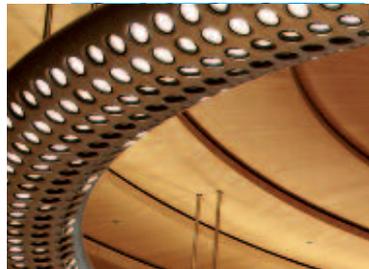




Agreeing to Disagree

The voting records of EU
Member States in the
Council since 2009

VoteWatch Europe
Annual Report
July 2012



CONTENTS

- 01 FOREWORD
- 02 EXECUTIVE SUMMARY
- 02 ABOUT VOTEWATCH EUROPE
- 03 ACHIEVEMENTS 2011 - 2012
- 04 FINANCES
- 05 POLICY FOCUS:
 - voting in the Council of Ministers
 - Introduction
 - How the Council legislative process works
 - What information can you find on votewatch.eu?
 - Which Council votes are included?
 - Consensus versus controversy
 - Winners and losers
 - What were the divisive issues?
 - Which coalitions were formed?



© 2012 VoteWatch Europe AISBL and VoteWatch CIC



This work is licensed under the Creative Commons Attribution-NonCommercial-NoDerivs 3.0 Unported License.

To view a copy of this license, visit <http://creativecommons.org/licenses/by-nc-nd/3.0/>

All Photos © European Union, 2004-2011 -
The Council of the European Union
except microphones shot (above), Simon Hix
(page 1) and series of numbers (page 4)

FOREWORD



Dr Simon Hix

Professor of European and Comparative Politics,
London School of Economics and Political Science
Chair, VoteWatch Europe

Dear friend,

In the first three years of its existence, VoteWatch has established itself as the 'go-to' source for information on the voting records of Members of the European Parliament. Through our website, our publications, our public events and our media appearances we have reached thousands of people in Brussels and beyond.

This year we are relaunching our website, www.votewatch.eu, with a completely new interface, designed to make it even more user-friendly. The VoteMatch tool, which allows users to compare their own political preferences against those of MEPs, has been given greater prominence. And for the first time we are making available in a searchable format the voting records of Member States in the Council of Ministers. Citizens, journalists, officials, private sector stakeholders, NGOs and anyone else interested in the nuts and bolts of EU decision-making will now be able to see exactly how Member States voted on each item of legislation - and how that compares to others.

The work does not stop here. Two years from now, in June 2014, Europe's voters will go to the polls to elect a new European Parliament.

This will be followed by the nomination and confirmation of a new European Commission President and College of Commissioners. In the current political climate, both events could generate significant interest in both the voting records and electoral promises of the candidates.

Through our website and our other activities, VoteWatch will do everything it can to help increase awareness of the elections and to encourage participation. We are grateful to our sponsors, the Open Society Foundations, the Joseph Rowntree Charitable Trust, Burson-Marsteller and White & Case, for making this possible.

We look forward to working with you in the next year and beyond to promote better debates and greater transparency in EU politics.

Best wishes,

A handwritten signature in blue ink that reads "Simon Hix". The signature is written in a cursive style with a horizontal line underneath the name.



EXECUTIVE SUMMARY

Since 2009 VoteWatch Europe has reported every six months on voting trends in the European Parliament. This, our 2012 annual report, is the first to look at voting trends in the Council of the European Union ('the Council of Ministers' or 'the Council').

In the most comprehensive project of its kind to date, VoteWatch has collected data on how government representatives of the 27 Member States voted in the Council from July 2009 to the present.

For the first time ever, European citizens and others interested in EU decision-making will now be able to scrutinise the voting records of both branches of the EU legislature, whose decisions have a direct impact on over 500 million citizens.

Key findings:

- **Despite the extension of qualified majority voting under the Lisbon Treaty, most Council decisions continue to be taken by unanimity. Of all decisions taken under the qualified majority voting rule since 2009, 65% were adopted unanimously.**
- **Instead of voting against, Member States often make 'formal statements' to signal their reservations about Council decisions.**
- **Based on the number of items of legislation adopted following a formal vote, economic, environmental, transport and budget issues have been top of the Council's agenda in the last three years.**
- **Agriculture, environment, regional development and budget are the policy areas where Member States disagree the most.**
- **Of the 27 EU governments, the United Kingdom voted against the majority most often, whereas France and Lithuania always voted with the majority. The United Kingdom and Germany are the countries which voted against each other most often.**

All Council voting data is available on VoteWatch's new-look website, which has been completely redesigned for this purpose: www.votewatch.eu.

New voting data is added as and when it is made available by the Council secretariat. All Council data is collected and processed manually; errors may therefore occur. Any errors will be corrected as soon as we are made aware of them.

ABOUT VOTEWATCH EUROPE

VoteWatch Europe is an independent organisation set up to promote better debates and greater transparency in EU decision-making by providing easy access to, and analysis of, the political decisions and activities of the European Parliament and the EU Council of Ministers. VoteWatch uses the EU Institutions' own attendance, voting and activity data to give a full overview of MEP and Member State activities.

VoteWatch publishes regular reports and newsletters showing how MEPs and ministers voted on key items of EU legislation and

organises regular briefings on the plenary sessions of the European Parliament.

In addition to our regular, free-to-the-public work we also offer a number of paid services, such as trainings and tailor-made analyses of voting behaviour. The revenue from these activities helps us maintain our core services. If you are interested in any of our services please contact the VoteWatch team: secretariat@votewatch.eu.

