

**THE OBSERVATORY OF EUROPEAN INSTITUTIONS**  
**A DATASET ON THE DECISION MAKING PROCESS IN THE EUROPEAN UNION**  
**(1996-2014)**

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*The Center for European Studies and Comparative Politics (CEE) of Sciences Po has developed a study on the European Union (EU) legislative process since 2005. The Observatory of European Institutions (OEI)<sup>1</sup> aims to better understand the evolution of the legislative process in the EU from 1996 to 2014.*

*The project has several objectives: first, to better understand the political process through the development of a database of unprecedented scale. For every legislative act adopted by the European Union, around 100 variables on the decision-making process in the European Union and in national political systems since 1996 are collected. The project then continues with a comparative approach. The dataset allows for an in-depth analysis of each policy sector. Ultimately, these comparative analyses will make it possible to determine the impact of major political changes within the European Union in recent decades such as new treaties, institutional reforms, or the ongoing economic and political crises, and on each policy sector. Throughout this process the European Union, as a political actor, is thoroughly analyzed. This data could be collected thanks to funding from the French National Research Agency Funding (ANR) between October 2012 and October 2015<sup>2</sup>.*

TABLE<sup>3</sup>

Field of research	Political science
Precise field of study	European studies
Type of data	Numerical and textual
Means of data acquisition	Web-scraping
Format of data	Pure, compiled (documentation in the Data Documentation Initiative format)
Features	3325 records

<sup>1</sup> <http://blogs.sciences-po.fr/recherche-observatory-european-institutions/2011/03/14/presentation/>

<sup>2</sup> Programme ANR Blanc : [ANR-12-BSH1-0012](#)

<sup>3</sup> The use of the dataset is subject to a citation requirement according to the model in the table above. In addition, any use of the dataset must be accompanied by the reference to the dataset and this paper: Renaud Dehousse et al., "L'Observatoire des institutions européennes. Une base de données sur le processus décisionnel dans l'Union européenne", *Politique européenne*, n° 58, 2017, pp. 14-42.

Location of the source of data	- Online directory of EU law: Eur-Lex : <a href="http://eur-lex.europa.eu">http://eur-lex.europa.eu</a> - Database of the legislative observatory of the European Parliament: <a href="http://www.europarl.europa.eu/oeil">http://www.europarl.europa.eu/oeil</a> - Database of the European Commission: (Pre-Lex; historique)
Access to data	<a href="https://doi.org/10.21410/dshs_2016/oeieulo">https://doi.org/10.21410/dshs_2016/oeieulo</a>
Citation	Dehousse, R., Bendjaballah, S. and Michaud, G. (2014) 'The European Union Legislative Output [1996-2014]'. CDSP (FNSP/CNRS) URI='http://cdsp.sciences-po.fr/'. doi: 10.21410/dshs_2016/oeieulo

The purpose of the following paper is to present the dataset from the Observatory of European Institutions (OEI). This dataset includes the entirety of legislative acts adopted by the European Union between 1996 and 2014. For each act, the OEI includes nearly one hundred variables describing the legislative procedure. These variables are derived, mostly, from the databases of European institutions and are disseminated by the following websites: Pre-Lex, Eur-Lex, OEIL, and Consilium. Other variables come from data-matching and external sources, as well as manual collection.

Developing such a dataset requires a comprehensive protocol that combines automated phases of data collection, as well as phases of control and validation, which are presented here. The paper is organized in four parts: the first part presents the analysis possibilities permitted by the OEI; the originality of the OEI compared to other existing databases is highlighted here. The second part details the content of the OEI. The paper then returns to the details of the specific methods of data collection: it specifies, in particular, the choices made by research and IT groups to select the data, and if necessary, to make certain hypothesis in the case of missing or incoherent data. Finally, some analyses made by the OEI research team are proposed.

## *1. A dataset that provides an unprecedented analysis of decision-making in the European Union*

The institutional system of the European Union (EU) is a key element in European policy-making, as it influences both the adoption and implementation of political decisions.

However, the many institutional changes that have taken place over the last twenty years and the multiplicity of divisions structuring political life in the EU (national, ideological, partisan) make it difficult to analyze the dynamics governing the European decision-making process.

In order to overcome these difficulties, the OEI is undertaking a systematic study of the legislative process in the EU through an innovative scientific approach. The project relies on the creation of a database of unprecedented scale, either by the period covered or the number of reported variables: the OEI covers the EU decision-making process over a period of almost 20 years (1996-2014), and using nearly a hundred variables. The OEI thus provides the scientific community the means to systematically analyze the logic determining the legislative process in their own area of expertise. It must be emphasized that empirical research on the EU decision-making process remains partial, mainly based on case studies or data collected from a limited number of sources.

Several databases on the political activity of the European Union certainly do exist. The main databases are presented in Table 1 below.

Table 1. Some databases on the legislative procedure of the European Union

<b>Name of the database or project</b>	<b>Research team</b>	<b>Period covered</b>	<b>Types of coded acts</b>	<b>Sources</b>
EUPOL (European Union Policy-Making) <sup>4</sup>	F. Häge (University of Limerick)	1975-2014	33000 legislative acts (directives, regulations, decisions) and non-legislative (working papers,	Pre-Lex

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<sup>4</sup> Häge F., “[The European Union Policy-Making Dataset](https://doi.org/10.1177/1465116511398739)”, *European Union Politics*, 2011, vol. 12, 3, pp. 455-477 [<https://doi.org/10.1177/1465116511398739>]; <http://frankhaege.eu/data/eupol>.

			communications, reports)	
Explaining European Decision Making	T. König (University Mannheim) et al.	1984-2003	8000 legislative proposals for directives, regulations and decisions	CeLex (future Eur-Lex) + Pre-Lex
The impact of enlargement on Council decision making	P. Settembri (College of Europe) et al.	Greek and Italian Presidencies of the Council in 2003, British Presidency of 2005 and Austrian Presidency of 2006	934 acts adopted by the Council	Pre-Lex + monthly statements of council acts
DEU (Decision-making process in the European Union)	R. Thomson (Trinity College Dublin) et al.	1999-2001	Selection of 66, then 125 legislative proposals for directives, regulations and decisions	150 semi-structured interviews
DEUII <sup>5</sup>		1996-2008		Previous DEU database update + 349 semi-structured interviews
Legislative production in the EU <sup>6</sup>	D. Toshkov (Leiden University) et al.	1967-2012	Totality of directives, regulations and decisions over the period studied	Eur-Lex
The informal politics of codecision <sup>7</sup>	European University Institute	1999-2009	Totality of acts adopted under the codecision	OEIL

