Ireland	Lithuania
2014	Greece	Italy

- the European Parliament

As soon as the Treaty of Accession was signed in 2003, the European Parliament invited the acceding countries to send ‘observer’ MEPs, who did not have speaking or voting rights in plenary sittings. There were 162 parliamentarians; their nationality breakdown was based on the system set out in the Treaty of Nice, amended at the Copenhagen Summit of 2002, and they were appointed from among eminent figures who already had experience of European affairs. They chose the committees on which they would sit and give their views, although they did not have voting rights. Immediately after accession on 1 May 2004, those observers became full MEPs and joined the 626 MEPs from the Fifteen who had been elected in 1999, taking the number of MEPs temporarily to 788. The final breakdown of seats to be filled in the European elections in June 2004 was calculated on the basis of the Declaration on the Enlargement of the European Union in the Treaty of Nice, but since that system was created for 27 Member States and there were only 25 until 1 January 2007, the seats earmarked for Romania (37) and Bulgaria (13) were temporarily allocated among the 25 Member States in proportion to the number of their MEPs, with one or two exceptions. Germany, which was already well represented, did not receive any additional seats, nor did Luxembourg, Estonia or Slovenia. Hungary and the Czech Republic, which had protested, were finally allocated the same number of seats as Belgium, Greece and Portugal.

Until 31 December 2006, the European Parliament of the Twenty-Five therefore had 732 seats under the system laid down in the Treaty of Nice, allocated not according to the Nice Declaration, which provided for 27 Member States, but using the system of distribution as adapted by the 2003 Accession Treaty for the 25 Member States:

Germany	99 seats (unchanged)	
France, Italy, United Kingdom	78 seats each (instead of 72)	
Poland, Spain	54 seats each (instead of 50)	
Netherlands	27 seats (instead of 25)	
Belgium, Czech Republic, Greece, Hungary, Portugal	24 seats each (instead of 22)	
Sweden	19 seats (instead of 18)	
Austria	18 seats (instead of 17)	
Denmark, Finland, Slovakia	14 seats each (instead of 13)	
Ireland, Lithuania	13 seats each (instead of 12)	
Latvia	9 seats (instead of 8)	
Slovenia	7 seats (unchanged)	
Cyprus, Estonia, Luxembourg	6 seats each (unchanged)	
Malta	5 seats (unchanged)	
Total:	732	

In 26 September 2005, 35 Romanian observers and 18 Bulgarian observers were invited to participate in the work of the European Parliament. On 1 January 2007, the date on which these two countries acceded, their observers automatically became MEPs (Article 21(1) of the 2005 Accession Treaty). Parliament is now provisionally composed of 785 members. When the new parliamentary term begins in June 2009, Romania and Bulgaria will have 33 and 17 MEPs respectively, and the number of MEPs in the European Parliament will increase to 736 (in accordance with the 2005 Accession Treaty).

The European Parliament of the Twenty-Seven as from the 2009–2014 parliamentary term, in accordance with the Declaration of the Treaty of Nice as amended by the 2005 Accession Treaty, as long as the Treaty of Nice has not entered into force, is as follows:

Germany	99 seats	
France, Italy, United Kingdom		72 seats each
Poland, Spain	50 seats each	
Romania	33 seats	
Netherlands	25 seats	
Belgium, Greece, Portugal		22 seats each
Czech Republic, Hungary		20 seats each
Sweden	18 seats	
Austria, Bulgaria		17 seats each
Denmark, Finland, Slovakia		13 seats each
Ireland, Lithuania		12 seats each
Latvia	8 seats	
Slovenia	7 seats	
Cyprus, Estonia, Luxembourg		6 seats each
Malta	5 seats	
Total:	736	

Lastly, without waiting for their potential participation in the Community institutions, the Fifteen were keen to involve the 13 candidate countries (including Turkey) in the proceedings of the Convention on the Future of Europe which opened on 27 February 2002 in Brussels. Those States were each represented, like the countries of the Fifteen, by a government representative and by two national MPs. However, Croatia, the former Yugoslav Republic of Macedonia and Turkey, as candidate countries, were not involved in the drafting of the Treaty of Lisbon.