We are a Community Interest Company (CIC) registered in the UK and an international not-for-profit association (AISBL/IVZW) registered in Belgium.

BOARD

CHAIR:

Dr Simon Hix (co-founder)
Professor of European and Comparative Politics at the London School of Economics and Political Science. Fellow of the British Academy.

VICE CHAIR:

Dr Sara Hagemann (co-founder)
Lecturer in EU politics at the London School of Economics and Political Science.

MEMBERS:

Dr Abdul G. Noury (co-founder)
Associate Professor of Political Economy at New York University (NYU-AD).

Ignasi Guardans
CEO and co-founder of CUMEDIAE - Culture & Media Agency Europe AISBL, former Member of the European Parliament (Spain, ALDE).

Sir Julian Priestley
Chairman of the Board of Directors of EPPA (European Public Policy Advisers), former Secretary-General of the European Parliament.

STAFF

Doru Frantescu (co-founder)
Policy director. Has worked extensively in civil society in Bucharest and Brussels. Expert in e-democracy tools.

Joan Manuel Lanfranco Pari
Policy and events assistant, former MEP assistant.

Michiel van Hulst
Managing director. Former Council official, former Member of the European Parliament (the Netherlands, S&D).

ACHIEVEMENTS 2011 - 2012

Our achievements in the last 12 months include the following:

A fully redesigned website with a more user-friendly interface.

The introduction of Council of Ministers voting records on our website, dating back to 2009.

A 15% increase in average monthly website traffic, with a spike of over 50.000 at the height of the public debate on the ACTA anti-counterfeiting treaty; average visit time of over 4 minutes - much higher than the internet average.

A campaign in support of the proposal by Andrew Duff MEP to make roll-call voting in European Parliament committees mandatory on final legislative votes.

Publication of our annual report "Who holds the power in the European Parliament" in July 2011, launched at a public event with an all-MEP panel, including EP Vice-President McMillan-Scott.

Publication of a special report "The voting records of the declared candidates for EP President" in December 2011, in conjunction with European Voice.

Co-organisation, with European Voice, of the European Parliament Presidential debate in January 2012, with over 500 attendees.

Widespread media coverage, including several articles in European Voice and many references in national and international media.

Our achievements in the last 12 months (continued):

The introduction of new monthly post-Strasbourg European Parliament plenary debriefing sessions at the Brussels Press Club.

A monthly newsletter sent to over 2.000 readers.

Participation (as the only EU-level NGO) in a Washington DC parliamentary conference on achieving greater transparency in legislatures.

Links to our website from the new European Parliament website and the website of the Danish Presidency of the EU Council of Ministers.

Renewed funding from the Open Society Institute and the Joseph Rowntree Charitable Trust; continued in-kind sponsorship from Burson-Marsteller and White & Case.

Two new Board members: former European Parliament Secretary-General Sir Julian Priestley and former Spanish ALDE MEP Ignasi Guardans.

The appointment of former Dutch Socialist MEP Michiel van Hulst as managing director.

New shared office space at the European Policy Centre in the Résidence Palace, the Brussels international media hub.

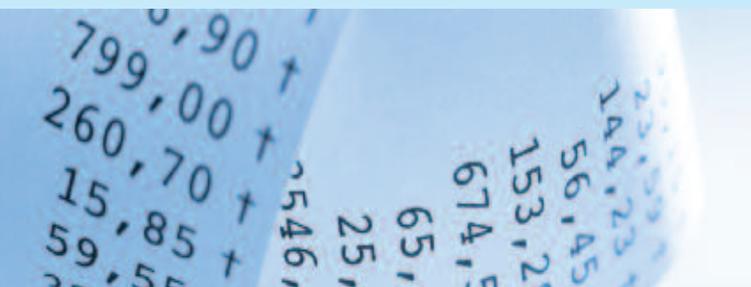
The introduction of paid-for services designed to help pay for our core activities.

Registration in the EU Transparency Register, putting us on a par with other transparency organisations (registration number 56936517675-11).

FINANCES

Our budget for 2011 - 2012 amounted to just under 280.000 euros. This included 45.000 euros carried over from the previous year and 205.000 euros in new grants (120.000 euros from the Open Society Foundations and 85.000 from the Joseph Rowntree Charitable Trust), as well as some income from paid services and donations. We received generous in-kind support from the Centre for European Policy Studies (office accommodation), Burson-Marsteller (PR support) and White & Case (legal advice).

Approximately 45% of our expenditure was on personnel costs. 35% went to IT, including website redesign, hosting and maintenance, software development and data collection. The remaining 20% was spent on office rental (as of 1 February 2012 we sublet a shared office at the European Policy Centre), office expenses and VAT payments (we are registered for VAT in the UK).



POLICY FOCUS: VOTING IN THE COUNCIL OF MINISTERS

Introduction

VoteWatch was launched in 2009 to serve as an information source in the context of the European Parliament (EP) elections taking place that year.

Since then, it has become the go-to source of information for citizens, journalists, NGOs, interest groups, politicians, civil servants, and anyone else interested in the policy positions, voting records and coalition formation trends of Members of the European Parliament (MEPs), European political groups and EP national party delegations. In the run-up to the European Parliament elections of 2014, the VoteWatch website has been revamped to make this information even easier to access and understand. Using a one-stop-shop search box, users of the website can browse voting data by MEP, nationality, key word or specific vote to find the information they need. They can also discover which MEP's voting record most closely matches their own political preferences by using the VoteMatch tool.

