

Voting Procedure in the European Parliament 2011

An empirical analysis

This report is based on observations made in the European Parliament during 2011. We have also used examples of voting results from 2010 and 2013 in order to analyse the political consequences of a voting system which we believe leaves too much to chance.



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Names of political groups in the European Parliament

ALDE	Group of the Alliance of Liberals and Democrats for Europe
ECR	European Conservatives and Reformists Group
EFD	Europe of Freedom and Democracy Group (Eurosceptic)
GUE/NGL	Confederal Group of the European United Left – Nordic Green Left
NI	Non-attached Members
EPP	Group of the European People’s Party (Christian Democrats), changed their name in 2009 from EPP-ED - Group of the European People's Party (Christian Democrats) and European Democrats.
S&D	Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, changed in 2009 from PSE - Socialist Group in the European Parliament
Greens/EFA (Greens/EFA)	Group of the Greens/European Free Alliance

Now defunct groups in the European Parliament mentioned in this material

EDD	Group for a Europe of Democracies and Diversities (Eurosceptic) existed 1999 to 2004.
TGI	Technical Group of Independent Members – mixed group, existed from 1999 to 2001 (it was forced to dissolve as it was seen as not having a coherent political complexion).
UEN	Union for Europe of the Nations Group (a heterogeneous group that was broadly national conservative), existed from 1999 to 2009.

Other abbreviations

EP	European Parliament
MEP	Member of the European Parliament
EV	Electronic Vote
RCV	Roll Call Vote
SB	Secret Ballot

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Executive Summary

The European Parliament gets more influence in the European Union with each new Treaty. But has the modernization of its Rules of Procedure been developed in accordance with the changes?

No, the European Parliament's voting procedure has several weaknesses that the European Parliament should deal with as soon as possible for its own sake. We have discovered the following problems:

1. In general, around 90 to 100 Members are missing at the votes. This causes a disproportion in comparison to the actual election result. Some session days are particularly affected. The least affected are Wednesdays at the Strasbourg sessions during which the highest number of Members are present.
2. During the votes there are two questionable patterns. Firstly, Members arrive too late or leave too early. Secondly, the votes also go too fast so there are "saw tooth patterns" in the attendance during the vote which causes random outcomes.
3. Our report points out some examples of random results. Firstly, in the context of resolutions there are sometimes close results that leave to chance what is approved and what is rejected. Secondly, things are even worse in the case of real EU legislation like the co-decision second reading, where forming the required majority (at present 384), can fail with just a handful of votes by pure chance. Thirdly, there is seldom a report or a resolution which is voted through with a slim majority, but it has happened and then also with a result of pure chance. The European Parliament has modelled its voting procedure on large compromise solutions between the big groups. But when compromises are not formed, the voting procedure fails to record the opinion of the majority in an accurate manner.
4. The attendance during the Thursday afternoon votes in Strasbourg has eroded to such a low level that something has to be done or the European Parliament should rightly be ridiculed. The decisions on Thursday afternoons do not reach quorum requirements and are therefore not legal.

All these issues are supported by statistics in this report. We also suggest some possible solutions to these problems. The Members of the European Parliament ought to listen, for their own sake.

Introduction

Parliaments are built around historical traditions – the British House of Commons is one example of this with their special voting system.

With this report, we want to illustrate the unsatisfactory state of affairs with voting procedures in the European Parliament (EP). This situation must be remedied - it is the duty of the legislative assembly to eliminate all random elements in its voting procedure. The votes must reflect the political representation elected to this Parliament.

Two similar surveys have been carried out before concerning the EP's voting system. One in 1997 by Sören Wibe, who was a Member of the European Parliament (MEP) at the time. The other one was in 2002 and was written by Jonas Sjöstedt, also a MEP at that time. In general, participation in voting has increased since 1997. New Parliaments have been elected and the members of these new parliaments have been more active than the previous members. New Rules of Procedure since 2001 has also made it more difficult to table amendments to the plenary and to ask for separate votes, split votes, Roll Call Votes (RCVs) etc which prolongs the votes. A simplified procedure has also been introduced to vote through a report at the session with only one single vote. All these measures have considerably shortened the voting time.

The EP has been built on the political tradition that the Parliament wants to influence the European Commission and the European Council. The larger groups have always worked in a tradition of trying to reach compromises between them to be united in the negotiations with the other EU institutions. This has resulted in majorities in the votes; at least when concerning legislation and final votes on resolutions as a whole, in the EP which has been similar to voting results in the North Korean Parliament.

It has become a habit that, because of these qualified majority results, it is not necessary to tighten up the vote procedure. A couple of votes in one or other direction or a number of mistakes when the members have voted in a rapid tempo have not mattered much. But as this research and previous researches from the OEIC have shown, it is a matter of urgency that the EP reforms its voting procedure. In its legislation, there is an influence of random decisions when longer reports are voted on. This should not occur in its legislative matters.

Table 1. Comparison of the average participation of MEPs per session day in 2011 and 2001¹.

	2011*	2011*	2001	2001
Number of elected MEPs	736**		626	
Average participation per session day	646.5	87.8%	527	84.2%
Average participation in voting per session day (includes all RCVs, EVs and SBs)	630	85.6%	449	71.7%
Lowest recorded number of votes, average per session day (includes all RCVs, EVs and SBs)	438	59.5%	395	63.1%

¹ Further reading of the report from 2001 see:

Johansson, JÅ & Sjöstedt, J.; Voting Procedure in the European Parliament 2001. An empirical analysis
<http://www.oeciurope.com/attachment/votingprocedureep2001en.pdf>

Notes:

* 2011 is calculated from January to November before the extra 18 seats were added according to the Lisbon Treaty.

** From December 2011 to June 2013 there were 754 MEPs due to the new Lisbon allocation of seats. From 1st July 2013, with the accession of Croatia the number of MEPs has increased to 766. After the EP elections in May 2014, the number will be reduced to 751.

The average participation per session day was calculated from Monday to Thursday during the Strasbourg sessions and from Wednesday to Thursday during the Brussels sessions. However, the additional meetings in Brussels on 12 September and 17 December 2001 are not included.

If only the RCV were counted the figures would be just a little bit better but the big difference would be if the participation on Thursday afternoon votes in Strasbourg is removed from the statistics. Then the lowest number of recorded votes on average per session day would be 564, that is 76.6% of the MEPs.

It is interesting to note that during 2001, there was an average of 111 of 626 MEPs (17.7%) taking part in the RCVs on Thursday afternoons. But from January to November 2011 there was only an average of 57 of 736 MEPs (7.8%) taking part in the RCVs on Thursday afternoons. It has become a habit for most MEPs to leave the Strasbourg session before it has ended.

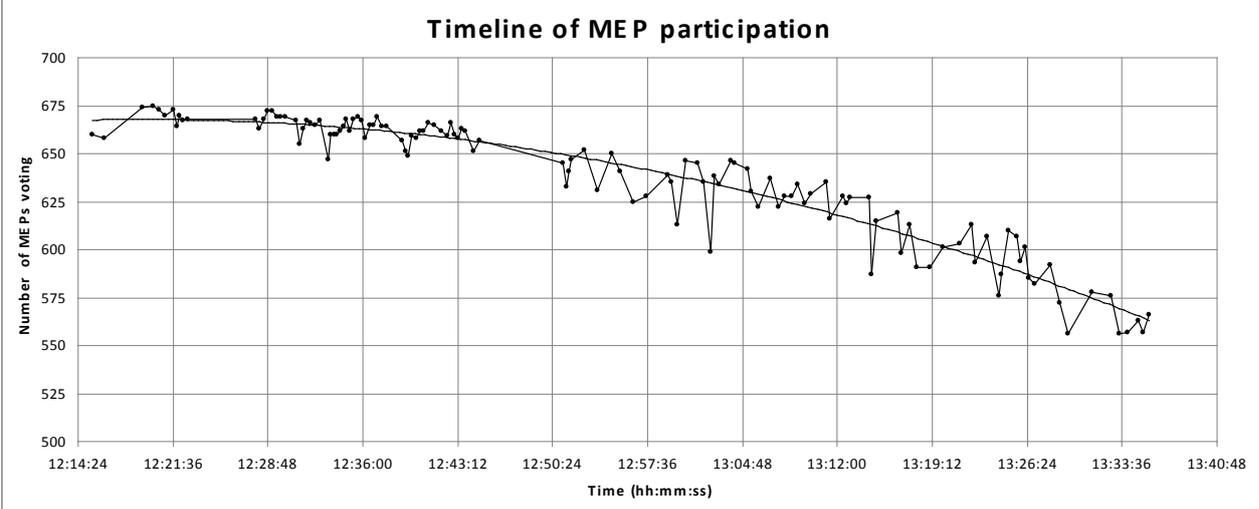
Our figures show:

1. That the number of MEPs who actually go to the EP for its sessions is less than the number elected. However, there has been an improvement in attendance in comparison to the Parliaments that were elected before 2004.
2. The number of voting appears to fluctuate considerably during a particular voting session. Particularly long voting sessions lasting more than an hour can vary between 675 and 556 (an example can be seen from Thursday 23rd June 2011 in Brussels from a voting session which lasted for about one hour and twenty five minutes - see Figure 1 below). In total during 2011, the EP voted at 42 of their 58 session days and at several times the voting lasted one hour or more.
3. That the number of votes almost always fails to equal to the number of MEPs who have signed in as present for the session (with the exception of the Brussels sessions). There have been occasions when the number of voters almost equals the number signed in, but these are rare and occurs for an extremely short duration during a voting session.
4. As the number of these votes fluctuates so much during a voting session, the random factor has a significant effect on the result. Co-decision matters are first dealt with during the voting session. Not all the MEPs who are present will have been able to reach the chamber in order to vote by this time. This has meant that in at least one case, on 4 July 2001, there is considerable doubt as to whether the voting result (which resulted in a proposed Directive being rejected) actually represented the views of the majority of the EP. In the EP, elected in 2009, there has been one case in a co-decision second reading on the 7 July 2010 which resulted in some amendments being approved and some rejected by a small margin.

Our analyse shows that the randomness in what went through and what did not was blatant. This is not acceptable when EU legislation is up for a vote in the EP.

5. That the participation in the votes on Thursday afternoons in Strasbourg has reached such a low attendance they should be abolished altogether. They just make the EP look ridiculous and not at all serious.

Figure 1. Number of MEPs that participated in the RCVs and EVs in the European Parliament on the 23rd June 2011.



As can be seen in the diagram above, the number of participants varies heavily from one RCV/EV to another. At no point did the same MEPs vote in back to back RCVs.

This report analyses the voting procedure in the EP in detail. We also discuss the extent to which this procedure represents a problem. There are essentially three problems associated with the voting procedure of the EP.

Legal:

Some of the decisions that are taken (5-6%) are not legal in accordance with the EP’s own rules, as the number of participants is less than one third of the number of those elected, the minimum according to Rule 155(2) of the rules of procedure on quorum. These illegal decisions are taken on Thursday afternoons at the Strasbourg sessions when most members have left the chamber.

Democratic:

Democracy is based on the assumption that the will of the people is expressed through their democratically elected representatives. One of the democratic problems is that participation in voting at the elections to the EP is only approximately 43%, and for a number of countries less than 30%. This report demonstrates that the democratic deficit is reinforced by the fact that, in general during 2011, 11.8% of those elected to the EP did not vote at all in a RCV (or, on the contrary, that 88.2 % of the members participated in these votes). Both these factors seriously undermine the democratic foundations of the EP.

Political:

The considerable fluctuation in the number of voters and the random attendance pattern means that the political majority at plenary meetings can change in a couple of minutes. When there is a vote on the context of a report, for example a majority consisting of the Social Democrats, Liberals, Green/regionalists and the United Left can get enough votes to win

separate votes with a margin of a couple of votes for a while and in the next moment lose by a couple of votes against a temporary alliance consisting of the Christian Democrats, Conservatives and non-attached. This can be caused by two or three members changing sides in the voting. In other cases where political statements are made outside the legislative procedure, the centre-left and centre groups can win a vote in a few minutes, while shortly after the centre-right groups win, usually because members come and go during the voting session. This often occurs during the last vote of a long session. This means that the actual result of a special vote can be more or less random and is not determined by the relative strengths of the political groups.