<sup>5</sup> Thomson R., Stokman, F., *Research design : measuring actors positions', saliences and capabilities*, The european union decides. ed. / Robert Thomson; F N Stokman; C Achen; T Koenig. Cambridge, UK, 2006. p. 25-53. [https://pure.strath.ac.uk/portal/en/publications/research-design\(7dff8b33-d0e9-4fae-912b-106b9f8548a4\)/export.html](https://pure.strath.ac.uk/portal/en/publications/research-design(7dff8b33-d0e9-4fae-912b-106b9f8548a4)/export.html)

<sup>6</sup> Toshkov, D. (n.d.) '55 years of EU Legislation', Online presentation, Available at <http://www.dimiter.eu/Eurlex.html>

<sup>7</sup> Bressanelli E., Héritier A., Koop C. and C. Reh, "The Informal Politics of Codecision: Introducing a New Data Set on Early Agreements in the European Union", *EUI Working Paper*, 2014/64.

			procedure (1st or 2nd reading)	
Legislative Proposals in the EU, 1965-2013 <sup>8</sup>	A. Warntjen (University of Twente)	1965-2013	Totality of legislative proposals	Pre-Lex

For example, the 2006 database from Thomson, Stokman, Achen and König covers 66 decisions over a two-year period (1999-2001). The database developed at the European University Institute, “The informal politics of codecision: dataset on all 797 legislative files under codecision between 1999 and 2009” covers acts adopted exclusively under the codecision procedure (1<sup>st</sup> or 2<sup>nd</sup> reading and concluded on the basis of a compromise between the co-legislators), over a period of 10 years. We also mention the database of D. Toschkov, or of F. Häge, which cover 40 years of legislative production, but, relying on Pre-Lex or Eur-Lex as a source of data collection, does not include as many procedural variables as the OEI.

More generally, these databases are based on the acquisition of available information on one or two official sites (Eur-Lex and/or Pre-Lex and/or OEIL). The methodological added value provided by the OEI covers not only the intersection of the various official sources, as explained below, but also especially the systematic consistency of the data sources pour each recording, meaning each legislative act from the database. At the end of the data acquisition phase, a validation process was carried out in order to ensure the relevance. In the framework of the OEI, this procedure was particularly comprehensive, combining automated procedures (detection of inconsistencies) and corrections on a case-by-case basis, after research, particularly directly with European Institutions.

Scientifically, the OEI offers unprecedented analytical perspectives for three main reasons. Firstly, this is achieved by its completeness. The database covers the entirety of final legislative acts adopted by the EU. The choice to focus on legislative decisions can be explained by the EU's regulatory nature (Majone, 1996), where, in the absence of political

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<sup>8</sup> <https://www.eui.eu/Projects/EUDO-Institutions/DatasetonTheInformalPoliticsofCodecision>.  
 Warntjen A., *Creating and disseminating a comprehensive data set on legislative decision-making in the European Union using tools from computer science*, 2015  
[http://www.academia.edu/24837827/EU\\_Decision\\_Making\\_Ideas\\_for\\_a\\_comprehensive\\_Data\\_Set](http://www.academia.edu/24837827/EU_Decision_Making_Ideas_for_a_comprehensive_Data_Set)

sovereignty, the focus is on integration through the law. This choice distinguishes the OEI from other databases, the majority of which also include non-legislative acts. Then, covering nearly twenty years of legislative production, the OEI allows for testing the weight of different variables. It is thus possible to evaluate the influence of institutional changes: does the extension of the qualified majority lead, for example, to an acceleration of the legislative procedure? On the contrary, does the growing influence of the European Parliament, which has been particularly distinct since the Lisbon Treaty, slow down decision-making? Have successive enlargements of the Union had a negative impact on institutional efficiency, measured in terms of conflict and length of legislative procedure? The geographical coverage of the OEI also makes it possible to analyze the influence of national rationales specific to the Member States on the EU legislative process: for example, does the political family of a parliamentary rapporteur have an impact on the level of consensus reached? In addition, the OEI can link intra-institutional rationale to more general considerations on the overall legislative procedure: for example, can the increase in the number of B-points with which the acts are discussed in the Council explain the slowdown in the legislative process we've seen since 2008? Last but not least, the OEI database allows for comparative analysis. The OEI goes beyond general analyses produced so far within existing literature by offering a breakdown of legislative activities by public policy sector. The first publications of the research team<sup>9</sup> showed that decision logics vary according to the sector; it was decided to collect this variable systematically within the database. Several analyses are based on the assumption that redistributive policies are more conflictual than regulatory policies (Majone 1996, Scharpf 1999). It thus seemed appropriate to allow, thanks to the OEI database, an assessment of the weight of this sectoral variable.

Several sectoral case studies, dealing respectively with the principal domains of activity of the European Union (agricultural, social, economic, and justice and home affairs policies) conducted in a recent special issue of the journal *Politique européenne*<sup>10</sup>, report and demonstrate the relevance of this methodological choice. The importance of this sectoral

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<sup>9</sup> Dehousse R., Deloche-Gaudez F. et O. Duhamel, eds, *Elargissement. Comment l'Europe s'adapte*, 2006, Presses de Sciences Po, coll. Évaluer l'Europe ; Dehousse R., Deloche-Gaudez F. et S. Jacquot, eds, *Que fait l'Europe ?*, 2009, Presses de Sciences Po, coll. Évaluer l'Europe.

<sup>10</sup> Selma Bendjaballah, Stéphanie Novak, eds, « L'évolution du processus législatif de l'Union européenne. Conflictualité, consensus et tendances sectorielles », *Politique européenne*, 2017/4 (N° 58).

breakdown, in the light of the economic crisis affecting the European Union since 2008, must be stressed.

Ultimately, the OEI database provides the means to study the developments of EU political and institutional activity over time, and to evaluate their impact on European public policies.

## *2. A dataset consisting of data from 3325 legislative acts, collected from 1996-2014, combined and verified*

The purpose of this database is to enable an unprecedented analysis of the European Union's decision-making process and its evolution over time. The OEI thus includes all the factors that are able to explain the motives for decision-making from 1996-2014.

In order to reflect these major trends, the OEI begins with the adopted legislative act, considered as the basic unit. Legislative acts included in the database are those which appear as "definitively" adopted in the monthly statements of the Council of the European Union<sup>11</sup>. The team selected this source for two main reasons: firstly, the distinction is clearly established between legislative acts and non-legislative acts; and secondly, this source assures that the EU has indeed adopted the acts. Legislative acts, divided into regulations, directives and decisions, are defined by the Treaty on the Functioning of the EU (TFEU) as the only legally binding instruments<sup>12</sup>. The choice of relying on the monthly statements of the Council explains why 1996 is the starting point of the database: it is indeed from that date that the Council began publishing monthly statements of acts adopted in the EU. In total, over the period from 1996-2014, the OEI database contains 3325 acts.