From now on, VoteWatch will also publish details of the voting records of Member States in the Council of the European Union ('the Council of Ministers' or 'the Council') on its website. For the first time ever, the European public will be able to monitor the votes of MEPs and ministers

How does the Council legislative process work?

Decision-making in the Council is a carefully controlled but complicated affair. Indeed, 'the Council' is in reality not one group of people. It meets in ten different configurations, according to policy area. Each Council formation has to adopt legislation based on the applicable legal basis of the policy proposal in question. The Commission decides which of the decision-

on the same item of legislation in both EU legislative chambers. Our team has collected data on the voting records of all 27 EU Member State governments in the Council from July 2009 to the present. The data is continuously updated.

It should be noted that the Council currently releases information only on final votes, at ministerial level, on legislative and budgetary issues. For this reason the data presented on votewatch.eu is limited to these decisions. This report covers the period from July 2009 to June 2012 and includes 343 pieces of legislation adopted by a formal vote.

VoteWatch publishes the Council information on its website as soon as it becomes available. It is collected manually from the Council website (minutes, fiches de vote and summaries of legislative acts) and PreLex. As the Council does not publish all of this information immediately following the vote, it can take some time for full information on a vote to be available on our website.

We hope the Council will soon move to publish voting data in close to real time in a machine-readable format, as is already happening at the European Parliament, and will continue discussions with the Council secretariat to help make this possible.

As long as votes are processed manually, errors may occur. We will correct any errors as soon as we are made aware of them.

making procedures should apply to a proposal before presenting it to the Council for negotiation, based on the legal framework as stipulated in the Treaties.

When a policy proposal has been initiated and presented to the Council, it is usually first discussed in specialised working groups, where officials from the Member States and the Commission meet. Gradually, proposals advance through the preparatory bodies closer to the Council. The most senior of the preparatory



committees are the Committees of Permanent Representatives (COREPER I and II) which send proposals to the Council as either 'A' or 'B' agenda points. In descriptions of Council decision-making¹ it has been explained that at this stage 'A' points have normally already been agreed upon and are therefore accepted without much discussion in the Council. The more controversial agenda items are categorised as 'B' points.

When voting takes place, different rules apply depending on the policy area: unanimity is applied to certain matters affecting the members' fundamental sovereignty whereas other decisions are taken by a weighted qualified majority (QMV) system. The key feature of the latter is that all members have a seat but their respective number of votes varies, reflecting the differences in population shares.

Despite the complex voting system, the Council does not always vote in the formal sense of raising hands. A proposal can be declared adopted by the chairperson when she or he knows that there is a sufficient majority or unanimity in the Council. If the Council is not unanimous, the chairperson takes into account Member States'

positions and simply counts whether enough Member States are on board to meet the threshold. In this way, it can be argued that although the votes are not explicitly cast, decisions are still made in 'the shadow of the vote'²). There is one important difference between the unanimity and QMV systems, however. When the decision rule is unanimity, abstentions do not count as votes against a proposal. This means that decisions can be taken with only some countries actually voting in favour, as long as no country actively opposes it.

The opposite is true for QMV, where the high threshold for a proposal to be adopted means that abstentions are in practice equivalent to 'no' votes. Furthermore, if a proposal is accepted, members who wish to oppose, abstain or who have serious concerns about the decision can record their views officially by making formal statements. Formal statements are usually made immediately after a decision has been adopted, and are either included directly in the minutes of the meeting or posted separately on the Council website.

1. E.g. . Hagemann, Sara (2008) 'Voting, Statements and Coalition-Building in the Council from 1999 to 2006' in *Unveiling the Council: Games Governments Play in Brussels*, Helen Wallace and Daniel Naurin (eds.) (2008), London/Palgrave Macmillan; Hayes-Renshaw, Fiona and Helen Wallace (2006), *The Council of Ministers*, Basingstoke: Palgrave Macmillan.

2. Golub, Jonathan. 1999. "In the Shadow of the Vote? Decision-making in the European Community." *International Organization* 53:733–64.

What information can you find on votewatch.eu?

The VoteWatch website shows all legislation passed by the Council; how each government has voted on each piece of legislation; who voted on behalf of that government; as well as more detailed information about the dossier (Council configurations in which it was debated and voted on, number of readings, working groups involved in preparing the legislation, etc.)

Secondly, the data is aggregated to produce statistics on coalition patterns between

Member States, to compare, pair-wise, how frequently governments voted against each other, and whether or not individual governments often find themselves in a minority.

Thirdly, the Council voting data is compared to votes on the same piece of legislation in the European Parliament, which allows the user to see, for example, to what extent the policy preferences of a government were followed by MEPs from the governing party or coalition.

This report sets out a number of general trends which emerge when analysing the votes that took place between July 2009 and June 2012. For updated statistics, please visit our website.

