

APPENDIX I: Comparison of decision-making processes under the Treaty of Nice and the Draft Constitution

Topic	Treaty of Nice		Convention's Draft Constitution
I. Decision-making processes			
Qualified majority decisions	<p><i>Transition period, from 1 May 2004 (enlargement to EU-25)</i></p>		<p><i>New procedures for the EU-25, from 1 November 2004 (beginning of the next Commission's term of office)</i></p>
Voting procedure for the qualified majority	<p>Majority requires:</p> <ul style="list-style-type: none"> - Majority of weighted votes - Majority of the member states 	<p>“Triple majority”:</p> <ul style="list-style-type: none"> - Majority of member states - Majority threshold set at a specific level of weighted votes - If a member state requests, votes representing 62 percent of the EU population are required 	<p>“Double majority”:</p> <ul style="list-style-type: none"> - Majority of member states - Votes representing at least three-fifths (60 percent) of the EU population - Majority decisions become the standard legislative procedure
Weighting and division of votes in the Council of Ministers	<ul style="list-style-type: none"> - Retention of current vote weighting in an EU-25 - Range from two (L, MAL, CY) to 10 votes (D, F, GB, I) 	<ul style="list-style-type: none"> - New weighting of votes, according to the Treaty of Nice - Range from three (MAL) to 29 votes (D, F, GB, I) 	<ul style="list-style-type: none"> - Weighted votes dropped in favor of “double majority” of states (more than 50 percent) and population (more than 60 percent)
Qualified majority (share of weighted votes)	<ul style="list-style-type: none"> - in EU-25: 88 of 124 total votes (70.97%) (compare with EU-15: 62 of 87 total votes (71.26%)) 	<ul style="list-style-type: none"> - in EU-25: 232 of 321 total votes (72.27%) - in EU-27: 255 of 345 total votes (73.91%) 	
Blocking minority	<ul style="list-style-type: none"> - in EU-25: more than 36 votes (compare with EU-15: more than 25 votes) 	<ul style="list-style-type: none"> - in EU-25: more than 89 votes - in EU-27: more than 90 votes 	<ul style="list-style-type: none"> - more than 50 percent of member states or - more than 40 percent of the EU population

Topic	Treaty of Nice	Convention's Draft Constitution	
II. Institutions: European Commission, European Parliament, Council of Ministers, European Council			
	<i>Transition period, from 1 May 2004 (enlargement to EU-25)</i>	<i>New procedures for the EU-25, from 1 November 2004 (beginning of the next Commission's term of office)</i>	
European Commission	<ul style="list-style-type: none"> - Current 20 Commissioners for the EU-15 retain their portfolios - Ten Commissioners from the new members are initially without portfolio 	<ul style="list-style-type: none"> - EU-25: One Commissioner per member state (25 Commissioners) - EU-27 or more: Number of Commissioners must be lower than the number of member states (introduction of a procedure for equal rotation) 	<p>From 1 November 2009:</p> <ul style="list-style-type: none"> One Commissioner per member state: - 15 voting Commissioners, including the President of the Commission and the new European Foreign Minister as Vice President - One additional non-voting Commissioner for each remaining member state (equal rotation)
European Parliament	<p><u>Current EU-15:</u></p> <ul style="list-style-type: none"> - 626 deputies for 15 member states (old distribution formula) - 162 observers from the 10 accession states, equal to the number of seats they will have for the 2004-2009 session (conversion of the distribution formula that the Treaty of Nice sets out for an EU-27 to an EU-25 by dividing the 50 seats that the Treaty earmarks for Bulgaria and Romania) <p><u>EP elections in June 2004 for 2004-2009 session:</u></p> <ul style="list-style-type: none"> - Total number of seats for EU-25 rises to 732 (conversion of the distribution formula that the Treaty of Nice sets out for an EU-27 to an EU-25) - Hungary (H) and Czech Republic (CZ) emerge as the main winners from the conversion; under the Nice formula for an EU-27, they would have had two fewer seats (20) than B, GR and P (22); now all five have the same number (24) - Range from five seats (MAL) to 99 (D) 	<p><u>For EU-25+:</u></p> <ul style="list-style-type: none"> - Maximum 736 deputies - Minimum 4 deputies per member state <p><u>EP elections in June 2004 for 2004-2009 session:</u></p> <ul style="list-style-type: none"> - Total deputies for EU-25: 732 - Seats distributed by converting Nice formula from EU-27 to EU-25 - Range from five seats (MAL) to 99 (D) 	

