

Qualified majority voting in the EU in the field of foreign and security policy – sensible or dangerous idea?

One of the somewhat unexpected (but highly welcome), consequences of the barbaric war waged by Russia against Ukraine and Moscow's open confrontation with the West, has been a commendable show of unity not just from NATO, but also the European Union (EU).

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EU largely passing the test of Russian aggression

Despite evident problems - the lack of agreed threat analysis, openly pro-Russian narratives offered by member states such as Hungary, Russia's malign influence exercised over parts of some establishments in EU states, as well as political luggage of strategically wrong policies pushed for years by some key European capitals - the EU has shown itself capable of acting in a meaningful way since February 2022. And it has done so even though most of decisions in response to the Russian aggression have been taken in the framework of the common foreign and security (or defence) policy (CFSP/CFSD). Important fact to note: any action falling under CFSP label is exempt from qualified majority voting (QMV¹) procedure which dominates decision-making in the EU nowadays – thus requiring consensus of all member states.

In view of this success, it may therefore seem surprising that in the last twelve months we have seen a significant increase in calls for doing away with the consensus rule in CFSP debates. Following earlier initiatives from the European Parliament (EP), the Commission or other EU institutions, we now have a new impetus to this change driven by various European nations. German government – and Chancellor Scholz personally - look like the most ardent supporters of this idea. This was the main leitmotif of Chancellor's speech in August 2022 in Prague² on 9 May in the EP in Strasbourg³, backed on 4 May by Berlin's successful announcement of a coalition of nine countries (apart from Germany including the Benelux states, France, Italy, Spain, but also Finland and Slovenia) ready to lobby for a move towards QMV in CFSP. Recent collective article signed by many European leaders suggests that Romania is now onboard as well.⁴xi/

Arguments in favour of QMV

There are well-identified arguments used to promote such a change. First, despite a commendable performance in reaction to Moscow's challenge to Europe it would be wrong to suggest that reaching consensus has always been possible on all issues. Most recently, several potential decisions, essential for a more meaningful stance of the EU (especially as far as sanctions against Russia and its ally Belarus are concerned) have been blocked or reduced in scope (thus diminishing their practical bite) due to a veto of one or the other country. More generally, as measured by one research⁵, between 2016 and 2022 EU members have used a veto at least thirty times – and this figure only applies to publicised decisions, with a real figure expected to be higher if one includes those proposals that were rejected through an informal (usually non-public) consultation process. This is one of the reasons why already in 2020, the EU's High Representative suggested moving to a qualified majority voting at least in the domain of human rights, requiring urgent response from the EU (that proposal was rejected).

Second, the link between EU's ability to be taken seriously on foreign and security matters in the world and the urgency of required decisions, is often cited as a key argument to use the QMV procedure. For instance, the use of QMV would more or less guarantee that the EU's punch and weight would be more visible on the international arena. It would also prepare it better for potentially negative developments in the future requiring a higher profile from the EU – for example if a new US President (e.g., Trump) were to limit security links with Europe.

Third, and perhaps most consequential case for this fundamental reform, is built on the reasoning of functionality related to next enlargement waves. If the EU is to increase in size by taking in countries such as Ukraine or those in the Balkans, the current rule applicable to 27 members may simply not work for the Union of 30 or more. Here, the introduction of the QMV in CFSP would be part of a larger reform, including doing away with veto powers in other areas such as tax policy, or size and distribution of the common budget.

Opposing views

Let's look now at the arguments used by those who are not in favour of introducing QMV in the CFSP realm. Some have already been voiced publicly by countries such as Austria⁶ or Poland⁷.

First, one cannot accept at face value the idea that QMV would magically resolve all problems related to the real and deep differences existing between member states on external policy matters. It is not credible to claim that introduction of QMV would automatically "facilitate the emergence of a common strategic culture among the member states"⁸. This culture is simply not yet there, and it needs to be nurtured first, by a more in-depth and requiring real paradigm shift in

thinking in EU capitals, requiring a genuine compromise. It cannot be engineered by a procedure. To be more concrete let it be illustrated with a real example: the level of distrust between Central and Eastern Europe (CEE) and the Franco-German tandem (and those who quasi-automatically align with it), is deep and cannot be overcome by a few speeches. Solidarity on key foreign and security policy issues is still shallow, and one only has to follow the debate on security guarantees for Ukraine to understand the problem. Too much real political business is still done by the largest EU members in forums outside the full EU or NATO setting (G7, Quintet etc.), to assume that QMV will change old habits.

Second, the brutal logic of the “voting calculator”⁹ applicable to QMV leaves no doubt that the perspective of being outvoted by 55% of states, representing 65% of EU population is a very heavy risk for smaller countries. It is one thing when this risk concerns coordination of economic goals or environmental issues, quite another when matters on national security are at stake, especially for the countries on the eastern flank. Imagine the scenario in which border entry policy for Russian citizens would be decided by QMV – a coalition of the 4 Visegrad countries, 3 Baltic states, Finland, Romania, Sweden, even backed by Bulgaria and Denmark for example, would not be able to veto a proposal that they could consider fundamental to their security.