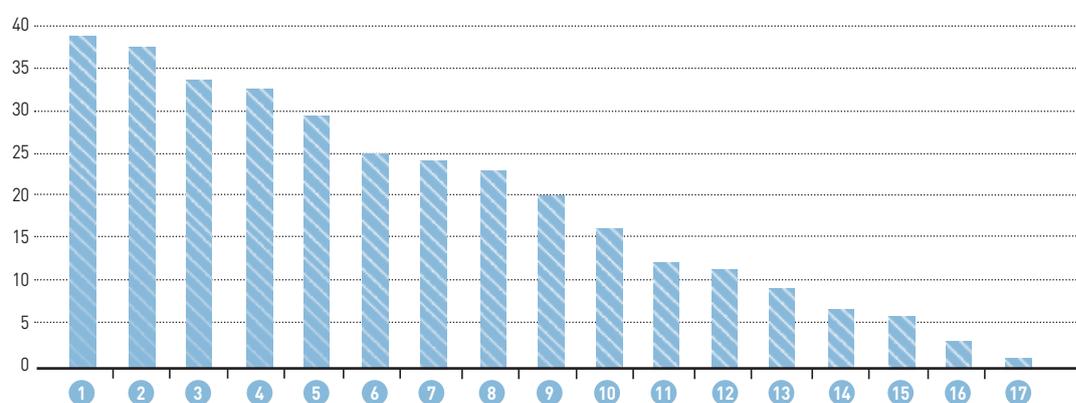
Which Council votes are included?

The VoteWatch team has collected data covering all decisions of the Council adopted since July 2009 (to coincide with the start of the current EP term). The findings presented in the following sections cover the votes from July 2009 to June

2012. The Council has released information on 343 pieces of legislation on which votes were cast during this period³. Most of these votes fall in the areas of economic and monetary affairs, environment and public health, transport and tourism and budget.

Figure 1 shows how many dossiers the Council voted on in each policy area.

Fig 1 NUMBER OF VOTES IN COUNCIL PER POLICY AREA (July 2009-June 2012)



- 1 Economic & monetary affairs
- 2 Environment & public health
- 3 Transport & tourism
- 4 Budget
- 5 Civil liberties, justice & home affairs
- 6 Agriculture
- 7 Juridical affairs
- 8 Industry, research & energy
- 9 International trade
- 10 Internal market & consumer protection
- 11 Employment & social affairs
- 12 Fisheries
- 13 Regional development
- 14 Foreign & security policy
- 15 Development
- 16 Constitutional and inter-institutional affairs
- 17 Culture & education

³ The data covers the files voted in the ordinary legislative procedure, consultation and consent (all procedures in which the European Parliament is taking part, though in different ways). However, due to the impossibility of automating the collection of the data and the Council's delays in publishing information, it is possible that some decisions made by the governments in more recent Council meetings are not yet included in the VoteWatch dataset. We update all data – both from the European Parliament and the Council – as soon as it becomes available from the institutions.

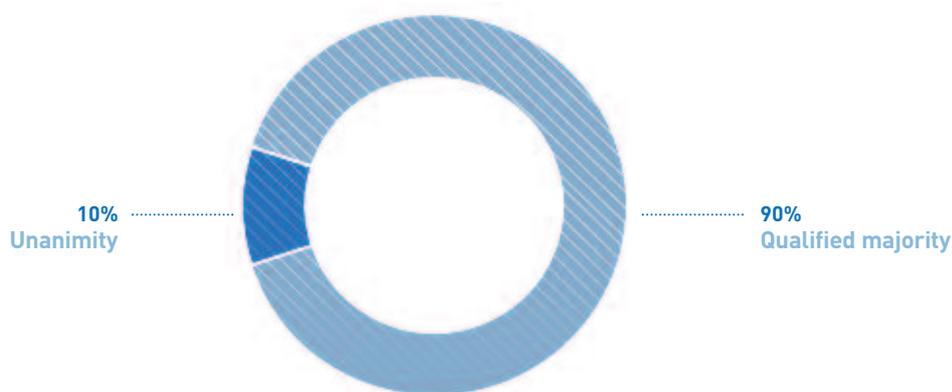
Consensus versus controversy

Many decisions in the Council are adopted by unanimity even when only a majority is required, as Member States prefer to shape the policy in such a way that every participant can agree with the final output - or at least appear to do

so. Of the 343 proposals put to the vote during the July 2009 – June 2012 period, 309 were voted on using the qualified majority rule (QMV)⁴, while the other 34 required unanimity.

Figure 2 shows how often each voting rule was applied.

Fig 2
WHICH VOTING RULE FORMALLY APPLIED?
(July 2009-June 2012)

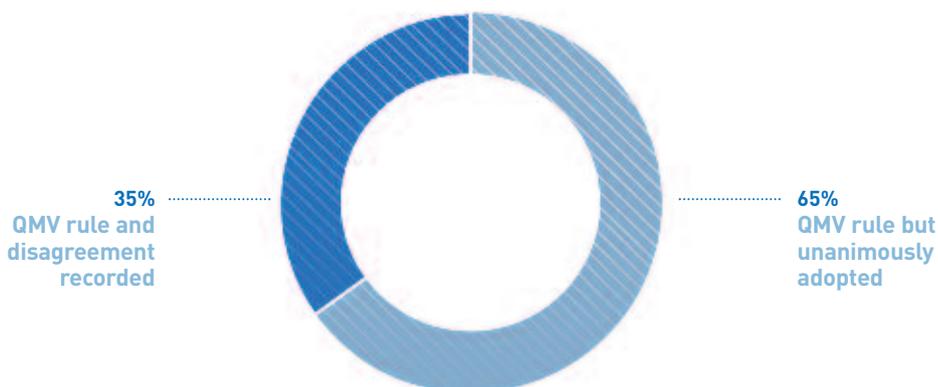


4. Qualified Majority is reached in the Council if at least a simple majority of Member States (currently 14), holding at least 255 votes (out of 345) vote in favour.

However, within the set of 309 where QMV was applicable, 65% of the decisions were still adopted unanimously, while 35% of the votes saw one or more Member States abstain or oppose the proposal.

Figure 3 shows how often unanimity was used even though the formal decision rule was QMV.