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European Parliament	<p><u>If Bulgaria and Romania accede during the 2004-2009 session (targeted year of accession is 2007):</u></p> <ul style="list-style-type: none"> - temporary increase in the number of deputies to a maximum of 786 seats; Bulgaria sends 18 MEPs, Romania 36 <p><u>From 2009 elections:</u></p> <ul style="list-style-type: none"> - total number of deputies most likely 736, provided the likely adjustment of seats for the Czech Republic (20) and Hungary (22) takes place - allocation according to the Nice formula for an EU-27, corrected for Hungary and the Czech Republic 	<p><u>If Bulgaria and Romania accede during the 2004-2009 session (2007):</u></p> <ul style="list-style-type: none"> - temporary increase to a maximum of 786 deputies <p><u>From 2009 elections:</u></p> <ul style="list-style-type: none"> - maximum of 736 deputies, regardless of the number of member states - allocation according to a principle of degressive proportionality
Council of Ministers	<p><u>Extension of the current EU-15 system:</u></p> <ul style="list-style-type: none"> - one representative per member state at the ministerial level - chair in all Council formations identical with the rotating EU presidency 	<p><u>Once the Constitution enters into force:</u></p> <ul style="list-style-type: none"> - one representative per member state at the ministerial level - permanent chair for European Foreign Minister in the Council for External Affairs - chair in remaining Council formations lasting at least one year and rotated equally among the member state representatives
European Council	<ul style="list-style-type: none"> - not an official EU organ under Treaty of Nice - <i>de facto</i> composed of the member states' heads of state and government, the President of the Commission and an additional member of the Commission 	<ul style="list-style-type: none"> - official EU organ - composed of the member states' heads of state and government, the newly created President of the European Council and the President of the Commission - European Foreign Minister takes part in meetings - President elected by qualified majority for a term of 2 1/2 years

APPENDIX II: Votes in the Council and composition of the European Parliament

1. Votes in the Council for an EU-25 or EU-27 (under the Nice formula and for the transition period)

State	Votes in Council		Population (in millions, as of 2000)	Percentage of population of EU-25	Percentage of votes of EU-25 (Nice formula)	Percentage of population of EU-27	Percentage of votes of EU-27 (Nice formula)
	<i>Transition period (from 01/05/2004)</i>	<i>Nice formula (from 01/11/2004)</i>					
Germany	10	29	82.04	18.22	9.04	17.05	8.41
United Kingdom	10	29	59.25	13.15	9.04	12.31	8.41
France	10	29	58.97	13.09	9.04	12.25	8.41
Italy	10	29	57.61	12.79	9.04	11.98	8.41
Spain	8	27	39.39	8.74	8.42	8.19	7.83
Poland	8	27	38.67	8.58	8.42	8.04	7.83
Netherlands	5	13	15.76	3.50	4.05	3.27	3.77
Greece	5	12	10.53	2.34	3.74	2.10	3.48
Czech Republic	5	12	10.29	2.28	3.74	2.14	3.48
Belgium	5	12	10.21	2.27	3.74	2.12	3.48
Hungary	5	12	10.09	2.24	3.74	2.10	3.48
Portugal	5	12	9.98	2.21	3.74	2.07	3.48
Sweden	4	10	8.85	1.96	3.12	1.84	2.90
Austria	4	10	8.08	1.79	3.12	1.68	2.90
Slovakia	3	7	5.39	1.20	2.18	1.12	2.03
Denmark	3	7	5.31	1.18	2.18	1.10	2.03
Finland	3	7	5.16	1.15	2.18	1.07	2.03
Ireland	3	7	3.74	0.83	2.18	0.78	2.03
Lithuania	3	7	3.70	0.83	2.18	0.77	2.03
Latvia	3	4	2.44	0.55	1.25	0.51	1.16
Slovenia	3	4	1.98	0.44	1.25	0.41	1.16
Estonia	3	4	1.45	0.33	1.25	0.30	1.16
Cyprus	2	4	0.75	0.17	1.25	0.15	1.16
Luxembourg	2	4	0.43	0.09	1.25	0.09	1.16
Malta	2	3	0.38	0.08	0.94	0.08	0.87
EU-25	124	321	450.46	100	100	-	-
Romania		14	22.49			4.60	4.06
Bulgaria		10	8.23			1.71	2.90
EU-27		345	481.18			100	100

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**2. Division of seats in the European Parliament
(2004-2009 session, considering modifications and probable accessions)**

Seats (current EU-15)	EU-25 for the 2004-2009 session	EU-27 for the 2004-2009 session*	EU-27 from 2009**
Germany (99)	99	99	99
United Kingdom (87)	78	78	72
France (87)	78	78	72
Italy (87)	78	78	72
Spain (64)	54	54	50
Poland (54 Obs.)	54	54	50
Netherlands (31)	27	27	25
Greece (25)	24	24	22
Czech Rep. (24 Obs.)	24	24	22
Belgium (25)	24	24	22
Hungary (24 Obs.)	24	24	22
Portugal (25)	24	24	22
Sweden (22)	19	19	18
Austria (21)	18	18	17
Slovakia (14 Obs.)	14	14	13
Denmark (16)	14	14	13
Finland (16)	14	14	13
Ireland (15)	13	13	12
Lithuania (13 Obs.)	13	13	12
Latvia (9 Obs.)	9	9	8
Slovenia (7 Obs.)	7	7	7
Estonia (6 Obs.)	6	6	6
Cyprus (6 Obs.)	6	6	6
Luxembourg (6)	6	6	6
Malta (5 Obs.)	5	5	5
EU-25 (626 + 162 Obs.)	732		
Romania		36	33
Bulgaria		18	17
EU-27		786	736 <i>(732 seats under Treaty of Nice, + two additional seats each for CZ and H)</i>

* Presuming Bulgaria and Romania join in 2007

** Probable modification of the Nice formula by increasing the number of seats for Hungary and the Czech Republic from 20 to 2