

The new qualified majority in the Council of the EU

- Some comments on the decisions of the Brussels summit –

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In Brussels the heads of state or government of the European Union agreed on a new procedure for taking decisions in the EU-Council of Ministers. This procedure is based on the “double majority” as introduced in the draft Constitution proposed by European Convention. In the draft Constitution a qualified majority was defined to consist of at least 50 % of the member states representing at least 60 % of the Union’s population.

The procedure the European Council agreed upon contains a number of modifications of the original proposal:

- 1) The majorities are increased to 55 % of the states and 65 % of the population.
- 2) A proposal is also attained if all but at most three member states agree on it, even if these states represent less than 65 % of the population of the EU.
- 3) The majority of states required in 1) must consist of at least 15 states.

This procedure shall be applied from November 2009. According to current plans the EU will consist of (at least) 27 member before November 2009. Since 55% of 27 members are 15 states the rule 3) is most likely unnecessary.

Both in a 25 member Union and in a 27 member Union rule 2) will apply only to very few situations. In a 27 EU there are 2^{27} (about 134 million) ways the member states can vote either “yes” or “no”. Rule 3) applies only to 10 such events. The only ways three states represent more than 35 % of the population are: France, UK and Italy, Or Germany plus one of France, UK and Italy plus one of France, UK, Italy, Spain and Poland. It is therefore clear that this rule will be negligible as the computation of power indices is concerned. The effect of this rule is therefore mainly a psychological one: It expresses the fear that the big states might obtain too much (blocking) power.

One may say that – not for the first time in the history of the Union – the decision rule is unnecessarily complicated.

Below we compute the power indices (Banzhaf indices) for the new rule and compare it to the Nice treaty, the original version of the draft constitution and to Penrose’s square root law (SRL) which gives the indices for a system that gives equal power to every citizen in the EU.

These figures show that the bigger countries from Germany to Poland lose due to the increases in the required majorities, while all others win. While Germany, France, United Kingdom and Italy are still above the share of power they would obtain from the square root law (SRL) Spain and Poland were already below this share of power with the majorities suggested by the Convention. With the new rule they lose even compared to their previous bad position.

Country	Population in million	Nice	55 - 65	50 - 60	SRL
Germany	82,54	7,78	11,87	12,76	9,54
France	59,63	7,78	8,73	9,09	8,11
UK	59,33	7,78	8,69	9,05	8,09
Italy	57,32	7,78	8,44	8,78	7,95
Spain	41,55	7,42	6,38	6,65	6,77
Poland	38,21	7,42	5,89	6,32	6,49
Romania	21,77	4,26	4,22	4,06	4,90
Netherlands	16,19	3,97	3,51	3,39	4,23
Greece	11,02	3,68	2,87	2,76	3,49
Portugal	10,41	3,68	2,80	2,69	3,39
Belgium	10,36	3,68	2,80	2,69	3,38
Czech Rep	10,20	3,68	2,78	2,66	3,36
Hungary	10,14	3,68	2,76	2,65	3,34
Sweden	8,94	3,09	2,62	2,50	3,14
Austria	8,07	3,09	2,52	2,40	2,98
Bulgaria	7,85	3,09	2,50	2,38	2,94
Denmark	5,38	2,18	2,19	2,07	2,44
Slovakia	5,38	2,18	2,19	2,07	2,44
Finland	5,21	2,18	2,17	2,04	2,40
Ireland	3,96	2,18	2,02	1,89	2,09
Lithuania	3,46	2,18	1,96	1,83	1,95
Latvia	2,33	1,25	1,81	1,68	1,60
Slovenia	2,00	1,25	1,78	1,64	1,48
Estonia	1,36	1,25	1,70	1,57	1,22
Cyprus	0,72	1,25	1,62	1,48	0,89
Luxembourg	0,45	1,25	1,59	1,46	0,70
Malta	0,40	0,94	1,58	1,44	0,66

Banzhaf indices for various voting procedures in the EU-Council

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