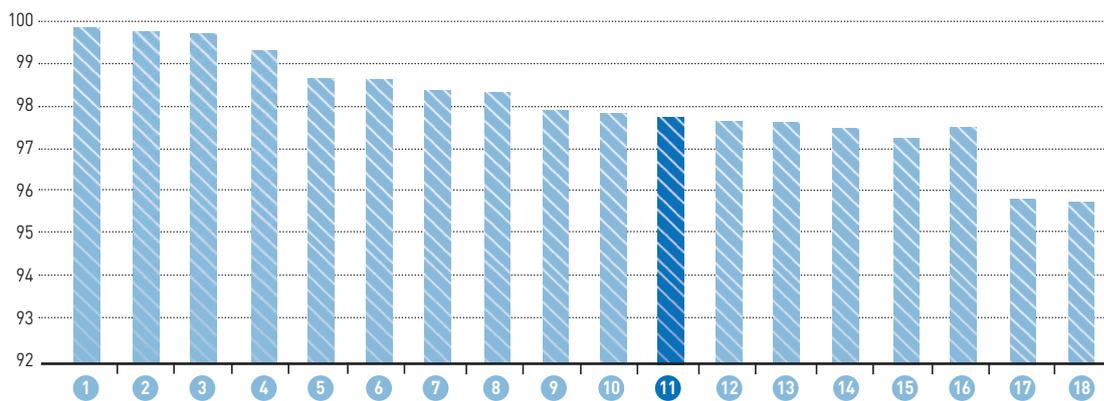
Fig 3
ACTUAL USE OF QUALIFIED MAJORITY RULE IN THE COUNCIL
(JULY 2009 - JUNE 2012)



Looking further into these trends, the data shows that some policy areas have proved more controversial than others.

Figure 4 shows how consensual each policy area has been in the formal voting process:

Fig 4
VOTES CAST IN FAVOUR AS A % OF ALL POSSIBLE VOTES IN FAVOUR
(July 2009 - June 2012)



- 1 International trade
- 2 Industry, research & energy
- 3 Economic & monetary affairs
- 4 Foreign & security policy
- 5 Fisheries
- 6 Development
- 7 Culture & education
- 8 Civil liberties, justice & home affairs
- 9 Juridical affairs
- 10 Internal market & consumer protection
- 11 Overall
- 12 Employment & social affairs
- 13 Transport & tourism
- 14 Constitutional and inter-institutional affairs
- 15 Regional development
- 16 Budget
- 17 Agriculture
- 18 Environment & public health

As explained above, governments have the possibility to state their positions on a policy proposal in formal statements made at the end of the vote. Previous research has shown that Member States increasingly use this possibility to voice reservations or to 'clarify' their decision

to support, oppose or abstain on legislation. These statements have been found to serve either as a 'signalling tool' to domestic audiences, or as a formal record of negotiation details, with a view to coming negotiations or implementation processes⁵.

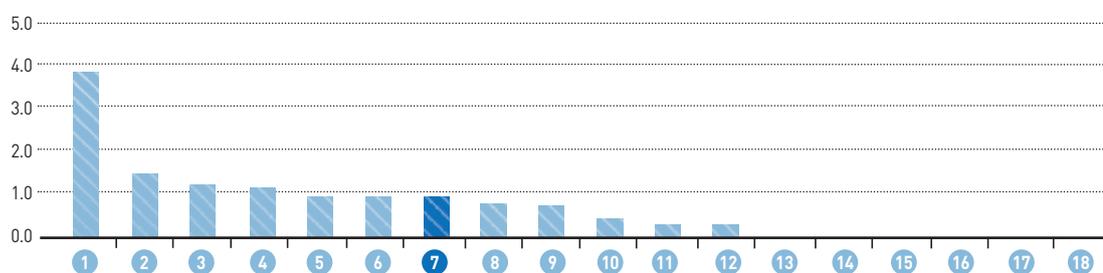
5. cf. Hagemann, Sara (2008) 'Voting, Statements and Coalition-Building in the Council from 1999 to 2006' in Unveiling the Council: Games Governments Play in Brussels, Helen Wallace and Daniel Naurin (eds.) (2008), London/Palgrave Macmillan; Hagemann, Sara and Julia De Clerk-Sachsse. 2007. "Old Rules, New Game: Decision-Making in the Council of Ministers after 2004". Special Report, Centre for European Policy Studies, Brussels.

Agreeing to Disagree

Figure 5 shows the ratio between votes and formal statements in each policy area, and indicates that actual contest through formal voting only constitutes the tip of the iceberg: on average, governments voice concerns about a policy proposal 1.2 times per legislative act adopted by the Council. In the fields of environment, regional development, agriculture and

the internal market, this is even higher. In those areas, Member States submitted formal statements indicating disagreement with the proposal (either in whole or in parts) 4.1, 1.7, 1.5 and 1.4 times per legislative act respectively. In reality policy proposals may therefore be more contested than would appear, despite being reported as 'unanimously agreed'.