In order to uphold the EP as an Institution in the decision-making process of the whole European Union, a broad political unity is required. The Christian Democrats and the Social Democrats cannot try to outmanoeuvre each other all the time. They must co-operate more strategically on amendments, for example, to proposed texts from the Council, to have an influence. To make it possible to agree with each other, the Social Democrats and the Christian Democrats must work out amendments where their ideological differences have been erased. However, this will make it hard for the public to see any difference between the two larger groups in the EP.

Proposed solutions

1. Try to introduce a pairing system.
2. Amend the rules of procedure so that, wherever possible, voting takes place concerning the alternative overall proposals from the various main bodies of opinion.
3. Permit a leave of absence for MEPs, for example parental leave, when deputies attend in their place.
4. Reduce the speed of voting in the EP when there are RCVs. For each RCV, members should have at least 30 seconds to vote. Each RCV must be clearly announced and more time must be allowed before the next RCV is called.
5. MEPs should be discouraged from having a dual mandate in both the EP and at regional and/or local level. As of 2009, the so called “dual mandate” is prohibited. An individual can no longer be a member of both his or her national parliament and the EP. It was a good step because it is difficult to see how two such demanding functions could effectively be fulfilled at the same time. MEPs cannot be forbidden from doing evening jobs in their own companies, but they should be discouraged to do so by the political parties who nominate them.

However, more measures than these are needed. Internally, the EP must find a solution and create a voting system that, wherever possible, eliminates random effects in the ballot result.

1. Data and general information

There are three ways of casting a vote during voting at the EP: a show of hands (members raise their hands when they vote “yes” or “no”), Electronic Voting, EV (members press the ‘yes’, ‘no’ or ‘abstain’ button and the result of the vote is announced by the president – however, it is not possible to read out how the individual members voted) and Roll Call Votes, RCVs (for which the same button-pressing takes place as with EVs. However, with RCVs the way in which each member voted is published in the record). Finally there is also the possibility of a Secret Ballot (SB). SBs are used, for example, when nominations or appointments of persons are made and in the Rules of Procedure (Rule 169) of the EP it is declared that in the case of appointments, voting shall be by secret ballot and that voting may also be by secret ballot if this is requested by at least one-fifth of the component Members of Parliament (at present 154 MEPs).

During the votes at the sessions of the EP in 2011 there were 1.124 RCVs, 475 EVs and 22 SBs. In comparison, during 2001, there were a total of 1.296 RCVs and 910 EVs. SBs were used when the EP made nominations or appointments of persons, for example to the Court of Auditors. A SB was used twice to decide the Parliament’s calendar of part-sessions for 2012 and 2013. It can be a sensitive issue of how individual MEPs vote in the fight between Brussels and Strasbourg about where the EP should meet and how many times during a year. In total there were 1.621 votes from where the participation can be measured from.

If 23 votes (18 RCVs and 5 EVs) on Thursday afternoons in Strasbourg are deducted from the 1.479 votes from January to November 2011 the average participation in voting per session day would increase above the 639 MEPs present (86.8%).

The number of votes with a show of hands is not known, but such votes have been rationalized and are not held that often nowadays except for example at final votes where no RCV, EV or SB has been asked for. But if it is assumed that during 2011 voting was held over a total of approximately 25 hours at a rate of 1.5 votes per minute (both these figures are reasonable assumptions), there would be approximately 2.250 votes per year. If RCVs, EVs and SBs are deducted it is reasonable to assume that votes with a show of hands have been held around 600 times.

The data used in this report consists of:

- The number of MEPs who signed in as present for the session days during 2011.
- All RCVs during the session days (number of votes together with time information during the voting) in 2011.
- All electronic votes during the Brussels sessions and all electronic votes at the Strasbourg sessions during 2011.

Some data and examples have also been taken from 2013, which likewise falls within the current parliamentary term and gives more accurate figures.

For the Brussels sessions (which begins on Wednesdays at 15.00 and continues until Thursday at approximately 13.00), voting takes place on the Thursdays, usually from 11.30 until approximately 12.00-13.00. For the Strasbourg sessions (which begins on Mondays at 17.00 and continues until approximately 17.00 on Thursdays), the voting generally takes place on Tuesdays at 12.00, Wednesdays at 12.00 and on Thursdays at 12.00 and around 16.30. Voting sometimes takes place in connection with the adoption of the agenda at 17.00 on

Mondays. The voting times can also be altered on occasions, such as when voting is to be held concerning the budget at first reading or when a new president is to be elected for the EP. The Friday sessions were removed from the meeting calendar from January 2001. Prior to this, voting was held on Fridays at unspecified times after each debate on the agenda had been concluded.

2. The general picture of attendance and voting

There are fewer MEPs present during each session day than the number signed in, as not all are present at the same time. The record attendance during the seventh EP (2009-2014) so far (as of December 2013) is 716 signed in of 736 MEPs (97.3%) on both 15 and 16 of September 2009, this occurred when the EP was rather newly elected. Just after this, when the 18 new Lisbon Treaty seats had been installed in December 2011, it came close to beating the old record when 729 of 754 MEPs (96.7%) were signed in as present on 17 of January 2012. On the 1st July 2013, 12 Croatian MEPs joined and in the EP with 766 MEPs, the highest number of signed in so far has been 722 (94.3%) on both the 2nd and 3rd of July 2013.

During the Strasbourg sessions, there are in general more MEPs signed in than the maximum (on average) number of MEPs voting on each day (possibly because less than 100% of the MEPs who sign in attend the voting session or because not all of the MEPs present manage to press the voting buttons at the same time). In 1997, there was a considerable difference between the three categories: elected, present and voting. This difference had fallen in 2001, and again in 2011. But there are exceptions. On Wednesday 6th April, 678 MEPs signed in, but the maximum participation in the chamber was 684 votes casted. This also occurred on three other Wednesdays when either the same number had signed in as the maximum casted votes or when one or two more votes had been casted than Members who had signed in. Also, on Thursday 17th November, 594 MEPs had signed in but 595 votes were casted at the vote with the highest attendance. There is no significant difference but it indicates that a small number of MEPs voted without having signed in as present.

For the Brussels sessions, the opposite occurs. More MEPs take part in the votes (with one exception, see below) than have actually signed in as present. In Brussels, the MEPs are used to signing in elsewhere and sometimes forget to sign in at the session as well.

2.1. Numbers of MEPs who signed in and numbers not voting

The number of MEPs signed-in during the sessions is shown in Tables 1 and 2.

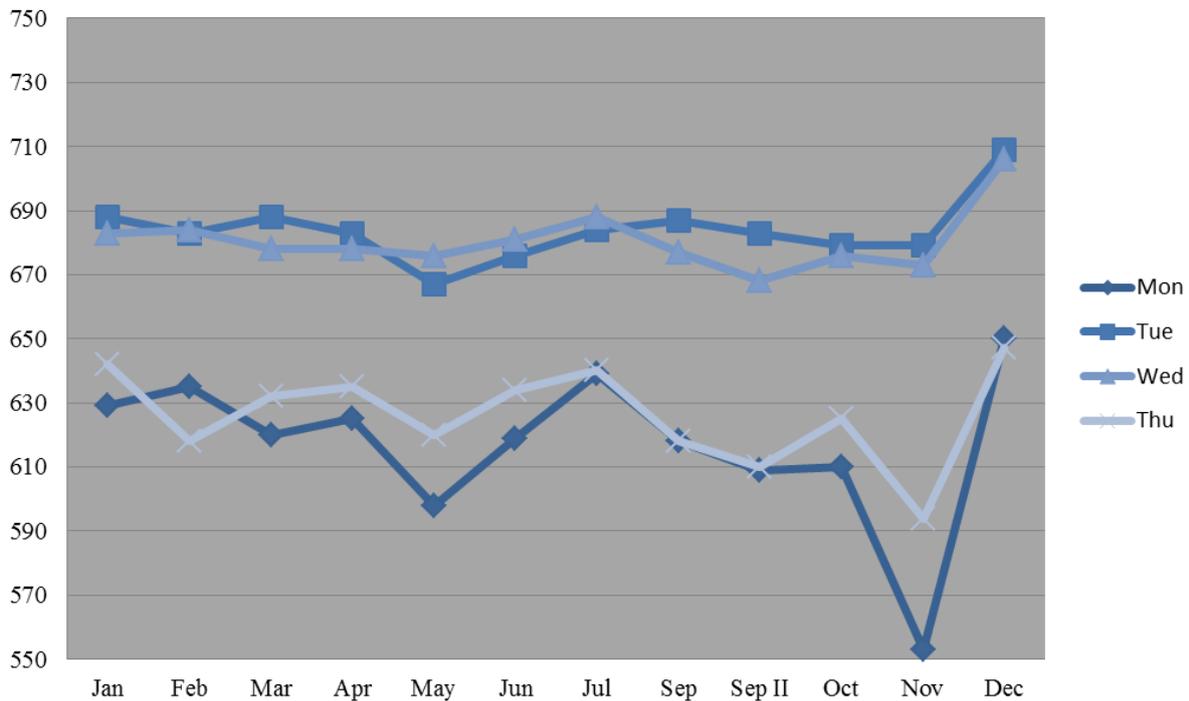
Table 2. Number present (signed-in) in the European Parliament during the Strasbourg sessions in 2011

	Mon	Tue	Wed	Thu	Average
Jan	629	688	683	642	661
Feb	635	683	684	618	655
Mar	620	688	678	632	655
Apr	625	683	678	635	655
May	598	667	676	620	640
Jun	619	676	681	634	653
Jul	639	684	688	640	663
Sep	618	687	677	618	650
Sep II	609	683	668	610	643
Oct	610	679	676	625	648
Nov	553	679	673	594	625
Dec	650	709	706	647	678
Average	617	684	681	626	652

Note:

Please observe that in December 2013 the total number of MEPs changed from 736 to 754.

Figure 2. Number present (signed-in) in the European Parliament during the Strasbourg sessions in 2011



2.1.1. Present and voting but not signed in – in Strasbourg

However, the figures above for the Strasbourg sessions are not exactly correct. It does happen that MEPs forget to sign in as present at the session but take part in the votes anyway. Often they have signed in as present at a group meeting or a similar meeting that day so they will get their daily allowance anyway. Maybe around three up to fifteen MEPs should be added in the figures above, depending on the day of the week. Wednesdays seem to be a day when most MEPs forget to sign in but take part in the votes.

Some extra checks have been done to try to figure out how many MEPs have been present at the sessions without signing in to the minutes. Thirteen MEPs underwent extra scrutiny by checking the minutes with the RCVs. The thirteen MEPs were chosen because their record of attendance was a little bit lower than their fellow countrymen. The MEPs came from different countries and belong to different groups. The result was that:

- Five of them had voted and signed in as present and correct.
- Four had voted during one of the session days without signing in.
- Two had forgotten to sign in during three different session days when they had voted.
- One had not signed in as present during five session days when he had been voting.
- One had not signed in as present during nine session days (!) when he had been voting.

The last case indicates that there are members that have a habit of signing in for daily allowances at other meetings when there are sessions. We have checked the tables to identify if there are MEPs that have the habit of not signing in as present in the session minutes and then correct their participation by going through their vote records.

