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The Political Scenarios and the Choices System

1.1 The Decision-Making Process: An Analysis of EU Agriculture Bodies

The European Union’s institutional design and mechanisms for agriculture provide us with a key to understanding the evolution of the common agricultural policy (CAP). The EU scenario or troika is made up of the European Commission (EC), representing the general interests of the Union, the European Parliament (EP), which speaks on behalf of EU citizens, and the Council of the European Union, which represents the member states (MS). Together, these three institutions set policy guidelines and approve legislative acts that are subsequently applied throughout the EU. The treaties govern the powers and responsibilities of these institutions, as well as the rules and processes they follow. According to the rules and decision-making procedures laid down in the treaties, European institutions adopt the legal acts necessary for the implementation of EU policies.

When looking at the evolution of EU decision-making, one of the first and most important events to note is the entry into force of the Single European Act in 1987, which allowed the Parliament to enter into the legislative process. Not only could it express its opinion on the Commission’s text (although not in a binding fashion), the Parliament could also propose amendments to the common position formulated by the Council, after which the decision was final. Since the introduction of the codecision procedure (ordinary legislative procedure), the EP has taken on the role of codecision-maker with powers equal to those of the Council.1

The Council of the European Union, or Council of Ministers, is the EU’s principal decision-making body. It brings together ministers
from all EU member states and is therefore their representative at the European level, with each country holding the presidency of the Council for a period of six months on a rotation system.

The Lisbon Treaty, which was signed in 2007 and entered into force on December 1, 2009, resulted in codecision also being introduced for legislation relating to the CAP. The Lisbon Treaty is a reformulation of the Treaty on European Union (TEU), which covers the role and composition of the Council of the EU, and the Treaty on the Functioning of the European Union (TFEU), which covers the functioning of the Council according to articles 237–243.

The codecision procedure provides for the sharing of legislative power between the Parliament and Council of Ministers and is based on the two institutions achieving agreement on a legislative document. Finally, the presidents of both the Parliament and the Council sign the new regulations. As the only EU institution, which is directly elected through universal suffrage, the Parliament is granted further competences and new instruments, which give it even greater responsibility toward European citizens.

Under codecision, the standard system for adopting decisions is by qualified majority, which relates to the number of votes needed in the Council to take a decision (in accordance with article 16 of the TEU and article 238 of the TFEU). Under ordinary legislative procedure, the Council takes decisions by qualified majority in codecision with the Parliament. Since January 1, 2007, a qualified majority has been achieved once 255 votes from a total of 345 votes have been cast by at least 14 MS. From July 1, 2013, after the accession of Croatia, a qualified majority is achieved with 260 votes from a possible total of 352 votes from 28, or 15 MS if the qualified majority represents at least 62 percent of the total EU population.

Member states’ votes do not all have the same weight. Instead, a weighted voting system is used, which assigns a number of votes to each state according to their demographic weight. From November 1, 2014, the Treaty of Lisbon will do away with the weighted voting system and will instead introduce a double majority voting system under which a resolution or law is approved once 55 percent of member states have voted in favor (minimum of 15 member states, blocking minority of at least four member states). If the text being discussed is not based on a Commission proposal, then the minimum threshold rises from 55 to 72 percent. However, there will be a transitional period running until March 31, 2017, during which time any member state may, for an individual vote, request that the weighted voting system be used. The Treaty of Lisbon also provides for a blocking