Fig 5
NUMBER OF FORMAL STATEMENTS PER ACT ADOPTED BY THE COUNCIL
(July 2009 - June 2012)



- | | |
|---|--|
| ① Environment & public health | ⑩ Internal market & consumer protection |
| ② Regional development | ⑪ Fisheries |
| ③ Agriculture | ⑫ Foreign & security policy |
| ④ Internal market & consumer protection | ⑬ Juridical affairs |
| ⑤ Industry, research & energy | ⑭ International trade |
| ⑥ Transport & tourism | ⑮ Budget |
| ⑦ Average for all acts | ⑯ Constitutional and inter-institutional affairs |
| ⑧ Employment & social affairs | ⑰ Culture & education |
| ⑨ Economic & monetary affairs | ⑱ Development |



Winners and losers

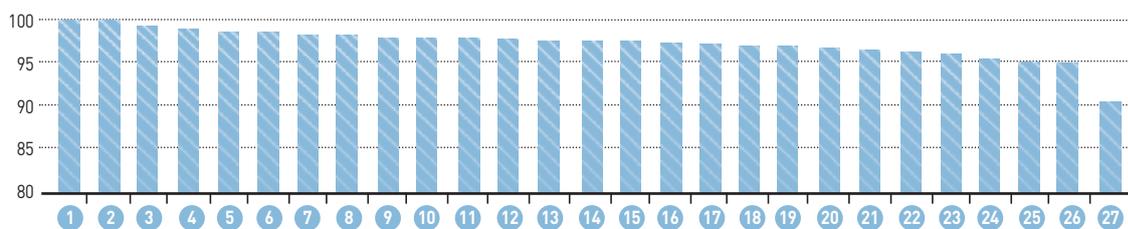
Sometimes one or several Member States find themselves defending a position that is so far removed from the emerging consensus that a compromise proves impossible. Various anecdotes and hypotheses about which Member States are the most ‘difficult ones’ circulate among practitioners, the media and analysts. We know from previous investigations⁶ that no distinct patterns exist with regards to a government’s likelihood of formally opposing a proposal: while large Member States were the ones most likely to oppose legislation before the 2004 EU enlargement, this changed to a group of medium-sized members after May 2004. But no further characteristics – be it the geographical location, party political profiles or position as budget recipients/contributors, etc. – served to predict the choice of either supporting or opposing legislation.

When looking at the aggregate data presented in this report, similar conclusions emerge. While we do see some consistency in the behaviour of a number of Member States, these trends do not point to a uniform pattern of trans-national motivations for either opposing or supporting Council policies.

The Member State which voted against the majority most often is the United Kingdom. The UK had a minority position in one out of ten votes. Germany, Austria, Denmark and the Netherlands follow suit. At the other end, we found that France and Lithuania always voted with the majority, followed by Cyprus, Greece, Finland and Latvia.

Figure 6 shows how often each Member State voted with the majority.

Fig 6
VOTES CAST IN FAVOUR BY EACH MEMBER STATE AS A % OF ALL POSSIBLE VOTES IN FAVOUR (July 2009 - June 2012)



- | | | |
|--------------|-------------------|-------------------|
| 1 France | 10 Hungary | 19 Italy |
| 2 Lithuania | 11 Malta | 20 Ireland |
| 3 Cyprus | 12 Slovakia | 21 Poland |
| 4 Greece | 13 Romania | 22 Portugal |
| 5 Finland | 14 Slovenia | 23 Netherland |
| 6 Latvia | 15 Spain | 24 Denmark |
| 7 Estonia | 16 Sweden | 25 Austria |
| 8 Luxembourg | 17 Bulgaria | 26 Germany |
| 9 Belgium | 18 Czech Republic | 27 United Kingdom |



6. Hagemann, Sara and Julia De Clerk-Sachsse. 2007. “Old Rules, New Game: Decision-Making in the Council of Ministers after 2004”. Special Report, Centre for European Policy Studies, Brussels.

Agreeing to Disagree

While the percentages above are based on all votes cast in the Council, including those where unanimity was reached, if we base calculations strictly on the set of votes where real controversy was recorded at the moment of the vote (at least one Member State abstained or voted against), the figures become more instructive (there are 108 such votes).

Figure 7 shows how often each of the 27 Member States disagreed with the majority out of the votes where some competition was recorded.

Fig 7
% OF ALL NON-UNANIMOUS VOTES
IN WHICH EACH MEMBER STATE WAS IN THE MINORITY
(when at least one MS abstained or voted against, 108 votes)