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<sup>11</sup> See Appendix "data sources"

<sup>12</sup> As a reminder, Article 288 of the Treaty on the Functioning of the EU provides that EU institutions may adopt regulations, directives, decisions or recommendations or opinions. Only regulations, directives and decisions are binding legal instruments: "A regulation shall have general application. It shall be binding in its entirety and directly applicable in all Member States. A directive shall be binding, as to the result to be achieved, upon each Member State to which it is addressed, but shall leave to the national authorities the choice of form and methods.

A decision shall be binding in its entirety. A decision, which specifies those to whom it is addressed, shall be binding only on them. Recommendations and opinions shall have no binding force."

Each legislative act has about one hundred variables<sup>13</sup>. We have grouped them into four categories (detailed in the appendix), each of which may have effects on decision-making between and within institutions: interinstitutional variables (nature of procedure, number of readings); intra-institutional variables relating to the functioning of each participating institution in the legislative procedure (votes in the European Parliament and the Council, number of amendments tabled and adopted, Directorate-General(s) responsible for the proposal to the European Commission) ; legal variables (legal basis); political variables (political family of rapporteurs of the European Parliament or responsible Commissioners). The complete list of variables is found in the appendix. For the reasons explained in the previous section, among these is the sectoral identifier(s) of each legislative act.

### *3. Collection methods based on systematic consistency of data between sources*

The project required the formalization and implementation of a protocol of data acquisition, control and validation to constitute the database. The research teams of the Center for European Studies and Comparative Politics (CEE) and Digital Projects of the Socio-Political Data Center (CDSP) of Sciences Po worked closely together throughout the process to establish the detailed specifications and to then implement the application of multi-website data acquisition<sup>14</sup>. The main tools used are: the Python language (version 2.7.6), the Django framework (version 1.4.2), the BeautifulSoup library (version 4.3.2) and pdfminer (version 2011-5-15)<sup>15</sup>.

The sources of data are the websites populated by the official databases of the European institutions: Pre-Lex (historical), Eur-Lex (Portal to access European Union law)<sup>16</sup>, CEIL

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<sup>13</sup> For some data, the temporal coverage of the OIE base is reduced: this is the case for the data associated with the activity of the European Parliament, the latter does not indeed communicate information related to the vote by MEPs since 2004.

<sup>14</sup> The application code for the collection is available here : <https://github.com/EPX/epx2013>, the associated documentation here: [https://github.com/EPX/epx2013/blob/master/doc/2015-05\\_technical%20manual.pdf](https://github.com/EPX/epx2013/blob/master/doc/2015-05_technical%20manual.pdf)

<sup>15</sup> <https://pypi.python.org/pypi/pdfminer/>

<sup>16</sup> <http://eur-lex.europa.eu/homepage.html?locale=en>

(Legislative Observatory of the European Parliament)<sup>17</sup>, and Consilium (Portal to the activity of the Council of the European Union)<sup>18</sup>.

The research team first selected all the legislative acts as they appear in the Council's monthly statements. An Excel table, listing all these acts, has been entered for each year. The four following steps were then followed.

### **Step 1: Coherence of identifiers by source, correction of erroneous identifiers.**

The actual collection procedure was preceded by a pre-collection phase, aimed at ensuring that there were no inconsistencies between the data provided by the different EU websites, for the same legislative act.

Indeed, each act has an ID from which the collection application produced the URL corresponding to its registration for each site (Pre-Lex, Eur-Lex and OEIL). This URL is the starting point for the collection. Relying on the result of an automatic collection for each legislative act and cross-links between the three target websites, the teams verify that the web pages are thus correctly linked to the same legislative act.

This pre-collection validation has proved to be indispensable: the error rate, or erroneous reference from one source to the recording of another act on a different source, was quite significant. The table below shows the percentage of consistent information between the three web sources used. As an example, in 1996, only 36% of the links that are supposed to return from the Pre-Lex web page of an act to the page OEIL of the same act are coherent, meaning, they correctly link the pages of Pre-Lex and OEIL of the same act<sup>19</sup>.

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<sup>17</sup> <http://www.europarl.europa.eu/oeil/home/home.do>

<sup>18</sup>

[http://www.consilium.europa.eu/register/en/content/out/?PUB\\_DOC=%3E0&ORDERBY=DOC\\_DATE%20DESC&DOC\\_LANCD=EN&RESULTSET=1&DOC\\_SUBJECT\\_PRIM=PUBLIC&i=ACT&ROWSPP=25&typ=SET&NRROWS=500&DOC\\_TITLE=2017](http://www.consilium.europa.eu/register/en/content/out/?PUB_DOC=%3E0&ORDERBY=DOC_DATE%20DESC&DOC_LANCD=EN&RESULTSET=1&DOC_SUBJECT_PRIM=PUBLIC&i=ACT&ROWSPP=25&typ=SET&NRROWS=500&DOC_TITLE=2017)

<sup>19</sup> See Bendjaballah S. & Deloche-Gaudez F., "Is Quantitative Research on EU Decision-Making Too Confidential in EU Transparency?", 21st International Conference of Europeanists Council for European Studies, Washington, 14-16 March 2014. <https://councilforeuropeanstudies.org/conferences/2015-ces-conference/11-meetings-and-conferences/184-2014-conference>

Table 2. The inconsistencies reveals on the identifiers of legislative acts between the official sources (Eur-Lex, OEIL, Pre-Lex) of the European Union (in %)

Percentage	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Prelex ids on Eurlex	97.8	97.6	100.0	96.5	94.7	96.2	90.8	92.5	97.0	94.8	94.4	94.5	95.5	95.8	96.8	98.8	96.2
Oeil ids on Eurlex	62.7	65.2	65.1	74.1	67.9	78.9	73.8	76.4	73.0	71.9	69.4	71.8	77.7	83.7	67.7	31.8	8.9
Prelex ids on Oeil	36.0	41.5	41.3	39.3	48.1	47.6	50.3	55.8	55.4	63.0	60.2	58.3	70.4	78.7	90.3	94.1	94.9
Eurlex ids on Oeil	65.4	65.2	67.4	74.6	65.8	76.2	74.4	74.4	73.8	69.6	73.6	73.6	74.1	83.7	88.7	95.3	98.7

Source : Observatory of European Institutions (Sciences po/CEE-CDSP)

Note: Statistics were produced from data provided on OEIL - European Parliament's Legislative Observatory; Eur-lex- The access portal to European Union law; and the European Commission's Pre-Lex portal on decision making - which was closed in December 2014.

Reading note: reading for the year 1996, 97,8% of the IDs of the legislative act (interinstitutional procedure and referent of the initiative of the European Commission) indicated on the site Pre-Lex and Eur-Lex are coherent; 62.7% for the OEIL and Eur-Lex sites; 36% for Pre-Lex and OEIL and 65.4% for Eur-Lex and OEIL.

As soon as it became impossible to resolve an incoherency, the research team systematically approached the secretary-generals of European institutions in order to resolve these difficulties.