A check of the voting records for Wednesday the 6th July 2011 shows that in total, 688 MEPs signed in as being present in the minutes, but there were in total 690 MEPs that took part in at least one RCV. Furthermore, seven MEPs signed in as present but did not take part in that day's vote. Two of these were EPP members: one French and the Polish MEP Buzek, then the President of the EP. He was present but did as Presidents of the EP do and stayed out of the everyday politics. Of the other five there were three S&D members (one English, one French, and one Romanian), one ALDE member (Estonian), and one Greens/EFA member (French). Nine MEPs voted but had not signed in as present, five of them were presidents of political groups in the Parliament. They do not need to sign in as present but they get their daily allowances anyway. In our statistics we have taken notice of this and checked their presence in other ways. But that means that three other MEPs, who should have signed in, voted without being officially present that day.

Even though there were 690 MEPs that voted at least once in a RCV on the 6th of July, the single largest number to participate in any one RCV was 686. At no time did all 690 MEPs present at the vote cast their votes at the same time. The number of participants decreased gradually to 595 in the last vote, which was a RCV, at 13.54:12. 654 MEPs participated in the first vote, which was also a RCV, at 13.18:00.

Another example is from Wednesday 28th September 2011. The check of the voting records for this day shows that in total, 668 MEPs signed in as being present in the minutes, but there were in total 674 MEPs that took part in at least one RCV. Furthermore, seven MEPs signed in as present but did not take part in that day's vote. One of them was Buzek (Polish EPP member), then the President of the EP, the others were one Spanish EPP member, one Italian member and one Latvian belonging to the S&D, one Danish ALDE member, one British ECR member, and one non-attached Austrian member.

Thirteen MEPs voted but had not signed in as present, five of them were presidents of political groups in the Parliament (see below). But that means that eight other MEPs voted without signing in as officially present that day.

Even though there were 674 MEPs that voted at least once in a RCV on the 28 September, the single largest number to participate in any one RCV was 669. At no time did all 674 MEPs present vote at the same time. The number of participants decreased gradually to 586 in the last vote, a RCV, 12.38:38. 617 MEPs participated in the first vote, a RCV, at 12.12:06.

Table 3. Number present (signed-in) in the European Parliament during the Brussels sessions of 2011

	Wed	Thu
Feb	616	643
Mar	641	637
Jun	620	659
Oct	601	639
Nov	540	
Dec		629
Average	604	641

As can be noted below, the figures of MEPs who signed in at the Brussels sessions is not reliable at all. Two more thorough checks of the 24th March and 23rd June shows that 20 and 29 MEPs respectively took part in the votes without officially have signed in as present.

Furthermore table 4 below also shows that there are more MEPs voting than signed in at the Brussels sessions.

Table 4. Number present (signed-in) in the European Parliament compared to the vote where most MEPs voted at the votes during the Brussels sessions in 2011

	Number of signed in	Highest number of votes casted that day
Th 3 Feb	643	649
W 23 Mar*	641	618
Th 24 Mar	637	649
Th 23 Jun	659	675
Th 13 Oct	639	646
Th 1 Dec	629	637
Average	641	646

Notes:

* Usually at the Brussels sessions there are no votes on Wednesdays, except about the order of business. On Wednesday 23 March there was however a vote on one report.

Some of the explanations for a higher number of votes casted than the number of MEPs who actually signed in lies in the fact that the leaders of the groups do not need to sign in. But there are also a number of MEPs who forget to sign in.

2.1.2. Present and voting but not signed in – in Brussels

However, the figures above for the Brussels sessions are not totally correct. Maybe around 20 to 30 MEPs should be added in the figures above for each day. In Brussels some MEPs have the habit of signing in at central register when they have committee meetings or group meetings. Then some of them also sign in when there are sessions in Brussels and then forget to sign in at the session itself.

A check of the voting records for Thursday 24th March 2011 shows that in total, 637 MEPs signed in as being present in the minutes, but there were in total 655 MEPs that took part in at least one RCV. Furthermore, eleven MEPs signed in as present but did not take part in that day's vote: four EPP members (two Spanish, one French and Buzek (Polish), the President of the EP), one S&D member (German), two ALDE members (both German), and one Green (Greens/EFA) member (French), one ECR member (Dutch), one EFD member (English), and one non-attached (Belgian).

That means that 29 MEPs voted but were not signed in as present in the minutes; these 29 probably signed in as present on another list in the EP. In order to get their daily allowance, MEPs had to vote in at least 50 percent of the RCVs that day.

Even though there were 655 MEPs that voted at least once in a RCV, the single largest number to participate in any one RCV was 649. At no point did all 655 MEPs present vote at the same time. The third RCV had the highest attendance with 649 that voted. But two MEPs voted in the first two RCVs and then left and four other MEPs missed the vote at RCV number 3. The number of participants decreased gradually to 630 in the last vote, a RCV, at 12.07:33. 591 MEPs participated in the first vote, a RCV, at 11.36:04. The vote did not take

that long on this day so the decrease of the attendance at the end of the vote was not that dramatic.

As another example, a check of the vote records on Thursday 23rd June 2011 shows that in total, 659 MEPs signed in as being present in the minutes, but there were in total 679 MEPs who took part in at least one RCV. Furthermore, eight MEPs signed in as present but did not take part in that day's vote: five EPP members (three of which were Polish including Buzek, the President of the EP, along with one German and one Finn), two ALDE members (one German and one Estonian), and one Green (Greens/EFA) member (German).

That means that 20 MEPs voted but were not signed in as present in the minutes; these 20 probably signed in as present on another list in the EP.

Even though there were 679 MEPs who voted at least once in a RCV, the single largest number to participate in any one RCV was 675. At no point did all 679 MEPs present vote at the same time. The number of participants decreased gradually to 566 in the second last vote, a RCV (the last vote was by show of hands), at 13.35:41. The vote continued with votes by a show of hands for yet approximately eight or ten minutes. 660 MEPs participated in the first vote, a SB, at approximately 12.15.

Table 5. Maximum and minimum vote participation in all RCVs and EVs during the morning sessions of 2011.

Date	Maximum RCVs	Maximum EVs (or SBs)	Minimum RCVs	Minimum EVs (or SBs)
Tu 18/01	671	672	594	648
W 19/01	682	676	658	607
Th 20/01	630	624	619	607
Th 03/02 (Bru)	649	643	594	618
Tu 15/02	673	676	551	676
W 16/02	678	651	521	651
Th 17/02	618	614	586	587
Tu 08/03	675	673	576	561
W 09/03	677	674	600	611
Th 10/03	622	613	565	596
W 23/03 (Bru)	618	-	603	-
Th 24/03 (Bru)	649	648	591	619
Tu 05/04	665	666	580	625
W 06/04	684	682	642	652
Th 07/04	625	621	473	487
Tu 10/05	662	657	406	590
W 11/05	676	675	359	645
Th 12/05	601	600	496	587
Tu 07/06	666	663	550	663
W 08/06	677	672	593	635
Th 09/06	618	-	611	-
Th 23/06 (Bru)	675	641	557	556
Tu 05/07	675	670	558	584
W 06/07	686	679	595	641
Th 07/07	627	623	556	613
Tu 13/09	679	678	528	653
W 14/09	666	667	615	645
Th 15/09	589	590	565	542
Tu 27/09	668	665	642	641
W 28/09	669	612	586	599
Th 29/09	603	602	553	579
Th 13/10 (Bru)	646	623	629	623
Tu 25/10	661	658	591	617
W 26/10	678	677	619	521
Th 27/10	574	550	518	548
Tu 15/11	650	643	550	622
W 16/11	663	659	579	622
Th 17/11	595	587	522	564
Th 01/12 (Bru)	637	624	553	560
Tu 13/12	704	700	699	680
W 14/12	701	683	595	620
Th 15/12	635	631	433	516

Figure 3. Graphs of maximum and minimum vote participation in all RCVs during the morning sessions of 2011

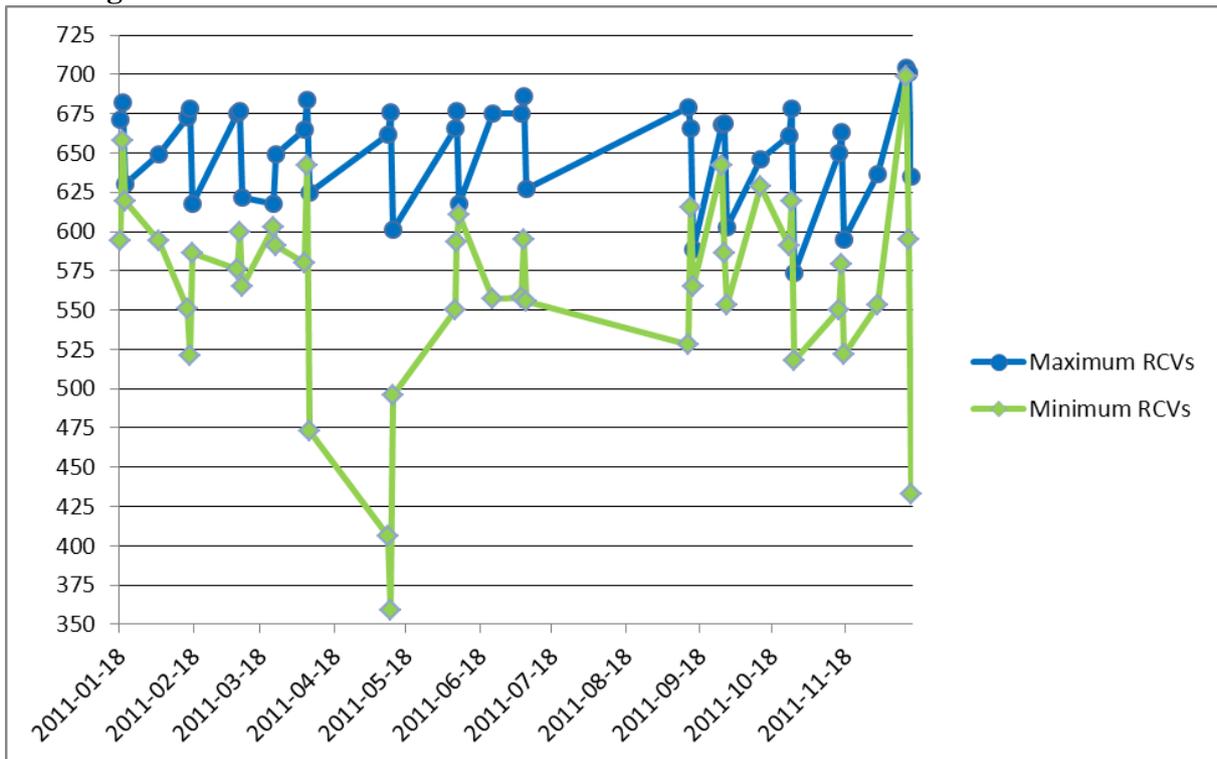
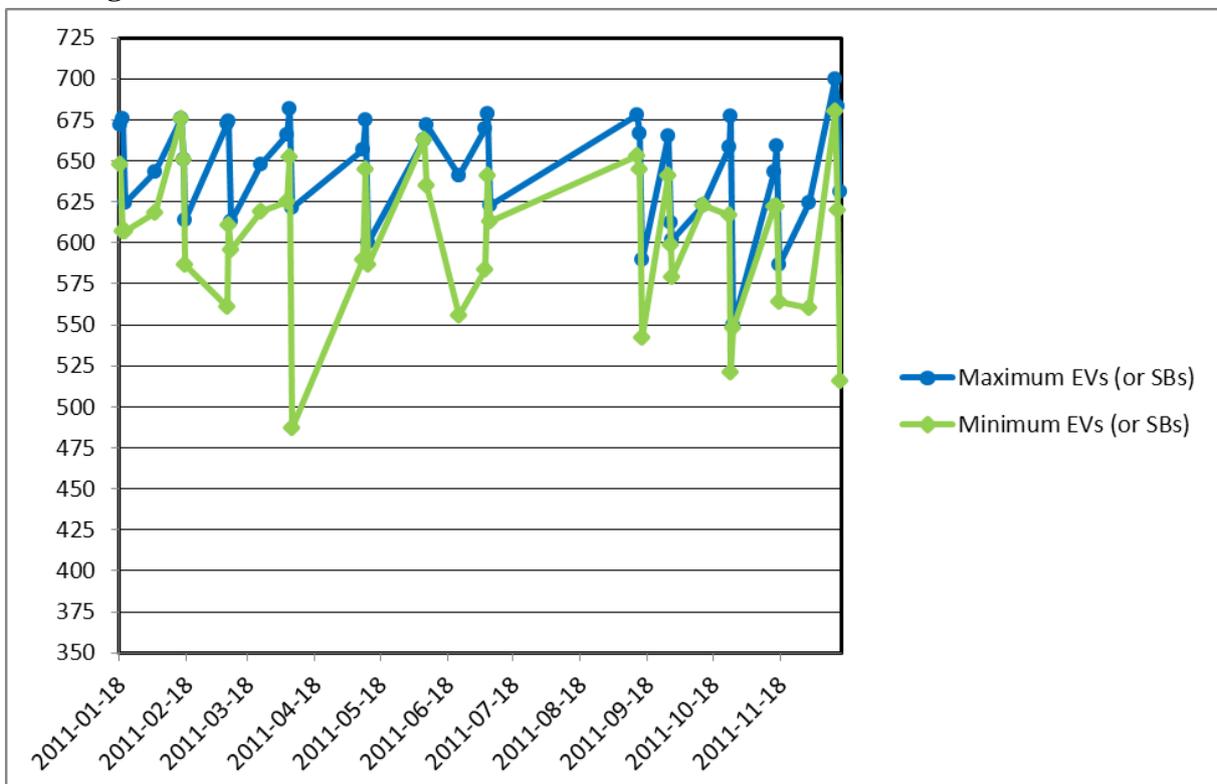