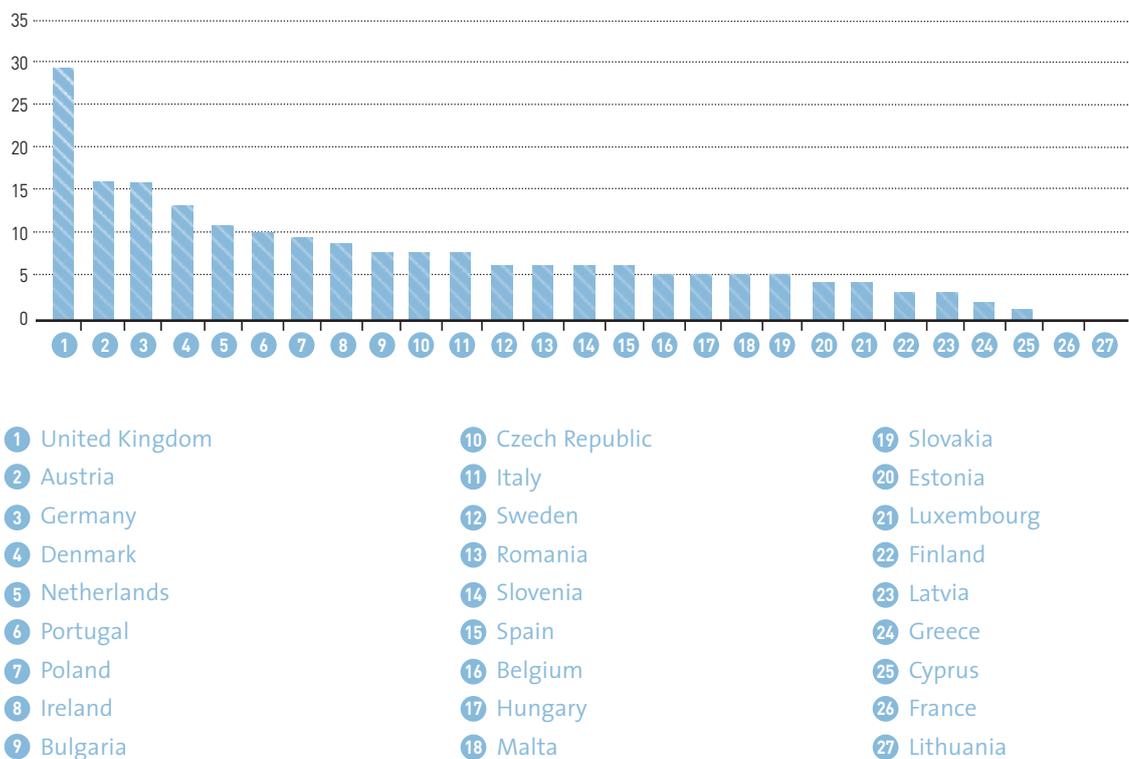
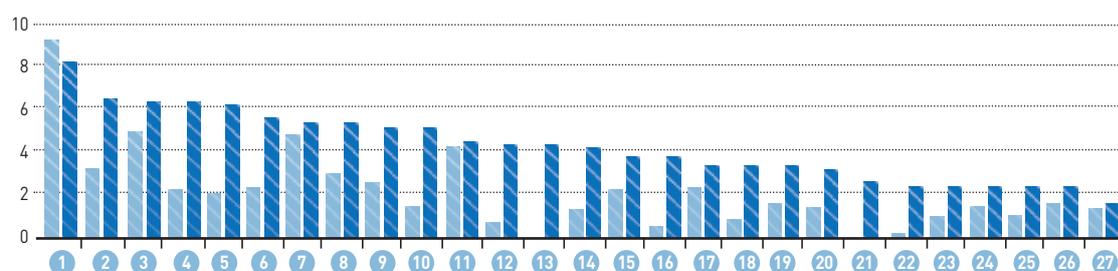


Figure 8 shows the number of reservations expressed through votes and through formal statements for each of the Member States. Here we find that United Kingdom, the Netherlands and Germany submitted the most statements, while Slovakia, Romania and Luxembourg made

least use of this option. Newer Member States (with the exception of Poland) are less likely than older EU Members to submit statements when voting, as shown in the graph below.

Fig 8
% OF VOTES PER MEMBER STATE FOR WHICH RESERVATIONS AND FORMAL STATEMENTS WERE RECORDED (July 2009 - June 2012)



■ % reservations (votes against + abstentions)

■ % statements

- 1 United Kingdom
- 2 Netherlands
- 3 Germany
- 4 Italy
- 5 Sweden
- 6 Ireland
- 7 Austria
- 8 Portugal
- 9 Poland

- 10 Spain
- 11 Denmark
- 12 Finland
- 13 France
- 14 Malta
- 15 Czech Republic
- 16 Greece
- 17 Bulgaria
- 18 Latvia

- 19 Slovenia
- 20 Belgium
- 21 Lithuania
- 22 Cyprus
- 23 Estonia
- 24 Hungary
- 25 Luxembourg
- 26 Romania
- 27 Slovakia

What were the divisive issues?

Agriculture

Perhaps not surprisingly, various provisions of the Common Agricultural Policy (CAP) are among the most contentious issues in the Council, as this is where around 40% of the EU funding goes. For example, when it came to voting on the Commission's Proposal for a Council Regulation on amending the financing of the CAP as regards food distribution to the most deprived persons in the Community⁷, adopted in December 2011, three governments voted against: the United Kingdom, Denmark and Sweden, while the Czech Republic abstained. Sweden explained its disagreement in an official statement, saying that "Sweden is of the opinion that the new proposal and the declaration by the Commission do not present enough guarantees that the program for distribution of food products to the most deprived persons in the Union, will end definitely on the 31st of December 2013, and that the future Multi-Annual Financial Framework 2014 – 2020 will be amended accordingly. Therefore Sweden cannot support this proposal and intends to vote against it."

Germany and France voted in favour, but released a joint statement to nuance their position: "[...] Recognizing the importance of the work of charity organizations in Member States using the current program, France and Germany agree to continue the program for a transition period ending definitely on 31 December 2013 in order to allow these organizations to take into account this new situation. In this context, France and Germany welcome the on-going exchange of views between their charity organizations. However, given the discussion in the Council, France and Germany consider that the conditions are not met for a proposal of a new program for a period post 2013 to be presented by the Commission and adopted by the Council. This is why both countries can't agree with legal and financial proposals by the Commission of such a program in the future."

Sometimes countries actually use statements to express their support for a decision. In this case, the Belgian, Bulgarian, Greek, Spanish,

Hungarian, Italian, Lithuanian, Luxembourg, Latvian, Maltese, Portuguese, Romanian and Slovenian delegations issued a joint statement expressing their full support for the Council decision: "Over the last 25 years, the food program for the most deprived persons of the European Union has allowed to make visible the European solidarity among more than 18 million persons in situation of poverty in 20 Member States. The Member States that support this statement consider that the European Union should keep the solidarity with the neediest and with that aim declare that: They welcome the continuity of the program in 2012 and 2013 under the Common Agricultural Policy. It is necessary to ensure the future continuity of the distribution program in the context of the financial perspectives for the period 2014-2020, as an element for fighting poverty and social exclusion within the framework of the EU 2020 Strategy."

