

## TO BE OR NOT TO BE? EUROPEAN UNION FOREIGN POLICY DECISIONS BY QUALIFIED MAJORITY

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Historically the European Union's foreign policy has had a different status from other policies. While EU member states have gradually advanced towards more integration in trade, monetary and other policies, the foreign and security policy has remained under close control of individual member states. Today the Common Foreign and Security Policy (CFSP) is largely an intergovernmental policy, where decisions are taken by the European Council and the Council acting unanimously. However, debates on abolishing unanimity have become the most relevant they have ever been since the war in Ukraine started.

[Experts agree](#) that initially EU's foreign policy was successful by reacting quickly and imposing sanctions on Russia. However, all luck ran out when Hungary held hostage the EU's sixth sanctions package against Russia for a month, finally agreeing to a watered-down proposal. This stalemate revived the majority voting debate not only in the EU, but also in Lithuania. In Europe, the idea of using qualified majority voting (QMV) in foreign affairs has had prominent backers in Rome, Paris and Brussels, not to mention the new coalition government in Germany. However, the majority of EU member states remain [skeptical](#) of the idea. In Lithuania, Foreign Affairs Minister G. Landsbergis stated that it was unacceptable that one country can hold hostage the whole sanctions package. Former PM of Lithuania and current MEP A. Kubilius underlined that it was time for the EU to "federalize" its CFSP by getting rid of unanimity. On the other hand, President of Lithuania G. Nausėda stressed that unanimity is the best decision-making mechanism for the EU when it comes to Common Foreign and Security Policy. Nonetheless, this year supporters for abolishing the veto in CFSP gained new impetus – the wishes of European citizens. One of the proposals from the citizens-led Conference on the Future of Europe is to "improve its [EU's] capacity to take speedy and effective decisions, notably in the CFSP". The first proposed [measure](#) to do so is to move away from unanimity towards qualified majority voting on certain CFSP issues. Therefore, bearing in mind the relevance of the problem and its divisiveness both on the European and national level, the question if the EU should get rid of unanimity procedures in its common foreign and security policy, more specifically in areas on human rights and sanctions, is particularly important.

## **ARGUMENTS IN FAVOR OF QUALIFIED MAJORITY VOTING IN COMMON FOREIGN AND SECURITY POLICY**

The first argument underlines the benefits of a faster decision-making process. The European Commission argues that unanimity hampers EU's abilities to adapt and quickly react to fast-changing foreign policy circumstances. QMV would [incentivize](#) member states to search for common ground, because decisions would be reached in the shadow of the vote rather than of the veto. [Analysts](#) underline that by abolishing unanimity EU's foreign policy would become more ambitious. The EU could bypass the lowest common denominator logic and adopt more ambitious sanctions packages, as well as defend its public interests, resulting in a tangible increase of effectiveness.

Qualified majority voting in CFSP would also lead to a more united EU. Today EU's foreign policy system suffers from third-country influence that encourages friendly EU member states to veto or water down CFSP proposals/statements that are not in their favor. This can cause political tensions between member states inside the EU as well. [Proponents](#) of QMV underline that the abolition of unanimity would lead to a win-win scenario both for the EU and national governments. In this case hostile powers would need to win over more than one member state to thwart EU's foreign policies, while member states would no longer have to choose between showing solidarity with their EU partners and looking out for their relations with influential third countries.

Lastly, some argue that the abolition of the veto in CFSP would be beneficial for small member states of the EU. One of the arguments is that QMV would [incentivize](#) smaller member states to initiate proposals and organize different coalitions around them. Such a shift could not only see the influence of smaller states increase, but also the emergence of a more common strategic culture. A common strategic culture would eventually [push](#) EU member states to view foreign-policy challenges more from a common European perspective than from 27 national ones. An emergence of a common strategic culture would be beneficial for small member states, for example Lithuania, which has been calling for a united EU foreign policy on China through a 27+1 format.