Figure 4. Graphs of maximum and minimum vote participation in all EVs during the morning sessions of 2011



2.2. Participation at the sessions

During the Strasbourg sessions, the number of MEPs present follows an inverted U-shaped curve over the week. On Monday, the average is 617; it reaches a peak on Tuesday and Wednesday, approximately 684 and 681 respectively (but Wednesdays probably has a participation of around ten MEPs higher), this falls on Thursday to 626 and then falls dramatically during voting on Thursday afternoon to an average of 57.6 voters (average for RCVs from January to November 2011). The Friday sessions have been discontinued from January 2001 (in 1997, an average of 253 MEPs, out of 626 (40.4%) signed in on Fridays)². The general attendance at the Strasbourg sessions was higher during the beginning of 2011. Thursdays at the Brussels sessions has a little bit lower attendance than the Tuesdays and Wednesdays in Strasbourg but higher than Thursday in that plenary week. That also goes for the attendances at the votes, which is a better indicator as many MEPs do not sign in as present in Brussels but take part in the votes anyway.

The number of MEPs signed-in is however the best estimate of the number of MEPs that is actually present at the sessions. A random check (comparing the names in the list of RCVs with the attendance list) shows that approximately 3-15 names, the number depends on which weekday, on the list of voters are not on the attendance list (at the two Brussels sessions we looked at, there were 29 in one case and at least 20 members in the other who voted without being signed-in as present!). They may have forgotten to sign in or they may have signed themselves in as present on another meeting list at the EP. As Table 6 shows, the number of absent members (MEPs who do not go to Strasbourg or Brussels on a session day) varies over the course of the week. The average number of absentees during the period January to November 2011 is 85,7. Attendance statistics for members of the EP can be found at the website of VoteWatch Europe.

However, as an approximate average, there were around 85 MEPs in 2011 who did not attend the EP on a session day when voting took place.

2.3. Attendance by national delegations in EP

In order to make a just table of the attendance at sessions divided by national delegations some adjustments had to be made.

The chair or co-chairs of the groups do not need to sign in as present at the sessions. There are seven groups in the EP plus non-attached members. Two groups, the Greens/EFA and EFD have two co-chairs so in total nine MEPs serve as group chairs and do not need to sign in as present at the sessions in order to get their daily allowance. Some of them do that anyway, (see table 6 below).

The 18 extra seats that were allocated with the Lisbon Treaty took time to apply in the EP. The Lisbon Treaty entered into force on the 1st December 2009. But the extra seats in the EP were not installed until the 1st December 2011 and in some countries it also took extra time to appoint their new members, the last one was a Dutch MEP who was not installed until the 15th December, which was the last day of the sessions in the EP 2011. Four other MEP, two from France, one from Poland and one from Austria were installed on the 7th December. The new Slovenian MEP was installed on the 8th December.

These circumstances do not give a fair chance for all national delegations when their participation is compared. We have therefore removed the group chairs and co-chairs and the 18 Lisbon seats from the calculation. Also, we have therefore focused on the participation from January to November 2011.

² Wibe, Sören: Voting Procedure in the European Parliament 1996 (1997)

Table 7. Attendance at the European Parliament on 17 January 2011 - 15 December 2011 split between the national delegations. This does not consider the number present during voting, only the number signed-in as present. (Group presidents and the extra seats allocated with the Lisbon Treaty are excepted).

	Participation %	Number of MEPs	Average number present**	Average number absent
Luxembourg	94.25%	6	5.7	0.3
Austria	93.51%	17*	15.9	1.1
Denmark	93.24%	13	12.1	0.9
Portugal	92.95%	22	20.4	1.6
Slovakia	91.91%	13	11.9	1.1
Finland	90.72%	13	11.8	1.2
Germany	90.63%	96*	87	9
Estonia	89.66%	6	5.4	0.6
Romania	89.60%	33	29.6	3.4
Cyprus	89.37%	6	5.4	0.6
Greece	89.26%	22	19.6	2.4
Sweden	88.89%	18*	16	2
Poland	88.10%	50*	44.1	5.9
Czech Republic	87.85%	21*	18.4	2.6
Belgium	87.68%	21*	18.4	2.6
Bulgaria	87.63%	17*	14.9	2.1
The Netherlands	87.45%	25*	21.9	3.1
Hungary	87.30%	22	19.2	2.8
Slovenia	87.19%	7*	6.1	0.9
Lithuania	86.64%	12	10.4	1.6
France	86.58%	70*	60.6	9.4
The UK	86.47%	71*	61.4	9.6
Italy	86.38%	71*	61.3	9.7
Malta	85.86%	5*	4.3	0.7
Spain	85.55%	50*	42.8	7.2
Latvia	84.27%	8*	6.7	1.3
Ireland	83.05%	12	10	2
Total EU 27 (without group leaders)	88.21%	727	641.3	85.7

* Countries that received an extra seat with the Lisbon Treaty; Austria: 2. Bulgaria: 1. France: 2. Italy: 1. Latvia: 1. Malta: 1. Netherlands: 1. Poland: 1. Slovenia: 1. Spain: 4. Sweden: 2. United Kingdom: 1. These are lifted out from the statistics. Nine Group presidents or co-presidents have been lifted out of the statistics as well. They are from Belgium; 1, Czech Republic: 1. Germany: 3. France: 2. Italy: 1. United Kingdom: 1.

** We have calculated that Group chairs and co-chairs attend every session.

Ireland's place in the bottom of the table has several reasons, but one is that two of the MEPs resigned on the 24th February 2011 when they were elected to the Irish parliament, the Dail. One of them was replaced on the 1st April and the other one on the 21st April. So there was a vacancy of six session days in one case and ten session days in the other. For a small national delegation this has a certain impact in the statistics on participation.

2.4. Number of MEPs present but not voting

In 2001, the number of MEPs who signed themselves in as present on an individual day was always greater than the maximum number voting during the day (RCVs). For example, on Tuesday 13th March 2001, 544 members signed themselves in as present. However, the maximum number of registered votes on that day (RCVs) occurred at 13.02.26, when 504 MEPs voted at the same time.

In 2011, the figures have changed for the Thursdays during the Brussels sessions and some session days in Strasbourg. During three Wednesdays and one Thursday during the 2011 Strasbourg sessions there were one to six MEPS or more that voted than had signed in. On one Wednesday and one Thursday there were equal numbers.

But on most of the session days in Strasbourg when there was a vote the number of MEPs who signed themselves in was greater than the maximum number voting during the day (RCVs). On Tuesdays, for example, at least around ten MEPs seem to arrive and sign in after the vote has taken place. For example, on Tuesday 8th March 2011, 688 MEPs signed in but a maximum 675 MEPs voted at the same time.

Assuming that for example the difference from the 8th March 2011 can be interpreted as an indication that some MEPs did not vote at all (in this case $688-675 = 13$) or from the Brussels session on Thursday 3rd February 2011 when 643 MEPs signed in and a maximum attendance at a RCV was 649 MEPs (in this case $643-649 = -6$).

Hence, we then have the following figures for the average number of signed-in MEPs in comparison to the maximum attendance at RCV.

Mondays in Strasbourg and Wednesdays in Brussels have been excluded as virtually no voting takes place on these days.

Table 8. Number of signed-in MEPs in comparison to the maximum attendance at RCV at the voting session January to November 2011 in comparison to 2001.

	Tue	Wed	Thu	Thu even.*	Brux Thu
Non-voting January- November 2011	+ 14	+ 2	+ 15	+ 565	- 10
Non-voting 2001**	+ 40	+ 19	+ 26	+ 399	+ 7

Notes:

* 2011 at the September II session, there was no vote on the Thursday afternoon. Instead this figure has been calculated on ten session days for this year.

** In 2001 group leaders had to sign in as present which increased the number of MEPs who had signed in when compared to 2011.

The number of non-voting MEPs has gone down considerably since 2001. In 1997, the same estimation method shows that there were around 100 present per session day who did not vote at all. But a change of the rules to get daily allowances increased the attendance from 60 to 80.

The main reason for a MEP in 2011 to have signed in but not taken part in the vote is probably because either he/she arrived to Strasbourg after the votes had taken place or leaves before the votes are held.

On Wednesdays during the Strasbourg sessions, considering that some group leaders have not signed in should be added, and on Thursdays in Brussels, a number of MEPs voted without having signed in as present in the minutes.

As for Thursday afternoons in Strasbourg, as we know from other calculations as well, the number of MEPs that leave before the vote has increased to catastrophic and disrespectful levels. MEPs should be obliged to take part in these votes as well.

However, the calculations above shows that, in addition to the approximately 85-90 MEPs who were not present at all in 2011, a further 10 signed in on Tuesdays and Thursdays in Strasbourg but did not vote.

2.5. MEPs voting for only part of the day

A further special circumstance in the EP is the fact that the number of voting MEPs fluctuates considerably during an individual voting session.

For example, on Wednesday 8th June 2011, the maximum number of voters was achieved at 12.38:18 (RCV) when 677 MEPs voted. However, 34 minutes earlier, during the first vote (RCV), 593 voted. In the last vote (RCV) at 12.44:34, there were 656 votes.

The first three RCV and EVs are excluded when MEPs were still arriving to the vote and the last RCV just mentioned, had the lowest number of voters, 656 members, at 12.23:27 in an RCV at the second part of a report outside EU legislation.

Maybe some MEPs did not feel motivated to vote at all the details in such a report. There were a total of 681 MEPs signed in as present on that day.

At almost every session, there is typically a fluctuation with many “slow starters”, who arrive late, and “early leavers”, who leave before voting has ended. As a result of this, the typical voting curve looks roughly like an irregular, inverted “U”. A strange characteristic is that this inverted “U” usually reaches its peak at around 15 minutes after voting has started (however, often the start of the votes are delayed by at least five minutes).

If the voting has been announced to start at, for example, 12.00, but is delayed by a few minutes because of a protracted debate or because a number of points of order are being considered, the attendance will increase during the first quarter of the voting session.

The first few votes of a delayed voting session have a higher number of voters than the voting sessions that start at the announced time. If, for example, the vote starts two minutes after the appointed time, the first voting may have the lowest number of voters for the entire voting session (e.g. Wednesday 11th May 2011, when the voting started just before the appointed time of 12.30. Only 359 MEPs arrived in time to vote at the first RCV 12.59:59).

At longer voting sessions, the end of the voting has a lower number of voters than is usually the case. The lowest number of voters is then generally recorded during one of the last RCVs or EVs. In other situations, the lowest number of voters is usually recorded for individual amendments of minor importance, which contain details of little interest to most party groups.

Overall, it can be said that in theory the most complete inverted “U” shape is formed during a voting session that starts exactly on time and lasts for more than an hour.

If members are given longer to press the voting buttons, more members manage to vote. The most favourable basis for an individual vote to achieve the highest number of voters during a voting session is for it to be scheduled about half an hour after the time that was announced for the start of the voting session and for the members to be given approximately 30 to 45 seconds to vote.

The general pattern of voting on a typical day is illustrated in Figures 6 to 39 (overleaf), which shows 34 selected votes. They have been selected mainly because they were longer votes and a pattern is therefore clearer.

The curve in the figures is typical for a normal session day. As stated above, the level of attendance varies between Tuesdays, Wednesdays and Thursday. However, the patterns in voting participation are roughly the same; it is generally only the level that differs.

During the first half hour, the number of voters increases from perhaps 590 (an approximate level for a Thursday) during the first EV or RCV at seven or eight minutes after 12.00 (or from the start of voting) to around 630, 20-25 minutes later. After that, the number of voters remains approximately constant at this level for roughly half an hour until participation begins to fall when the voting has continued for more than an hour after the advertised start time. This inverted “U” shape is also typical for the sessions in Brussels, as illustrated in Figure 22 for the 23rd June 2011. However the start of the vote was delayed by 15 minutes so there were not so many late arrivers that day.

There are three problems associated with this daily variation. First and foremost, it gives a poor impression to the public when MEPs arrive late or leave early. Despite everything, a normal vote takes one or two hours and it is reasonable to expect an MEP to be present throughout the voting and to arrive in time for the start of the voting (particularly given that co-decision matters are considered first).

The second problem is that this fluctuation in voting means that the outcome of a vote will only partly depend on the relative strengths of the party groups (and indirectly on the will of the people/electors), as the “attendance discipline” of individual MEPs will also have an effect.

2.6. Voting patterns

As described above some MEPs arrive late or leave early. But furthermore, MEPs talk with each other during the vote, they speak on their cell phones, they have to dash out to get something and so on. At the same time the vote goes on with two or three votes a minute.

A “saw tooth pattern” has always existed in the attendance when votes are analysed from RCV by RCV. This is a problem that the EP *must* deal with. Figure 5 below shows an example of the attendance in all EVs and RCVs on Wednesday the 6th April 2011. This example is a little bit extreme, but not unusual.

Figure 5. “The saw tooth pattern” in the voting, both EVs and RCVs, in the European Parliament, Wednesday 6th April 2011, all EVs and RCVs.

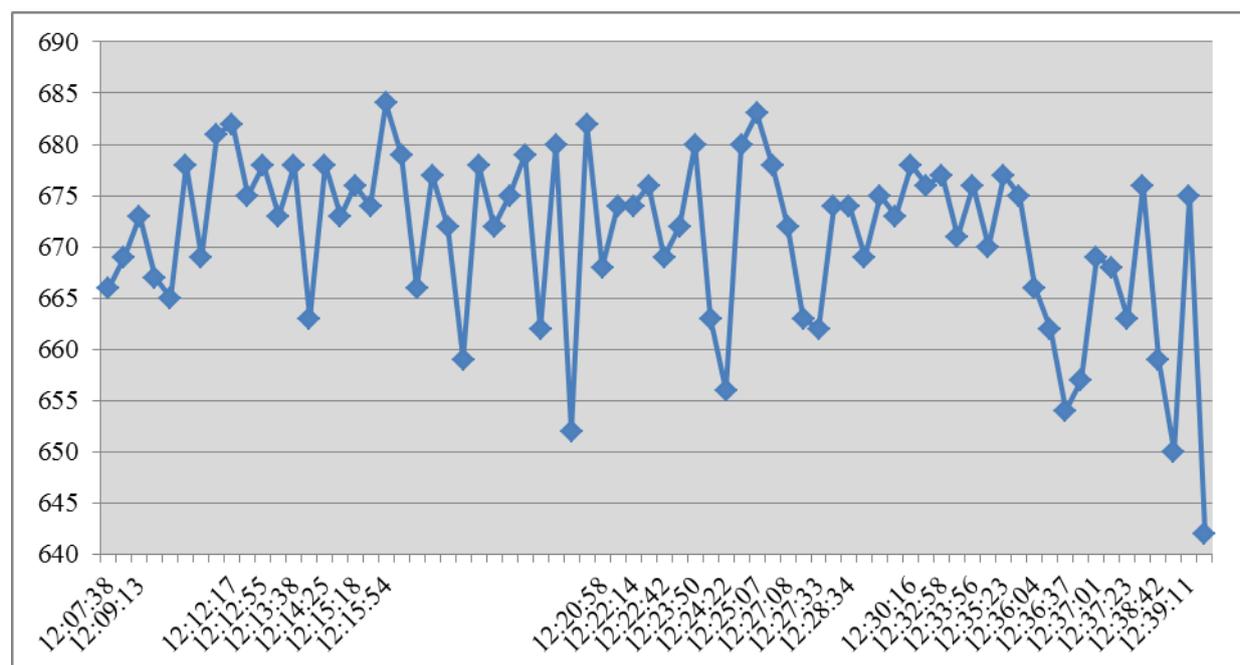


Table 9. Attendance (number signed-in) in the European Parliament on 17 January 2011 -17 November 2011. Split according to party groups

Political Group	Number of members	Percentage of EP	Average number of members present	Average number in %	Average percentage of those present
S&D	184	25.31%	164.31	89.30%	25.62%
EPP	262	36.04%	233.94	89.29%	36.48%
ALDE	83	11.42%	73.29	88.30%	11.43%
Greens/EFA	55	7.57%	48.24	87.71%	7.52%
ECR	55	7.57%	47.93	87.15%	7.47%
GUE/NGL	33	4.54%	28.26	85.63%	4.41%
EFD	26	3.58%	21.62	83.16%	3.37%
NI	29	3.99%	23.71	81.75%	3.70%
Total (without group chairs & co-chairs)	727	100%	641.30	88.21%	100%

Comments:

* The size of the party groups has varied slightly since the beginning of the parliamentary term in July 2009. The larger groups have in fact only varied in size by two or three members. However, this means that there is a certain margin of error. When individual MEPs have changed group during 2011 they have been allocated to the group that they belonged to for most of the year. ALDE and EPP were not affected by MEPs who changed groups this year. S&D had one member that went to NI at the end of March. At the end of June 2011 one member went from GUE/NGL to the Greens.

But all these aforementioned changes should have no impact on the figures at all. The switches between EFD and NI were more common in 2011, but do not affect the overall picture.

As can be seen in the table above, EPP and S&D fight about the leading position to have the best group discipline on attendance. In GUE/NGL there are MEPs from smaller left wing parties who want their elected representatives to have a priority of building the party back home. That NI and the EU sceptic group, EFD, have a low attendance is not surprising either. In previous EPs, NI and the other small EU sceptic or right wing groups have had lower attendance than average as well. Their MEPs sometimes have the same belief as the MEPs from GUE/NGL that the party work back home is a priority.

The two largest groups, EPP and S&D, will therefore be slightly over-represented in regards to attendance in the EP in relation to the election result. The smallest groups have a slightly lower attendance and are therefore slightly under-represented.

Table 10. Number of session days the group presidents/chairs signed in at the plenaries of the European Parliament on 17 January – 15 December 2011

Group president/chair	Number of days signed in as present	Percent of the total sessions day for 2011 when signed in as present
Joseph Daul (EPP, Fr)	56	96.55%
Martin Schulz (S&D, Ge)	0	0%
Guy Verhofstadt (ALDE, Be)	48	82.76%
Jan Zahradil (ECR, Cz)	29	50%
Daniel Cohn-Bendit (Greens/EFA, Fr)	44	75.86%
Rebecca Harms (Greens/EFA, Ge)	49	84.48%
Lothar Bisky (GUE/NGL, Ge)	57	98.28%
Nigel Farage (EFD, UK)	36	62.07%
Francesco Speroni (EFD, It)	58	100%

The table above tells us something more about the habits of the presidents of the Groups. Some of them probably sign in out of an old habit. Some of them sign in when they remember to do so and one of them seem to have adjusted to the rule of not having to sign in at all.

It should be noted that the Speaker of the EP, Jerzy Buzek (EPP, Poland) signed in 58 times, which is 100% of the session days in 2011.

Table 11. Composition of the political groups in the European Parliament after the election 2009 and in December 2012

Political group	Number of seats after the election 2009	Number of seats in December 2012
EPP	265	270
S&D	184	190
ALDE	85	85
Greens/EFA	55	59
ECR	54	53
GUE/NGL	35	34
EFD	32	34
NI	27	29
Total	736	754

Remarks:

In December 2011, 18 new seats were added in the EP to follow the Lisbon Treaty. It happens now and then that individual MEPs change group. Sometimes even a whole delegation from a national party switches group.

Figures of voting attendances at the sessions of the European Parliament 2011

Figure 6. Voting in the European Parliament, Strasbourg session on Tuesday 18th January 2011. Number of voting members, all EVs and RCVs.

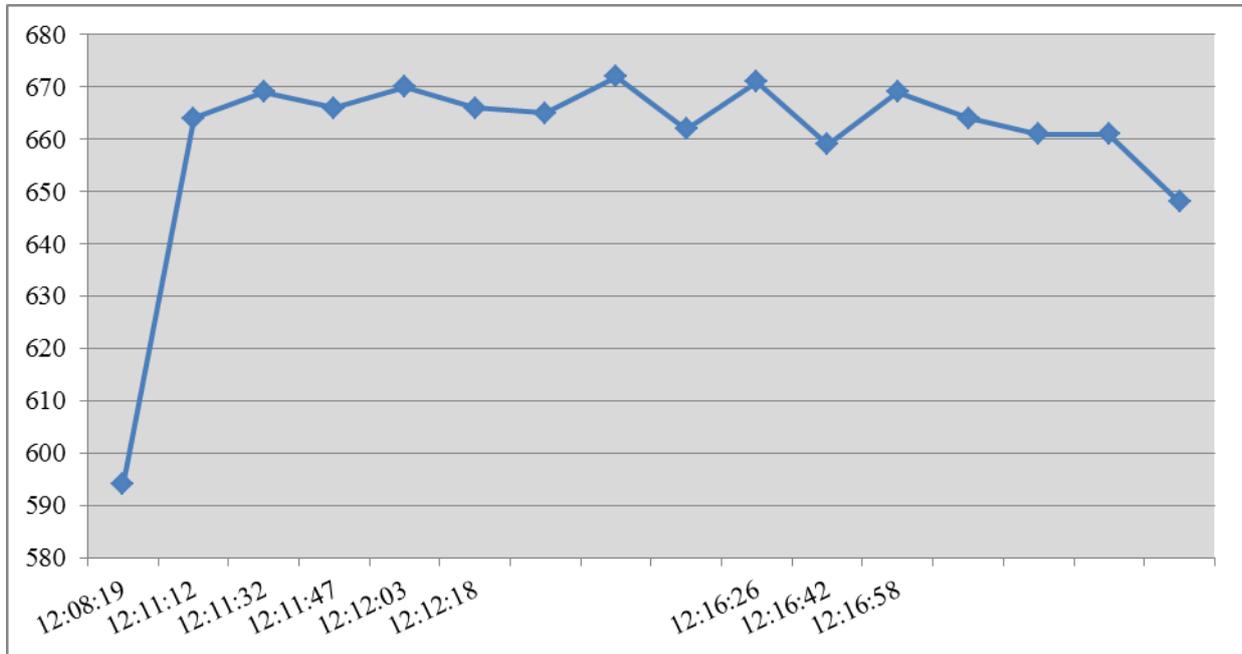


Figure 7. Voting in the European Parliament, Strasbourg session on Wednesday 19th January 2011. Number of voting members, all EVs and RCVs.