The United Kingdom is the country which disagrees most with EU agriculture policy. Out of the 25 votes cast in this area, the UK voted against once and abstained four times (while voting in favour on the remaining 20). Ireland, Germany, Denmark, Estonia, the Netherlands and Poland also voted against the majority several times.

Full statistics on agriculture votes can be accessed here: www.votewatch.eu/en/council-minority-votes-Agriculture.html

EU budget

Not surprisingly, the EU budget is another contentious area. Austria, the UK and Sweden voted differently from the majority most often, followed by the Netherlands, Poland and Portugal.

For example, in March 2011 the Council voted on a proposal by the European Commission to use 183 million EUR of its EU solidarity fund to deal with the flooding that had taken place the previous year in some of the countries in Central and Eastern Europe (Poland, Slovakia, the Czech Republic, Hungary, Romania and the candidate country Croatia)⁸. The proposal was adopted in the Council by the narrowest of margins, 257

7. Full official name of the act is: "Proposal for a Council Regulation amending Regulation (EC) no 1290/2005 on the financing of the common agricultural policy and Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) as regards food distribution to the most deprived persons in the Community".

8. Draft amending budget n° 1 to the general budget for 2011 - Statement of expenditure by Section - Section III - Commission, Adoption of the Council's position.

votes (255 being the minimum required for a qualified majority). Austria, Belgium, Finland, Latvia and Sweden voted against, while the UK, Portugal and Slovenia abstained. Interestingly, during the vote on the same subject in the Parliament, almost all MEPs from the governing parties in these Member States supported the Commission's proposal.

Full statistics on votes on budget can be accessed here: www.votewatch.eu/en/council-minority-votes-Budget.html

Civil liberties, justice and home affairs

On civil liberties, justice and home affairs, the governments of the UK, Ireland and Malta occasionally had reservations with regard to some of the provisions being passed in the Council. For example, in March 2011 the Council adopted the Regulation on the creation of an immigration liaison officers network. The UK and Ireland abstained, saying that they would take part in this Regulation only to the extent that it did not build on the Schengen acquis (which doesn't apply to them).

Full statistics on the votes on civil liberties, justice and home affairs can be accessed here: www.votewatch.eu/en/council-minority-votes-Civil-liberties-justice-home-affairs.html

Environment

On environment and public health, Denmark is clearly the Member State which has the least reconcilable position. Out of a total of 36 votes, Denmark voted three times against and abstained four times. For example, in September 2011 Denmark was the only Member State to vote against the Proposal for a Directive of the European Parliament and of the Council amending Directive 97/68/EC as regards the provisions for engines placed on the market under the flexibility scheme.

In an official statement the Danish government explained its position as follows: "Denmark cannot accept an agreement at first reading to increase the flexibility scheme from the present 20 % to 37.5 %. Such an increase would mean that an additional number of engines from non-road machinery which comply with old emission

limits could continue to be placed on the market when new more stringent limit values are introduced. The Member States are finding it difficult to observe the limits for air quality and the proposal would increase the discharge of NOx and particulates. For this reason, Denmark rejects the proposal."

Regional development

On regional development issues, some of the new EU Member States were in the minority a couple of times, but so were Germany and the United Kingdom. For example, in June 2010 the Council adopted, by a narrow margin (263 votes in favour), the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1083/2006 concerning general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund as regards simplification of certain requirements and as regards certain provisions relating to financial management. Six Member States abstained: the Czech Republic, the United Kingdom, Malta, Poland, Slovenia and Slovakia.

In a joint statement, Cyprus, the Czech Republic, Hungary, Lithuania, Poland, Slovakia and Slovenia explained their positions saying, inter alia, that "since in the 2007-2013 period the Cohesion Fund may also contribute to measures in the field of energy efficiency and renewable energies, and not just through large-scale infrastructure investments, the above mentioned Member States oppose limiting the use of such financial engineering instruments to the structural funds. It should be stressed that, on the basis of the current regulations, there are no substantial reasons why the Cohesion Fund should not be allowed to also use financial engineering instruments for an objective it is already contributing to. Furthermore, such limitation is also unfair to countries where energy efficiency measures are primarily financed from the Cohesion Fund and not the ERDF, which, at the current stage of implementation of the NSRF, can no longer be corrected".

Which coalitions were formed?

In the period under scrutiny, there is a single pair of countries who have always voted on the same side: France and Lithuania. These two countries are also the only ones to have agreed to all items put to an official vote in the Council. The

United Kingdom and Germany are the Member States which voted against each other most often (15% of times).

Full statistics on coalition partners is available at:
www.votewatch.eu/en/council-compare-votes.html



For further information:

Votewatch Europe AISBL

c/o European Policy Centre
4th floor, Résidence Palace,
155 Rue de la Loi
1040 Brussels
Belgium

VoteWatch CIC

c/o European Institute, LSE
Houghton Street
London WC2A 2AE
United Kingdom

www.votewatch.eu

 [@VoteWatchEurope](https://twitter.com/VoteWatchEurope)

 www.facebook.com/VoteWatchEurope

VoteWatch.eu is sponsored by:

