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### Summary of the report

## Voting in the Council of the European Union

Contested Decision-Making in the EU Council of Ministers (1995-2010)

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The Council of the European Union (EU) is the EU's main decisionmaking body and the most important EU institution. Despite its importance uncertainty prevails about the Council's legislative politics and little robust evidence is available about Council decision-making. This paper contributes to a growing body of research that sheds light on the underlying dynamics of Council decision-making and more specifically contested decision-making.

The paper is based on a new database representing the total population of explicit votes and public roll calls between 1995 and 2010 in the EU Council. The explicit votes are the outcome of contested decisions taken by ministers and their variation over time and across policy domains tells us something about Council (contested) decision-making, the issues to which they apply and the Member States' preferences.

The paper is made up of two parts. Part One describes the procedures and practices according to which Council roll calls are held and concludes that:

- The dynamic of majorities and minorities in the Council is key to understanding Council decision-making and also consensual agreements;
- Roll call analysis exposes the dynamics of explicit contestation in the Council, but also contributes to our understanding of Council legislative politics at large.

Part Two delivers an empirical analysis of the new data and reports five main findings:

- Annual Council legislative activity is characterised by upswings and downswings with roll calls running in parallel. The timing of these 'humps' coincides with European treaty reform and EU enlargement. During the ups EU Member States pass more legislation eliminating the risk of bottlenecks subsequently. During the downs the Council digests change, leaving room for adjustment to a new institutional environment.
- Overall Council legislative and roll call activity is stable over the entire period of 16 years despite the growing diversity of Member States. New procedures, changing voting behaviour, reinforcement of existing coalition patterns and the successful adjustment to the Council of newer Member States have functioned as shock absorbers. The combination of these factors has contributed to the Council's decision-making capacity over the last 16 years.
- Policy domains: explicitly contested legislation is present in all EU policy areas but more distributive policies attract more contestation and result in stronger preference formation among Member States.
- Geography: larger and more northern Member States contest more often and hold stronger preferences whereas countries from the South and East in Europe contest less frequently and hold fewer strong preferences – the notable exception being Italy.
- Coalition formation: before 2004 the data indicate the existence of three recurrent coalitions in the Council.

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The first is a silent majority of more proximate Member States that contest less frequently and are generally supportive of EU legislation. The second group comprises a vocal minority of countries which are less proximate to each other and are regularly outvoted. Germany (what we may call the third coalition) is the only country that stands out as it contests frequently but more often on issues that attract less opposition from other Member States. After 2004 most of the newer Member States joined the silent majority in the Council and Germany also became more proximate to this group. Finland, Czech Republic and Malta joined the vocal minority. The UK is the only country in the EU to have moved away from existing coalitions and stand apart, which indicates that there is growing divergence.

Despite the turmoil of the last few years these findings paint a rather positive picture of Council legislative politics between 1995 and 2010 and take issue with the more pessimistic analyses of EU integration subsequent to the Big Bang enlargement.

This research shows that observing explicit contestation in the EU Council provides much information about the EU Council and EU integration. The flexibility of the European treaties, however, has a substantial impact on explicit contestation. It influences the interests and preferences of the Member States and their articulation in the Council of Ministers. More research is needed. The paper concludes with notes on the data for this study.