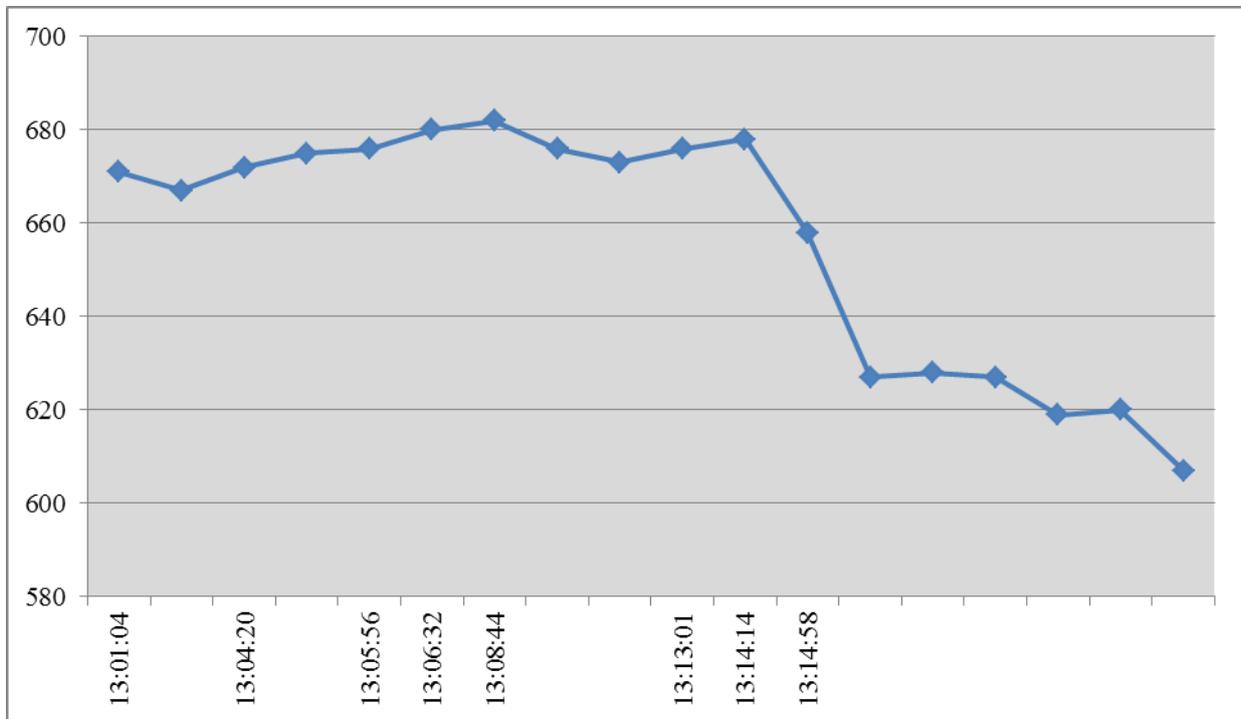


Figure 8. Voting in the European Parliament, Strasbourg session on Thursday 20th January 2011 (all day). Number of voting members, all EVs and RCVs.

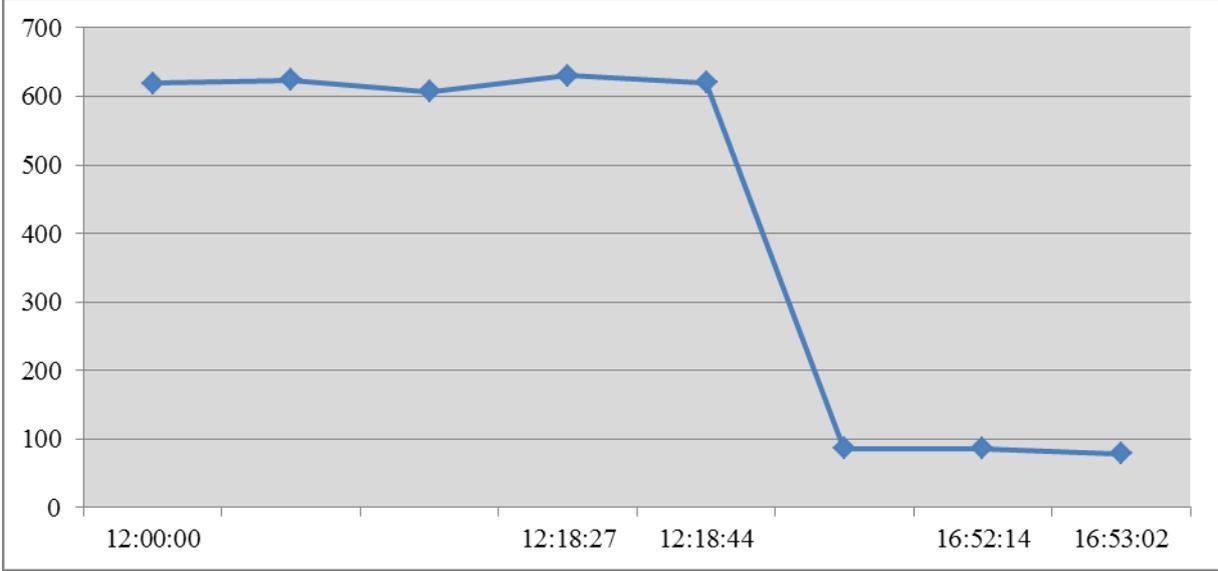


Figure 9. Voting in the European Parliament, Brussels session on Thursday 3rd February 2011. Number of voting members, all EVs and RCVs.

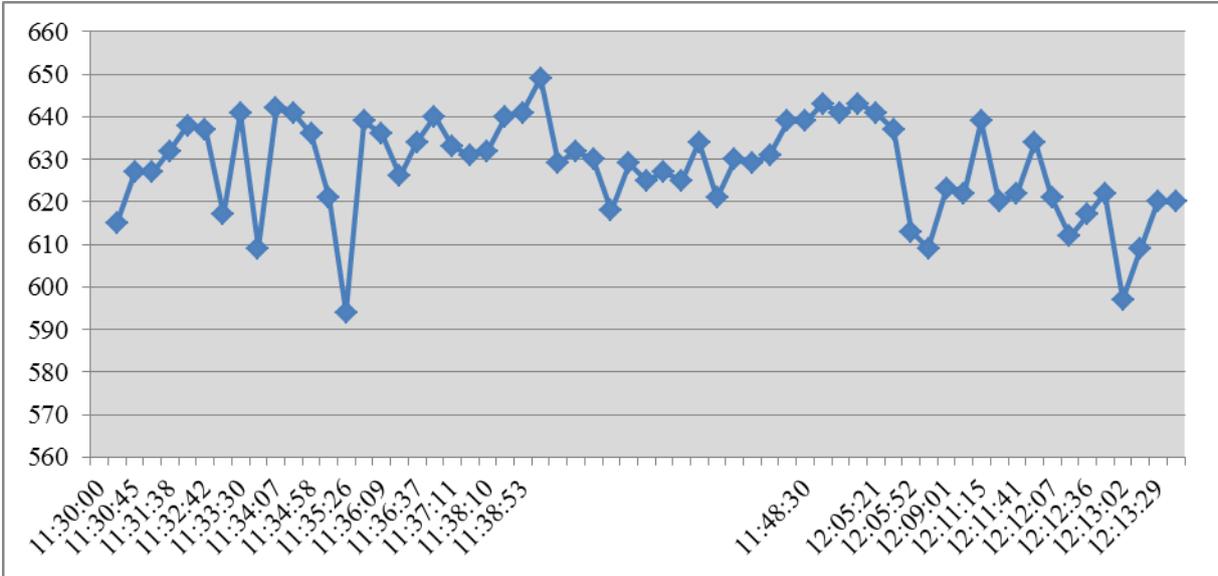


Figure 10. Voting in the European Parliament, Strasbourg session on Tuesday 15th February 2011. Number of voting members, all EVs and RCVs.

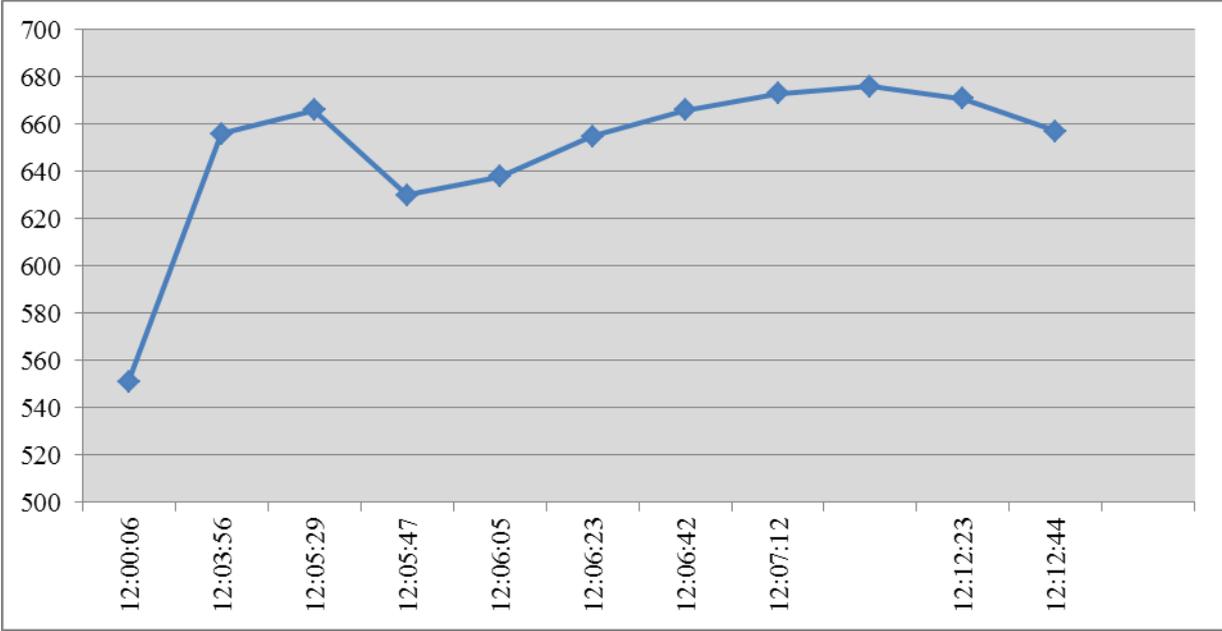


Figure 11. Voting in the European Parliament, Strasbourg session on Wednesday 16th February 2011. Number of voting members, all EVs and RCVs.

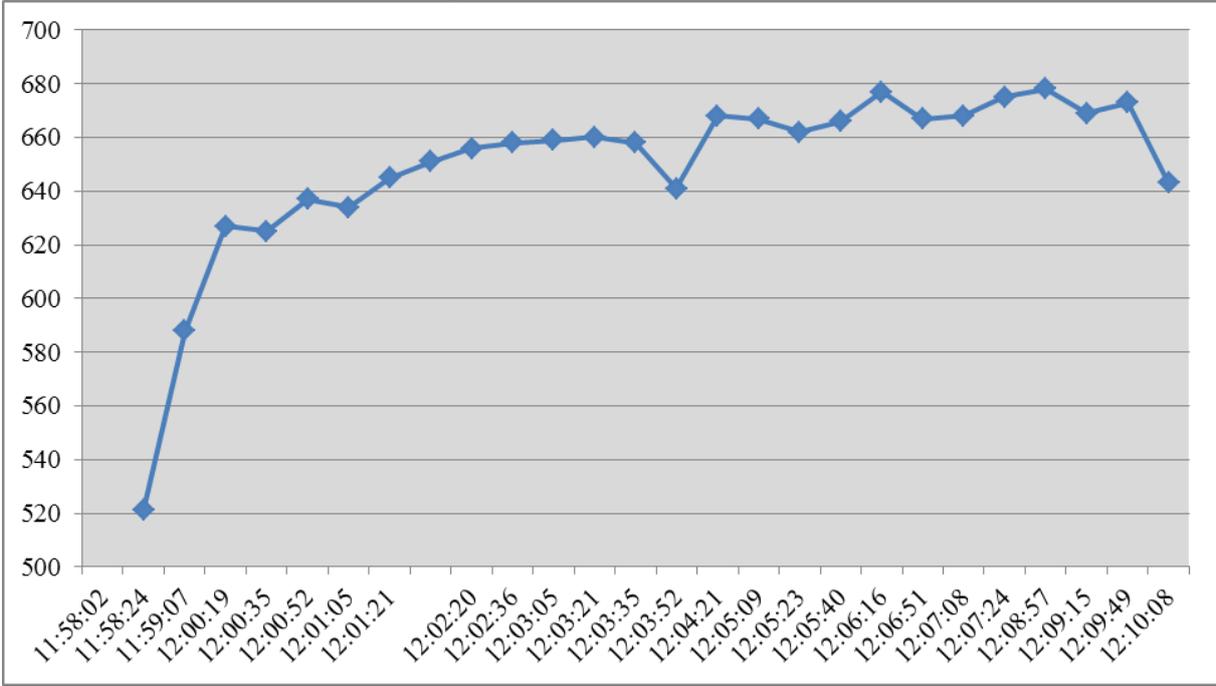


Figure 12. Voting in the European Parliament, Strasbourg session on Thursday 17th February 2011 (all day). Number of voting members, all EVs and RCVs.

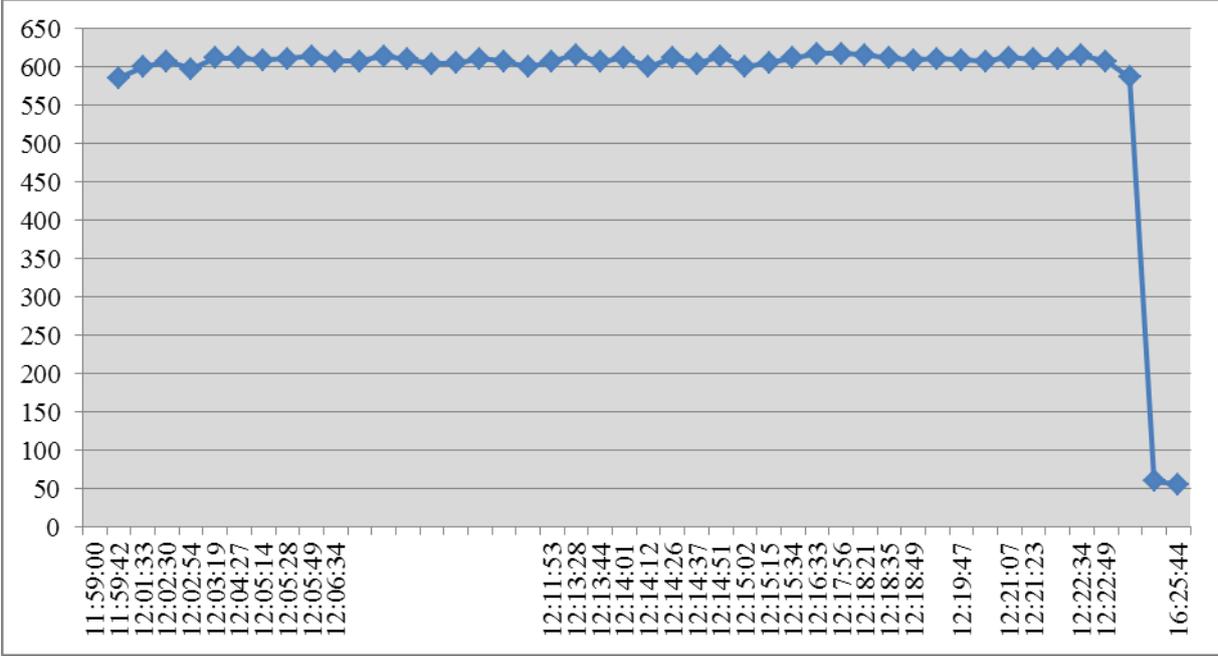


Figure 13. Voting in the European Parliament, Strasbourg morning session on Thursday 17th February 2011. (noon only) Number of voting members, all EVs and RCVs.

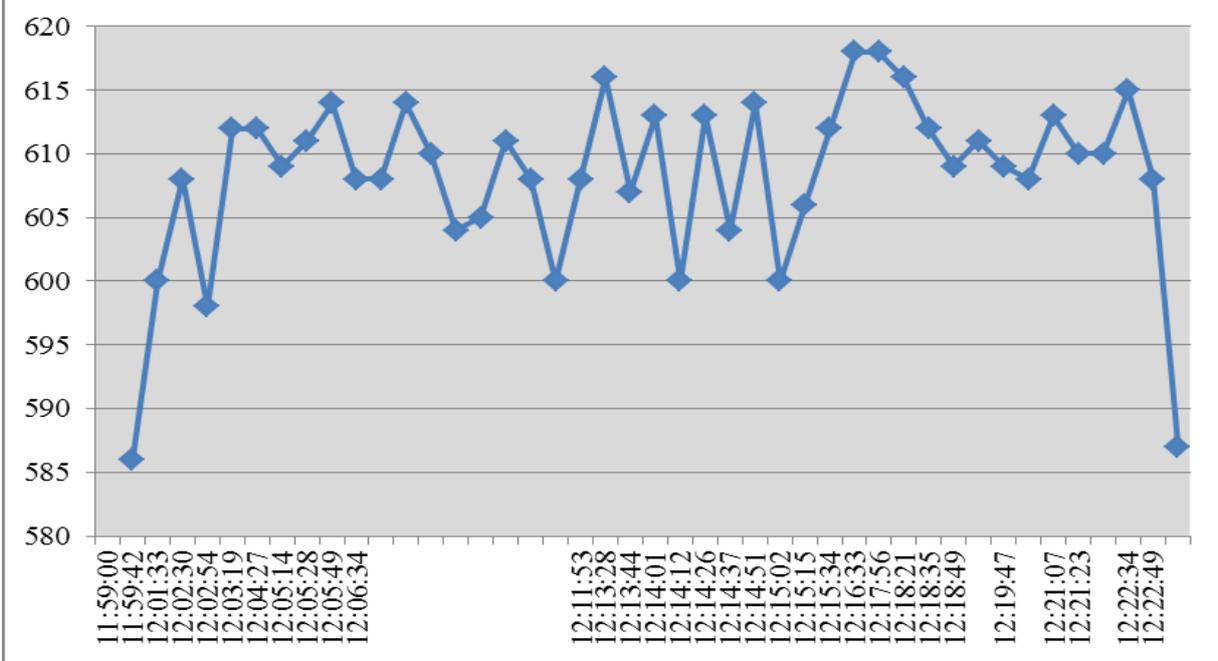


Figure 14. Voting in the European Parliament, Strasbourg session on Tuesday 8th March 2011. Number of voting members, all EVs and RCVs.

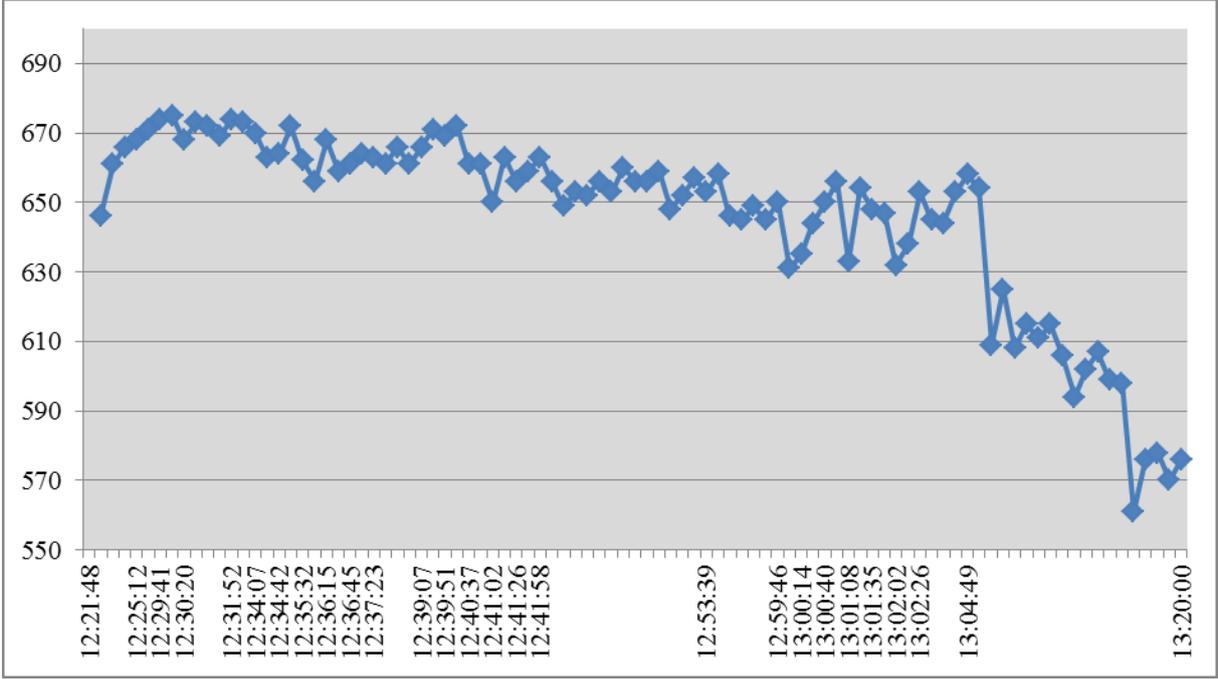


Figure 15. Voting in the European Parliament, Strasbourg session on Wednesday 9th March 2011. Number of voting members, all EVs and RCVs.

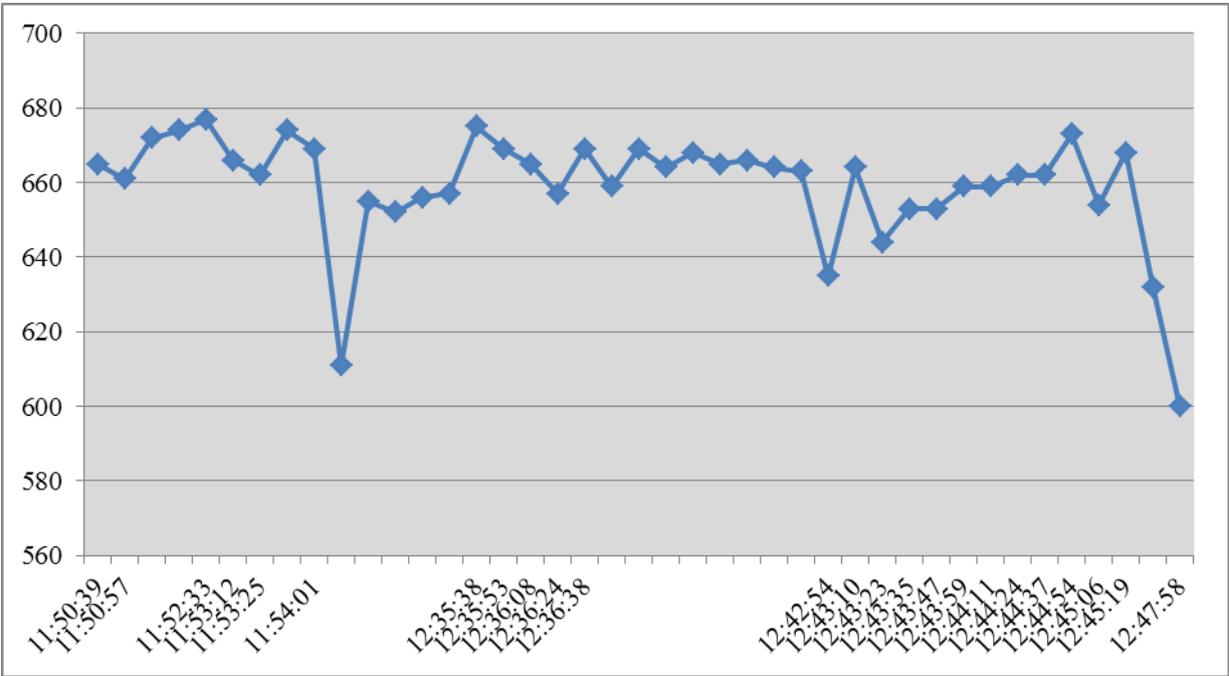


Figure 16. Voting in the European Parliament, Brussels session on Thursday 24th March 2011 (noon only). Number of voting members, all EVs and RCVs.