Third, as the EU gradually ventures more and more into the realm of defence (vide joint armaments purchases, support to defence industry or external intervention missions) it is quite a stretch of imagination to accept a scenario under which any member state would be ready to be outvoted on issues of war and peace, and military security. This is by the way why the consensus rule remains unchallenged in NATO. In 2002, following the experience of the Kosovo air operation, the US administration posed a question to other Allies regarding a possible modification to that principle. Debate was short-lived, and the answer was clear – there was no appetite for change, for the reasons cited above. Hence, more than naive (but persistent) proposals to create a mythical “European army”¹⁰ only undermine the case for QMV.

Fourth, while it is tempting to agree that QMV would overcome the most selfish and blatant cases of misuse of national vetoes (protection of one’s pet industry or even a bank specified in a sanctions proposal come to mind¹¹), one needs to do a political cost benefit analysis to compare potential benefits with likely costs and consequences generated by reactions in countries that would lose in a voting contest. Disappointments associated with strange voting patterns in the Eurovision Song Contest would pale into insignificance when set against a populist backlash that a perceived loss of sovereign decision-making capacity could generate.

Conclusion

1. The debate on introducing QMV for foreign and security policy issues is only beginning. Those who dismiss the proposed change out of hand, without presenting serious arguments, are not doing themselves (or a debate) a favour. QMV deserves a serious consideration, even if the time for its introduction is perhaps not yet ripe.
2. Equally, those who want to introduce an element of blackmail into a discourse (“without QMV we cannot proceed with enlargement”) and claim that the case is iron-clad as part of some “geopolitical logic” should change their strategy, as it will only harden opposition to the idea. Institutional reforms needed to prepare EU institutions better for a bigger community must be addressed, but it is not clear why QMV in CFSP is singled out as the priority issue.
3. Now is the time for deeds that show real solidarity between EU member states. Larger members should help matters by supporting initiatives and positions of smaller ones – be it in the Balkans, be it on the issue of frontier states’ security, or by simply listening better and taking onboard views of smaller/less influential partners.
4. QMV is a sensible idea to debate but trying to introduce it in haste and with the use of unreasonable political pressure, may today undermine, rather than strengthen, European unity.

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Founded in 2005, the **Casimir Pulaski Foundation** is an independent, non-for-profit, non-partisan Polish-think tank conducting research on different aspects of European and Transatlantic security, with a special focus on Central and Eastern Europe.

The Foundation brings together dozens of international experts in various fields (foreign policy, defence, energy, democratic resilience) and publishes analysis describing and explaining international events, identifying trends in the European and Transatlantic security environment and recommending solutions for government decision-makers and the private sector.

The Casimir Pulaski Foundation is also the initiator and main organizer of the **Warsaw Security Forum** conference, which since 2014 annually gathers over 2000 stakeholders from more than 60 countries in order to elaborate shared responses to common transatlantic security challenges.

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¹ Qualified majority, <https://www.consilium.europa.eu/en/council-eu/voting-system/qualified-majority/>

² Speech by Federal Chancellor Olaf Scholz at the Charles University in Prague on Monday, 29 August 2022, <https://www.bundesregierung.de/breg-en/news/scholz-speech-prague-charles-university-2080752>

³ Europe must turn its attention to the rest of the world, <https://www.bundesregierung.de/breg-en/news/speech-fc-eu-parliament-2189348#:~:text=In%20his%20speech%20to%20the,is%20open%20to%20the%20future.%22>

⁴ Annalena Baerbock, Hadja Lahbib, Jean Asselborn, Wopke Hoekstra, Bogdan Aurescu, Tanja Fajon And José Manuel Albares Bueno, It’s time for more majority decision-making in EU foreign policy, <https://www.politico.eu/article/eu-foreign-policy-ukraine-russia-war-its-time-for-more-majority-decision-making/>

⁵ Making EU Foreign Policy More Effective: Qualified Majority Voting on the Horizon?, <https://carnegieeurope.eu/strategieurope/89652>

⁶ Nikolaus J. Kurmayer, Austria rejects German push for EU majority voting, <https://www.euractiv.com/section/politics/news/austria-rejects-german-push-for-eu-majority-voting/>

⁷ MFA statement in relation to the decision-making rules for matters related to the Common Foreign and Security Policy (CFSP) and Common Security and Defence Policy (CSDP) of the EU, <https://www.gov.pl/web/diplomacy/mfa-statement-in-relation-to-the-decision-making-rules-for-matters-related-to-the-common-foreign-and-security-policy-cfsp-and-common-security-and-defence-policy-csdp-of-the-eu>

⁸ See Martens Centre Policy Brief

⁹ Voting calculator, <https://www.consilium.europa.eu/en/council-eu/voting-system/voting-calculator/>

¹⁰ Giles Merritt, Is it still crazy to talk of a 'European army?', <https://www.friendsofeurope.org/insights/frankly-speaking-is-it-still-crazy-to-talk-of-a-european-army/>

¹¹ Barbara Moens, Jacopo Barigazzi And Leonie Kijewski, New sanctions against Russia stuck in limbo over Greek-Hungarian protest, <https://www.politico.eu/article/new-sanctions-against-russia-stuck-limbo-greece-hungary-protest-ukraine-war/>