## **ARGUMENTS AGAINST QUALIFIED MAJORITY VOTING IN COMMON FOREIGN AND SECURITY POLICY**

In defense of the unanimity rule, arguments that EU's unity is its biggest strength are emphasized. Charles Michel points out that unanimity “pushes us to work unremittingly to unite the Member States”. He underlines that EU's strength lies in its unity because there is a lasting commitment by the 27 countries to the adopted decision. This argument is supported by other [authors](#) as well, who underline that switching to QMV would fragment the EU's strength in the world. They argue that the European Union should develop closer relations with the capitals to have “a better grasp of Member States” interests and limits instead of resorting to QMV.

The abolition of unanimity would also weaken EU's external credibility and internal coherence. Unanimity grants the decisions their external legitimacy, since it means that the position is shared by all member states. If member states are publicly outvoted on decisions on the relations to third countries, the EU's credibility as a cohesive foreign policy actor would be [weakened](#). It would also entail systematic deviations from common positions or actions, because outvoted member states would not be interested in complying with the legislation adopted at the [EU level](#). This is exactly what happened during the migration crisis, when outvoted governments of Hungary and other Eastern European countries [refused](#) to implement decisions taken at EU level. This is an important point to remember as it is the member states that are responsible for the implementation and enforcement of EU sanctions, as well as identifying breaches and imposing penalties.

Lastly, with qualified majority voting in CFSP EU's democratic legitimacy would suffer as well. The chain of legitimacy would be broken if individual governments could be outvoted, as the veto also represents political power for the heads of state. This could increase the risk of Euroscepticism in the EU, as “member states know that their electorates and national parliaments would not support being [outvoted](#) by the European Council”. Certain analysts also [insist](#) that abolishing the veto would not be beneficial for small member states of the EU. Under QMV smaller EU member states could be outvoted, as member states with bigger populations could reach the QMV threshold in smaller numbers. QMV could also decrease their ability to shape the tone of EU's foreign policy

and put them in a position whereby they would have to accept decisions that might undermine their national interests.

## **THE WAY FORWARD FOR LITHUANIA**

Considering the above presented arguments and Lithuania's national interests, it is argued that getting rid of unanimity in the EU's Common Foreign and Security Policy would not be beneficial for the country. Lithuania is a small and open economy, whose overall security and prosperity depends on the strength and unity of the EU. In the current geopolitical environment Lithuania must be invested in seeking to ensure the greatest possible unity in the EU. That means avoiding supporting decisions that could undermine EU's internal legitimacy and its external credibility. QMV could lead to situations where member states are outvoted and in retaliation do not enforce sanctions, thus resulting in a fragmented and weakened union. Outvoting can also trigger the rise of Euroscepticism even in pro-EU member states, which is the last thing that the EU needs after Brexit. Qualified majority voting in CFSP would potentially lead to division, frustration, and weakening of the EU, which would be a threat to Lithuania's security and prosperity.

Abandoning the veto would also be risky for Lithuania's national interests vis-à-vis Russia, as the EU member states have different relationships with the Kremlin. Even after 2014, despite sanctions being in place, there were member states that tried pursuing a positive agenda for EU-Russia cooperation. France and Germany, two states that could amass many votes if the QMV system was in place, together with Italy, had voiced several times the need to resume dialogue with Russia. Even during the war in Ukraine, we can see the diverging views in the EU on how to deal with Russia in the future. In this respect, qualified majority voting would limit Lithuania's ability to halt any attempts of pursuing a positive agenda with Russia within the EU. It is also important to note that since 2014, despite the need for unanimity and discontent from certain member states, the EU was able to renew sanctions against Russia each year. In this sense, from Lithuania's perspective, there is no need to move towards qualified majority voting.

Lastly, supporting the change towards qualified majority voting would be against the wishes of Lithuanian citizens. [Surveys show](#) that over 50% of Lithuanians believe the most efficient way to

deal with security and defense policy issues is to coordinate them both on the national and EU level. This presupposes the need to maintain the current intergovernmental model, based on unanimity.

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