The added value of this collection protocol is due to this prior procedure of assuring the consistency of data sources that guarantees a quality to our unique knowledge of the data collected.

### **Step 2: Collecting data from consolidated identifiers.**

The application then parsed, in a targeted way, the web pages corresponding to all the acts identified by the initial inventory, from the URLs forged by the IDs consolidated in the previous step.

During the collection period many changes, both major and minor, occurred on the data source web sites and resulted in the rewriting of some of the computer code developed and previously tested (for example, during the final closure of the Pre-Lex website in December 2014, with the transfer of this data source to the Eur-Lex site only).

### **Step 3: Manual data collection, matching with complementary sources of data.**

This automated collection was accompanied by a manual collection of the following data, available only on the monthly statements of the Council: the title, the voting rule, the

oppositions and abstentions to the Council, the ID of the interinstitutional procedure, the ID of the legislative initiative, the possible split nature<sup>20</sup> of the legislative act, and the possible adoption of the act at second reading without amendment by the European Parliament.

A specific module of the application has also been developed to extract some information available only in this form on the official websites of the institutions in PDF formatted documents: this is the case of the attendance data of the Ministers of the Member States in the Council of the EU, accessible from the "Meetings" tab of the Consilium website.

In addition, several data from the OEI database were acquired by matching with external tables, mobilized by the team from information available on the official websites of the institutions or on request by them: for example, the variables that define the nationality of the Commissioner in charge of the draft text ([Nationality of the Commission Proposal's first Responsible](#))<sup>21</sup> by matching the name and surname of the Commissioner as available on the Eur-Lex page of the act, and the variable "[Nationality of the Commission Proposal is first Responsible](#)" is deducted.

Finally, the duration variables (duration of adoption of the act, etc.) are calculated from other variables acquired during the collection. Thus, the duration of the legislative procedure was calculated on the basis of two dates: that corresponding to the signature of the act by the European Parliament and the Council ([date of the signature of the act by the Council and the European Parliament](#)) or by the Council alone (a frequent occurrence at the beginning of the period covered by the dataset), and that corresponding to the adoption of the text by the European Commission ([Date of the proposal's adoption by the Commission](#)), these two dates being indicated on Eur-Lex and OEIL.

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<sup>20</sup> "Splitting" an act allows the Council to choose a separate legal basis for parts of the proposed legislative act.

<sup>21</sup> Available on the website of the European Parliament under the following model:  
[http://www.europarl.europa.eu/meps/en/123456/FIRSTNAME\\_LASTNAME\\_home.html](http://www.europarl.europa.eu/meps/en/123456/FIRSTNAME_LASTNAME_home.html)

#### **Step 4: Consistency checks and data validation**

Once the data has been collected by the application, the data entered and the external data have been combined, an array of posterior consistency checks is applied<sup>22</sup>. The research team treated aberrant cases when they appeared. Finally, descriptive statistical analysis, such as flat sorting, made it possible to carry out validity tests to ensure the consistency of the final database.

#### *4. A few results*

In order to give an overview of the possibilities of analyses offered by the dataset, we present in this section a few results produced by the research team.

First, we present some time series analyses, which highlight the importance of a database that covers nearly twenty years of legislative production.

Using the Interrupted Time Series (ITS)<sup>23</sup> method, the figures below show the effects produced by the introduction of the Amsterdam, Nice and Lisbon Treaties on two components of legislative production: the duration of the legislative process (included in the OEI base as the number of days between the adoption of the initial text by the Commission and the signature of the act by the European Parliament and the Council of the EU), and the number of words contained in the definitively adopted legislative acts.

Both series were analyzed on the same dates, for the same period (March 1<sup>st</sup>, 1996 – July 20<sup>th</sup> 2014), in order to test and evaluate the potential impact of the ratification of the European treaties.

The achieved results, both over the duration of the legislative process and the number of words of the definitively adopted act, show two distinct phases before and after the ratification of the Lisbon Treaty. This change is characterized by different values of the slope

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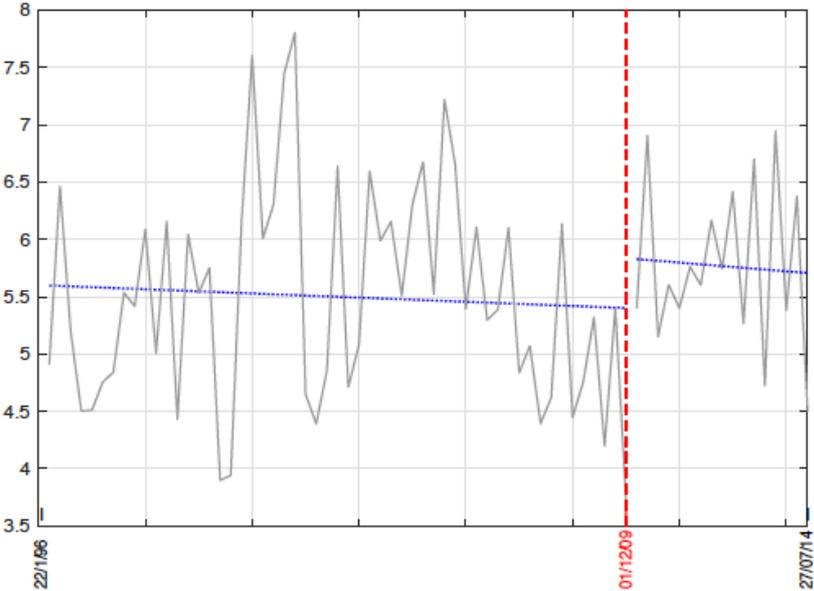
<sup>22</sup> These checks are detailed in the appendix (Appendix 6: Consistency checks)

<sup>23</sup> McDowall D., McCleary R., Meidinger E et Hay R., *Interrupted time series analysis*, Sage University Paper, n°21, 1980

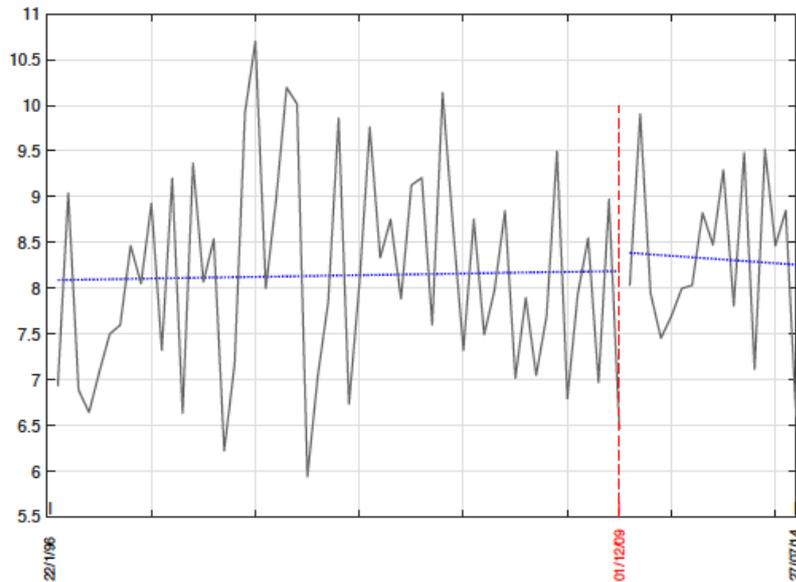
of the regression line (shown in blue) before and after December 1<sup>st</sup>, 2009. This change is more noticeable for the series realized on the number of words than for the series realized over the duration of the procedure: indeed, in this case, the parameters of the regression line are of opposite sign (in the pre- and post Lisbon Treaty phases).

These results thus attest to a change of regime in the legislative production consecutively following the Treaty of Lisbon ratification. From a methodological point of view, the results underline the interest in developing an interpretation of the legislative process in the long term.

**Time series analysis of the duration of the EU legislative process (1996-2014)**



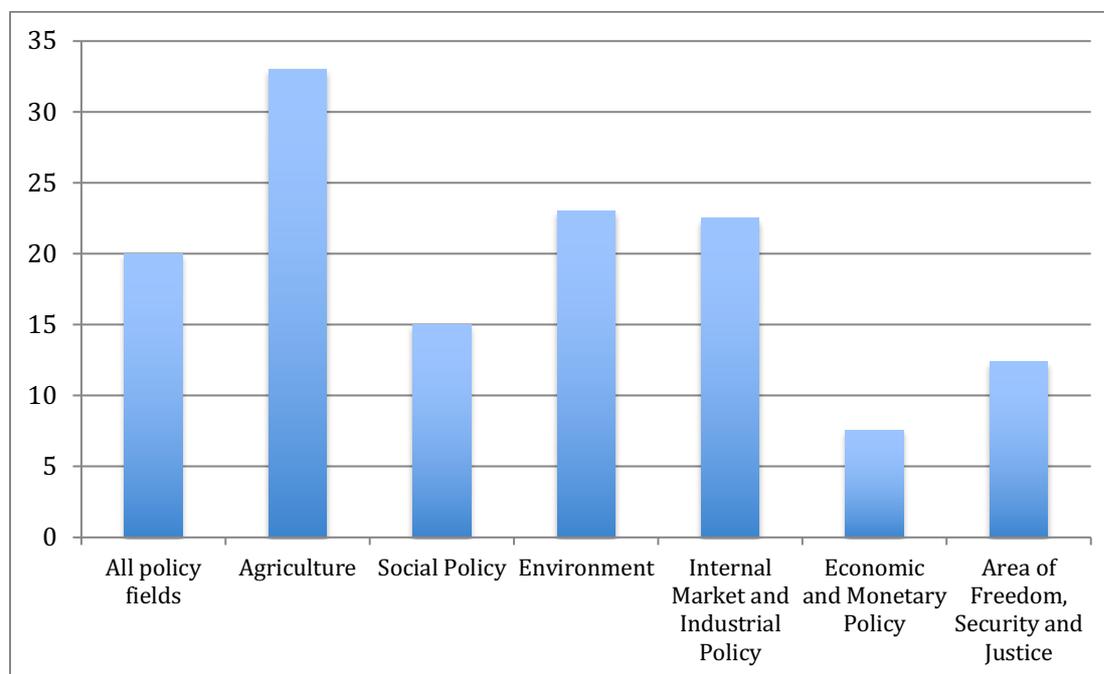
## Time-series analysis of the number of words included in adopted legislative acts (1996-2014)



In addition to covering almost 20 years, the OEI also has the specificity of systematically assigning a sectorial affiliation to legislative acts. In the OEI database, the sectorial affiliation corresponds to the sector code(s) of the act as it appears in Eur-Lex under the tab "Directory code" (see Appendix).

The graph below shows the proportion of votes in the Council of the EU for which there was at least one vote against or one abstention (from one of the Member State representatives) for six sectors: agriculture; economic and monetary affairs; environment; social affairs; justice and home affairs; domestic market.

**Percentage of public votes (abstention and votes against) in the Council of the EU by sector 1996-2014 (base: texts under Qualified majority only)**



*Source:* Dehousse Renaud, Bendjaballah Selma and Michaud Geneviève (2014), “The European Union Legislative Output [1996-2014]”, CDSP (FNRS/CNRS). <doi : 10.21410/dshs\_2016/oeieulo>

The results highlight the heterogeneity of voting behavior according to the public policy sector: agriculture thus concentrates 32% of oppositions and abstentions, whereas economic and monetary affairs, only 7%.

These data show the relevance of understanding the decision-making process through a differentiated method, by sector. Indeed, the specificity of the agricultural sector stands out clearly here: the level of conflictuality, which can be assessed to a certain extent through the proportion of oppositions to the Council, is comparatively higher. Studies which insist on the consensual nature of the legislative procedure on the basis of aggregated analyzes across all sectors would thus be imprecise.

## 5. *Access to data*

The OEI database is a co-production between the Center for European Studies and Comparative Politics and the Socio-Political Data Center, the latter disseminating the data accompanied by their documentation.

The dataset is presented on the CDSP's warehouse, and allows a fine exploration of the metadata, as well as simple data analysis (flat sorting, correlations, regressions). The metadata includes a general description of the study (presentation of the study, field of study, collection methodology, collection method, etc.) and a detailed description of each variable in the database. This documentation, available in the standard DDI format (Data Documentation Initiative, version 1.2.2 called "CodeBook") promotes secondary analysis of data.

To access the data (DOI):

**[http://dx.doi.org/10.21410/DSHS\\_2016/OEIEULO](http://dx.doi.org/10.21410/DSHS_2016/OEIEULO)**

<http://nesstar.sciences-po.fr/webview/index/en/MyServer/CDSP.c.MyServer/The-European-Union-Legislative-Output-1996-2014-/fStudy/fr.cdsp.ddi.eulo.2014>

The data can be downloaded from the Quetelet network portal, where the catalogs of data disseminated and shared for the academic world by the French network of Humanities and Social Sciences data centers. The data access request must be sent from the Quetelet ProGeDo Diffusion data portal: <https://quetelet.casd.eu/fr>.

## Methodological appendix

### *Appendix 1. Scope of the dataset*

As explained above, the database consists of all the final adopted acts, as listed in the Monthly Summaries of the Council with the exception of:

- Budgetary acts, listed as legislative in the Monthly Summaries of the Council since the Treaty of Lisbon (around 5 acts per year), but not considered as such by the European Parliament;
- Council recommendations, which can not be considered as legislative acts (Article 288 & 289 TEU) (around 3 for the covered period);
- Redundant acts (present twice in the same summary, with the same dates, the same interinstitutional codes) (around 5 for the period covered);
- "Position of the Council in view of the adoption" acts, which can not be considered as legislative acts (around 3 per year);
- Commission Regulations: these are delegated acts (adopted in comitology).

Projects or proposals for acts therefore do not appear in the OEI database<sup>24</sup>.

### *Appendix 2. Comparison with the databases of the European institutions*

Following the observation of the decrease in the number of acts adopted since 2010, a comparison of the OEI database with other databases was made. The team did this work from two sources: Eur-Lex (over the entire period), the European Commission's "AP" base (for the period 2010-2014 and for co-decision only)<sup>25</sup>.

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<sup>24</sup> There are few of these projects. The Commission periodically carries out operations for withdrawal of unadopted proposals which it considers to be outdated

<sup>25</sup> The "AP" database is one of the databases of the European Commission. It does not have a general statistical purpose, but to reflect the implementation of its annual work program.

Unlike the OEI database, only acts adopted under codecision are listed in the "AP" database of the European Commission. The difference observed in the acts adopted between the OEI and Commission sources reflects that. The data remains close, however.

Table 3. The number of acts adopted in the OEI and in the database of the European Commission <sup>26</sup> (2010-2014)

	2010	2011	2012	2013	2014
OEI	53	76	73	85	115
AP-European Commission	48	70	61	102	114

With regard to Eur-Lex, the comparative work consisted in applying Eur-Lex's "basic legislative acts" (and not amending) filter. The numbers obtained are higher than those contained in the OEI database. Therefore, for each year, in order to compare the acts that are present in Eur-Lex but not in the OEI, the team has compiled the list of adopted legislative acts referenced in Eur-Lex. From this list, acts not subject to the legislation have been withdrawn<sup>27</sup>. In addition, all the documents whose procedure sheet on Eur-Lex indicates that they were considered under a "NLE" procedure (Non Legislative Procedure) were subtracted. Once this selection process is completed, the OEI - Eur-Lex differential is considerably reduced: the Eur-Lex database thus contains around 1 to 6 legislative acts per year more than the OEI database.

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<sup>26</sup> <https://ec.europa.eu/transparency/regdoc/?fuseaction=search>

<sup>27</sup> This concerns, in particular, acts adopted by the Commission (regulations, directives or opinions), recommendations of the European Parliament and of the Council, interinstitutional agreements European Parliament - Council, budgetary acts, rules of procedure of the European Parliament, the ECB or the Council, or all international or trade agreements.

### *Appendix 3. Special cases of the selection of acts*

Some acts are said to be "split" (see above): this means that the proposal initially adopted by the Commission was split, usually in 2, but sometimes in 3 or 4 parts, during the legislative process by the Commission - often to allow for faster adoption. This concerns on average 15% of the acts adopted, with significant variations from one year to the next. The OEI database contains all acts that have been "split" and considers each as an independent legislative act.

Some acts are adopted following a second reading of the EP, which approves the Council's shared position in its elements. The Council is not called upon to validate the text. The fields associated with its role in second reading (i.e. the voting rule, as well as the votes "against" and/or the abstentions of the Member States) are not filled in.

The amending acts have all been kept in the database. Some of them bring substantial changes to the legislation in force. This is the case, for example, when the texts are modified as a result of a trade agreement concluded by the European Union with third countries. These acts are very few: between 0 and 3 per year.

The Commission modifies some proposals during the procedure. In this case, the OEI database retains the IDs of the Commission's initial proposal, as indicated in the OEIL and Eur-Lex records, and not those in the amended proposal.

Finally, some decisions made by the Council are taken on its own initiative. The Lisbon Treaty has removed this type of act from the legislative field. Over the period covered by the OEI, there are 760 decisions (between 220 and 270 texts per legislature). In this case, there is no OEIL or Eur-Lex file. To fill in the procedural IDs of the act, the OEI database relies then on the document from the Council, the reference of which appears in its monthly statement. However, it is important to be attentive to analyzes based on this type of act, since the reference document is produced very shortly before the final adoption of the act, which has the effect of artificially shortening the duration of the procedure.

## Appendix 4. Selection of public policy sectors

An adopted act may correspond to up to four different sectoral codes. A study conducted over the period from 1996 to 2014 shows that, on average, 12% of the acts have four sectoral codes, and 19.5% at least two different sectoral codes.

The sectoral codes entered in the OIE database are those of the official directory code presented in Eur-Lex:

Directory code:

05.20.30.20 Freedom of movement for workers and social policy / Social policy / Employment and unemployment / Protection of workers

### Excerpt from a directory code of a legislative act presented on Eur-Lex

Table 4. The sectoral codes defined in the Eur-Lex directory

01.	GEN- General, financial and institutional matters
02.	CUST- Customs Union and free movement of goods
03.	AGR- Agriculture
04.	FISH-Fisheries
05.	SOC- Freedom of movement for workers and social policy
06.	EST- Right of establishment and freedom to provide services
07.	TRANSP- Transport policy
08.	COMP-Competition policy
09.	TAX- Taxation
10.	ECO- Economic and monetary policy and free movement of capital
11.	EXREL-External relations
12.	ENER- Energy.
13.	MKT-Industrial policy and internal market.
14.	REGIO-Regional policy and coordination of structural instruments.
15.	ENV-Environment, consumers and health protection.
16.	EDUC-Science, information, education and culture.
17.	ENTR-Law relating to undertakings.
18.	CFSP-Common Foreign and Security Policy.
19.	AFSJ-Area of freedom, security and justice.
20.	PE-People's Europe

Source: <http://eur-lex.europa.eu/browse/directories/legislation.html>

The research team chose to retain the four potential sectoral codes of the same act. This choice is certainly not necessarily the most satisfactory given the logic of each sector: the research team thus conducted analyses on a case-by-case basis. Based on the titles and the provisions of the acts, and no longer according to the sectoral code assigned by Eur-Lex, the researchers retrospectively "reconstructed" a sector. This is specifically the case for the "Internal Market" and "Social Affairs" sectors. However, the OEI database retains all codes associated with a legislative act for two main reasons: first, it is difficult to establish a hierarchy between them. And second, a study carried out over the period covered shows that a high proportion of acts (70%) have at least two sectoral codes.

Other variables from the OEI base can be mobilized to identify the public policy sectors: the parliamentary committee responsible for the act, the portfolio of the responsible Commissioner, and the configuration of the Council in charge of the act (see annex for the names of these variables). However, we chose to keep the Eur-Lex sector criteria, in order to facilitate comparisons with the databases and official data of the European institutions<sup>28</sup>.

## *Appendix 5. Data sources*

For each source, we will give the link to the associated search engine, and the example of a single act through these sources (act number CELEX:32008D0206).

### **Source 1: Monthly statement of the Council**

Search:

[http://www.consilium.europa.eu/register/en/content/out/?PUB\\_DOC=%3E0&ORDERBY=DOC\\_DATE%20DESC&DOC\\_LANCD=EN&RESULTSET=1&DOC\\_SUBJECT\\_PRIM=PUBLIC&i=ACT&ROWSPP=25&typ=SET&NRROWS=500&DOC\\_TITLE=2008](http://www.consilium.europa.eu/register/en/content/out/?PUB_DOC=%3E0&ORDERBY=DOC_DATE%20DESC&DOC_LANCD=EN&RESULTSET=1&DOC_SUBJECT_PRIM=PUBLIC&i=ACT&ROWSPP=25&typ=SET&NRROWS=500&DOC_TITLE=2008)

Example: identifier of the act: 2008/206/JHA

URL associated to the example: <http://data.consilium.europa.eu/doc/document/ST-12383-2008-INIT/en/pdf>

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<sup>28</sup> For example, <http://www.consilium.europa.eu/fr/council-eu/voting-system/voting-calculator/>

INFORMATION ON THE ADOPTION OF LEGISLATIVE ACTS MARCH 2008			
TITLE OF LEGISLATIVE ACT	TEXTS ADOPTED	VOTING RULE	VOTES
2856th meeting of the Council of the European Union (ENVIRONMENT) on 3 March 2008  Council Decision 2008/206/JHA of 3 March 2008 on defining 1-benzylpiperazine (BZP) as a new psychoactive substance which is to be made subject to control measures and criminal provisions	6573/08	Unanimous	All Member States in favour

### Source 2: (record) Pre-Lex

Example: ID of the act: 2007/430(COM)

[record]

URL associated to the example:

[http://prelex.europa.eu/liste\\_resultats.cfm?ReqId=0&CL=en&DocType=COM&DocYear=2007&DocNum=430](http://prelex.europa.eu/liste_resultats.cfm?ReqId=0&CL=en&DocType=COM&DocYear=2007&DocNum=430)

### Source 3: Eur-Lex

Search: <http://eur-lex.europa.eu/homepage.html?locale=en>

Example: ID of the act EUR-Lex: 32008D0206

URL associated to the example: <http://eur-lex.europa.eu/legal-content/EN/HIS/?uri=CELEX:32008D0206>

### Source 4: OEIL

Search: <http://www.europarl.europa.eu/oeil/home/home.do>

Example: ID of the act OEIL: 2007/0811(CNS)

URL associated to the example:

[http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2007/0811\(CNS\)](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2007/0811(CNS))

## Source 5: Presence of ministers and representative at the Council

[http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/envir/99178.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/envir/99178.pdf)

<b><u>PROVISIONAL VERSION</u></b>	3.III.2008
<b><u>PARTICIPANTS</u></b>	
The governments of the Member States and the European Commission were represented as follows:	
<b><u>Belgium:</u></b> Ms Hilde CREVITS	Flemish Minister for Public Works, Energy, the Environment and Nature
Mr Paul MAGNETTE	Minister for Climate and Energy
<b><u>Bulgaria:</u></b> Mr Atanas KOSTADINOV	Deputy Minister for the Environment and Water
<b><u>Czech Republic:</u></b> Mr Martin BURSÍK	Deputy Prime Minister, Minister for the Environment
<b><u>Denmark:</u></b> Mr Troels Lund POULSEN	Minister for the Environment
Ms Connie HEDEGAARD	Minister for Climate and Energy

Excerpt from the list of participants at the Environment Council meeting of 3 March 2008 (PDF).

## Source 6: Nationality and partisan affiliation of Commissioners and parliamentary rapporteurs

Nationality of the rapporteurs available on the website of the European Parliament under the following model:

- Rapporteur European Parliament

[http://www.europarl.europa.eu/meps/en/123456/FIRSTNAME\\_LASTNAME\\_home.html](http://www.europarl.europa.eu/meps/en/123456/FIRSTNAME_LASTNAME_home.html)

Example: rapporteur of the committee responsible for the act 2007/8011(CNS)

URL: [http://www.europarl.europa.eu/meps/en/28206/JEAN-MARIE\\_CAVADA\\_home.html](http://www.europarl.europa.eu/meps/en/28206/JEAN-MARIE_CAVADA_home.html)

Nationality of the Commissioner in charge of the draft text, from an external correspondence table prepared by the research team after acquisition from the Secretariat General of the European Commission

- European Commissioner

<http://eur-lex.europa.eu/homepage.html?locale=en>

Example: Commissioner responsible for the act 2007/430(COM)

URL: <http://eur-lex.europa.eu/legal-content/EN/HIS/?uri=CELEX:32008D0206>

External table put together the research team for the Commissioner responsible for the act, from a database obtained from the European Commission.

## *Appendix 6. Coherence Checks*

- IF "Nature of the interinstitutional procedure" = 'CS' THEN "Year of the inter-institutional procedure's launch" IS NULL
- IF "Nature of the interinstitutional procedure" IS DIFFERENT THAN 'CS' THEN "Year of the interinstitutional procedure's launch" IS NOT NULL
- IF "Date of the signature of the act by the Council and the European Parliament" IS NOT NULL THEN "Date of the signature of the act by the Council and the European Parliament" > "Date of the proposal's adoption by the Council"
- IF "Publicization of Member State's votes in the Council" = 'N' THEN "Publicization of Member State's opposition in the final vote the Council" IS NULL AND "Publicization of Member State's abstention in the final vote in the Council" IS NULL
- IF "Nature of the interinstitutional procedure" = 'COD', THEN "Date of the signature of the act by the Council and the European Parliament" IS NOT NULL
- IF "Nature of the interinstitutional procedure" = 'COD', THEN 'NbReadings' IS NOT NULL
- IF "EP2ndReading" = 'Y' THEN "Nature of the interinstitutional procedure" = 'COD'
- IF "EP2ndReading" = 'Y' THEN "NbReadings" = 2
- IF "Publicization of Member State's votes in the Council" = 'N', THEN "Publicization of Member State's opposition in the final vote the Council" AND "Publicization of Member State's abstention in the final vote in the Council" = NULL
- IF "Institution at the origin of the proposal" DIFFERENT THAN 'COM' or 'JAI', THEN "Nature of the procedure in the European Commission" = NULL
- IF "Nature of the interinstitutional procedure" = 'CS', THEN "Order of the interinstitutional procedure" = NULL
- IF "Legislative nature of the act" = 'DEC\*' or 'CS DEC\*' or 'CS DEC W/ADD' or 'DEC W ADD' THEN the sixth character of "Celex Number of the act" = 'D'
- IF "Legislative nature of the act" = 'CS DEC CAD' THEN the sixth character of "Celex Number of the act" = 'F'
- IF "Legislative nature of the act" = 'CS DVE' THEN the sixth character of "Celex Number of the act" = 'L'
- IF "Legislative nature of the act" = 'CS REG' THEN the sixth character of "Celex Number of the act" = 'R'
- IF "Nature of the interinstitutional procedure" = 'COD' AND "Change of the legal basis of the act" = 'N' THEN the year of "Celex Number of the act" = year of the "Date of the signature of the act by the Council and the European Parliament"
- IF "Date of the signature of the act by the Council and the European Parliament" IS NULL, THEN "Number of readings of the act by the European Parliament and the Council" IS NULL
- IF "Number of readings of the act by the European Parliament and the Council" IS DIFFERENT THAN '2' THEN "Ep2ndReading" IS NULL

## Appendix 7. Codebook

### Interinstitutional characteristics

	<b>Variable</b>	<b>Source</b>
1.	Year of the adoption of the act	Source 1
2.	Month of the adoption of the act	Source 1
3.	Order of the adoption of the act	Source 1
4.	Year of the inter-institutional procedure's launch	Source 4
5.	Order of the inter-institutional procedure	Source 4
6.	Nature of the inter-institutional procedure	Source 4
7.	Institution at the origin of the proposal	Source 2
8.	Year of the launch of the procedure	Source 2
9.	Order of the launch of the proposal	Source 2
10.	Date of the proposal's transmission to the Council	Source 3
11.	Duration of the proposal's transmission to the Council	Calculated variable
12.	Duration of the procedure since the Commission made the proposal	Calculated variable
13.	Duration of the procedure since the Commission transmitted the proposal	Calculated variable
14.	Date of the signature of the act by the Council and the European Parliament	Source 3
15.	Number of readings of the act by the European Parliament and the Council	Source 3
16.	Duration of the procedure since the Commission adopted the proposal	Calculated variable

### Member States Institutions' activity

17. Request of a Member State for the act	Source 1
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### Legal characteristics

18. Celex Number of the act	Source 3
19. Title of the act	Source 3
20. Legislative nature of the act	Source 3
21. Split act	Source 3
22. Change of the legal basis of the act	Source 3
23. Nature of the legal basis of the act	Source 3

### Political characteristics

24. Official Sectoral Code of the act	Source 3
25. Literal name of the official sectoral code of the act	Source 3
26. Second official sectoral code of the act	Source 3
27. Second literal name of the official sectoral code of the act	Source 3
28. Third official sectoral code of the act	Source 3
29. Third literal name of the official sectoral code of the act	Source 3
30. Fourth official sectoral code of the act	Source 3
31. Fourth literal name of the official sectoral code of the act	Source 3
32. Number of words	Calculated variable

## European Union Institutions' activity

### Council of the European Union activity

33. Date of the proposal's adoption by the Council	Source 3
34. Voting Rule in the Council	Source 1
35. Publicization of Member State's votes in the Council	Source 1
36. Publicization of Member State's opposition in the final vote the Council	Source 1
37. Written procedure in the Council	Source 1
38. Publicization of Member State's abstention in the final vote in the Council	Source 1
39. Number of A Items in the Council	Sources 1 et 3
40. Number of B Items in the Council	Sources 1 et 3
41. Number of Ministers/representatives present in the Council	Source 5 (pdf)
42. Position held by Ministers/representatives present in the Council	Source 5 (pdf)
43. Sectoral configuration of the Council which read the act with B items	Source 3
44. Sectoral configuration of the Council which read the act with A Items	Source 3
45. Sectoral configuration of the last competent Council for the reading of the act	Source 3
46. Date of discussion of the act in the Council with A Item	Source 3
47. Date of discussion of the act in the Council with B Item	Source 3

### European Commission activity

48. Name of the Commission Proposal's first Responsible	Source 3
49. Name of the Commission Proposal's second Responsible	Source 3
50. Nationality of the Commission Proposal's first Responsible	Source 6
51. Nationality of the Commission Proposal's second Responsible	Source 6

52. National Partisan Affiliation of the Commission Proposal's first Responsible	Source 6
53. National Partisan Affiliation of the Commission Proposal's second Responsible	Source 6
54. Party Family of the Commission Proposal's first Responsible	Source 6
55. Party Family of the Commission Proposal's second Responsible	Source 6
56. Date of the proposal's adoption by the Commission	Source 3
57. Acronym of the Commission's Directorate-General Responsible for the act	Table externe de correspondance
58. Acronym of the second Commission's Directorate-General Responsible for the act	Table externe de correspondance
59. Literal name of the Commission's Directorate-General responsible for the act	Source 3
60. Literal name of the second Commission's Directorate General responsible for the act	Source 3
61. Modification of the act	Source 3
62. Nature of the procedure for the adoption of the act	Source 3

[European Parliament activity](#)

63. Number of readings of the act by the EP	Source 6
64. Name of the EP's Rapporteur on the act	Source 6
65. National partisan Affiliation of the EP's Rapporteur on the act	Source 6
66. Party Family of the EP's Rapporteur on the act	Source 6
67. Nationality of the EP's Rapporteur on the act	Source 6
68. Name of the second EP's Rapporteur on the act	Source 6
69. Nationality of the second EP's Rapporteur on the act	
70. National Partisan Affiliation of the second EP's Rapporteur on the act	Source 6
71. Party Family of the EP's second Rapporteur on the act	Source 6
72. Acronym of the EP's Committee Responsible for the act	Source 4

73. Number of amendments tabled by the EP's Committee responsible for the act	Source 4
74. Number of amendments adopted by the EP's Committee responsible for the act	Source 4
75. Number of amendments tabled by the whole EP	Source 4
76. Number of amendments adopted by the whole EP	Source 4
77. Number of "Yea" votes in the EP in the first part of the act	Source 4
78. Number of "Nay" votes in the EP in the first part of the act	Source 4
79. Number of "Abstain" votes in the EP in the first part of the act	Source 4
80. Number of "Yea" votes in the EP in the second part of the act	Source 4
81. Number of "Nay" votes in the EP in the second part of the act	Source 4
82. Number of "Abstain" votes in the EP in the second part of the act	Source 4
83. Name of the third EP's Rapporteur responsible for the act	Source 4
84. Name of the fourth EP's Rapporteur responsible for the act	Source 4
85. Name of the fifth EP's Rapporteur responsible for the act	Source 4
86. Nationality of the third EP's Rapporteur responsible for the act	Source 4
87. Nationality of the fourth EP's Rapporteur responsible for the act	Source 4
88. Nationality of the fifth EP's Rapporteur responsible for the act	Source 4
89. Party Family of the third EP's Rapporteur responsible for the act	Source 6
90. Party Family of the fourth EP's Rapporteur responsible for the act	Source 6
91. Party Family of the fifth EP's Rapporteur responsible for the act	Source 6
92. National Partisan Affiliation of the third EP's Rapporteur responsible for the act	Source 6
93. National Partisan Affiliation of the fourth EP's Rapporteur responsible for the act	Source 6
94. National Partisan Affiliation of the fifth EP's Rapporteur responsible for the act	Source 6