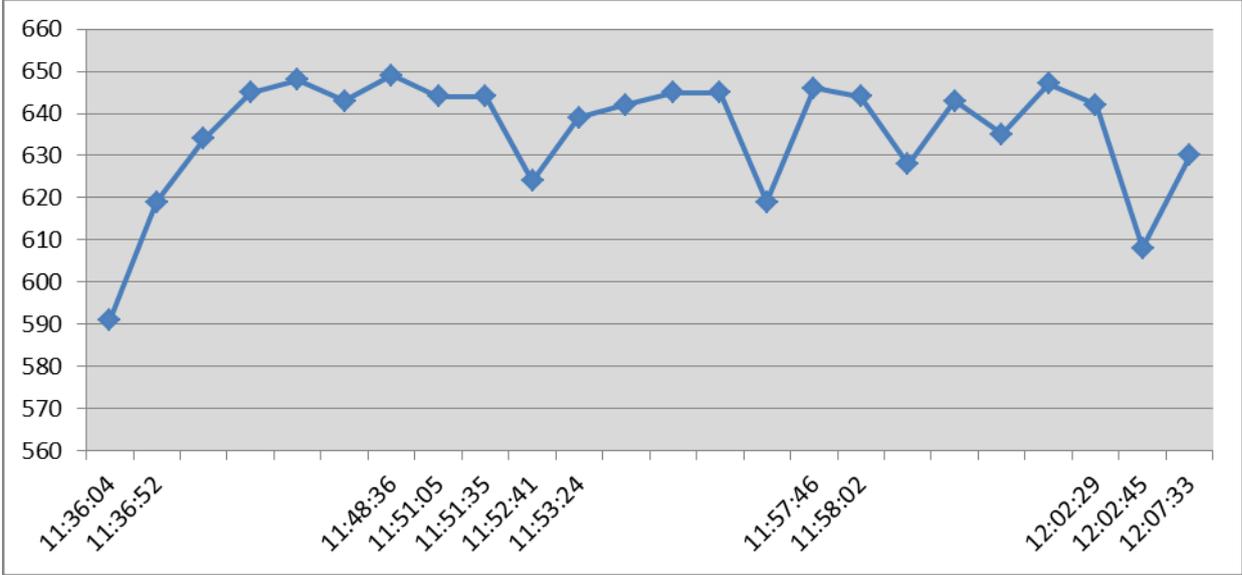


Figure 17. Voting in the European Parliament, Strasbourg session on Tuesday 5th April 2011. Number of voting members, all EVs and RCVs.

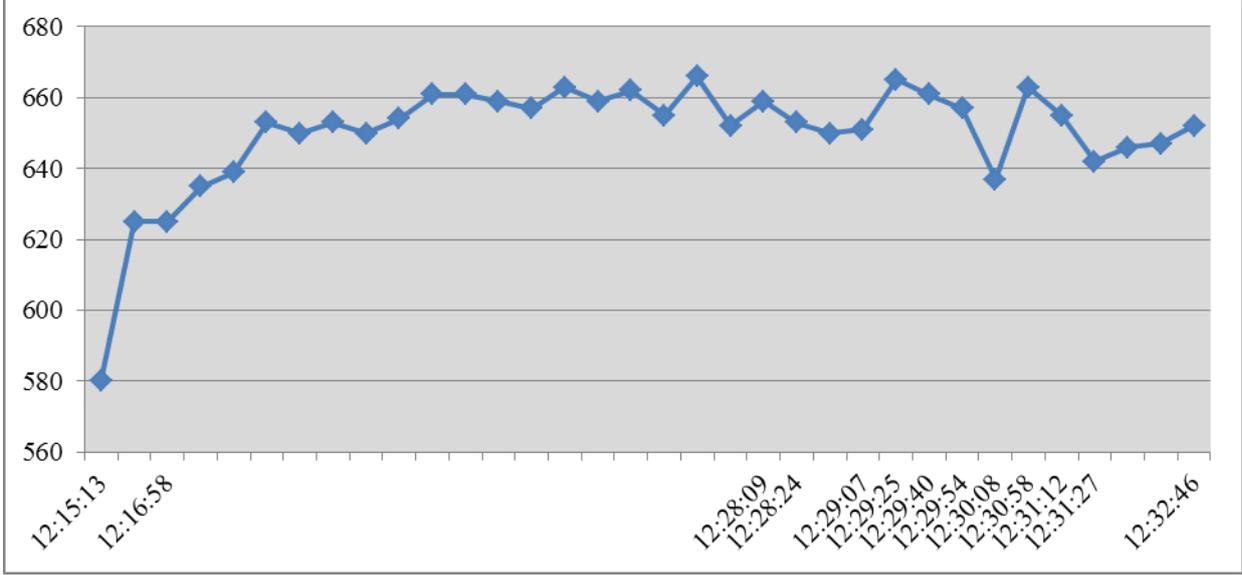


Figure 18. Voting in the European Parliament, Strasbourg morning session on Thursday 7th April 2011 (noon only). Number of voting members, all EVs and RCVs.

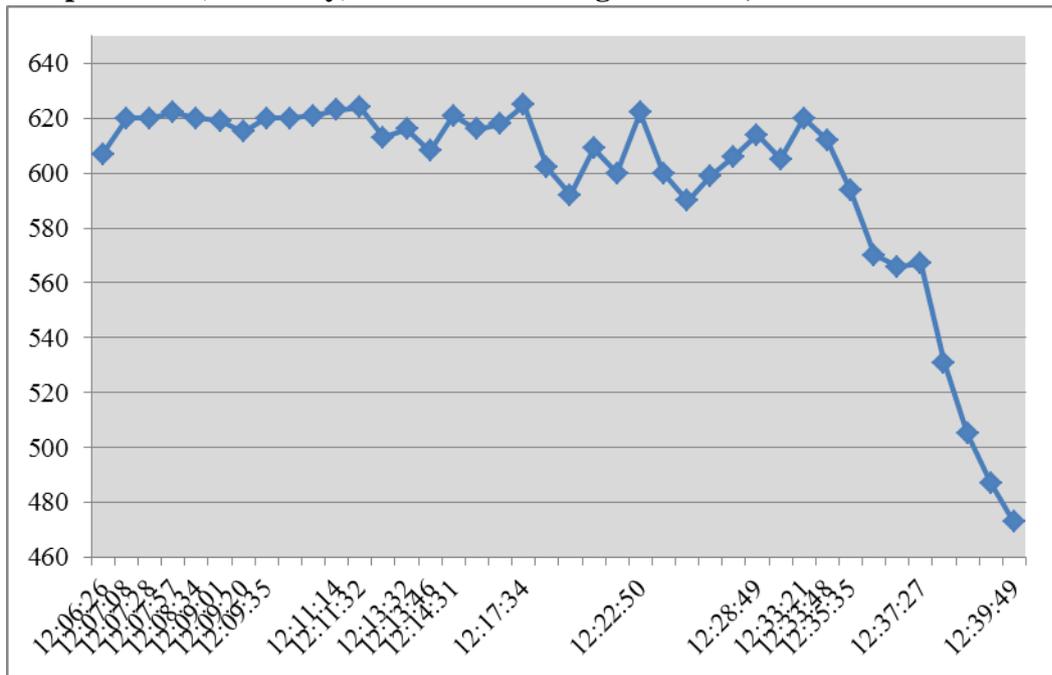


Figure 19. Voting in the European Parliament, Strasbourg session on Tuesday 10th May 2011. Number of voting members, all EVs and RCVs.

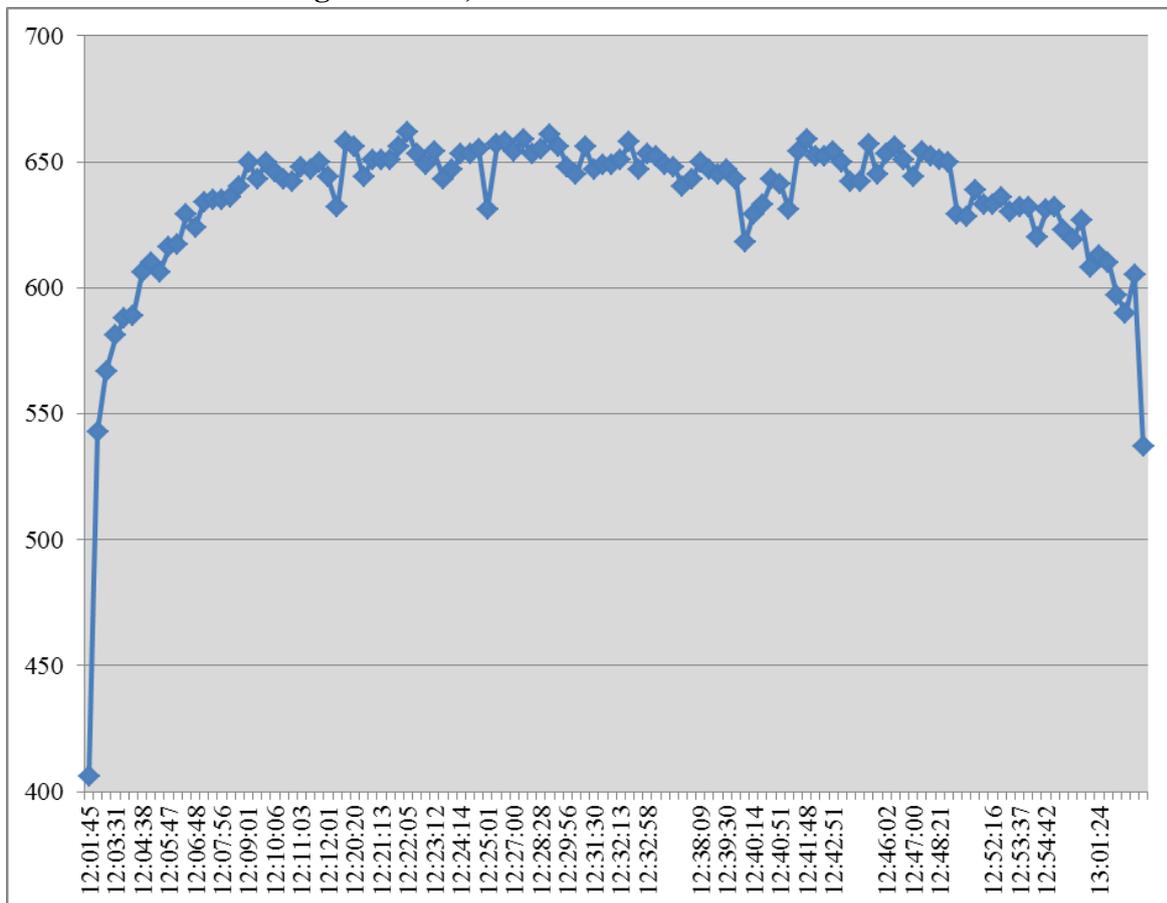


Figure 20. Voting in the European Parliament, Strasbourg session on Wednesday 11th May 2011. Number of voting members, all EVs and RCVs.

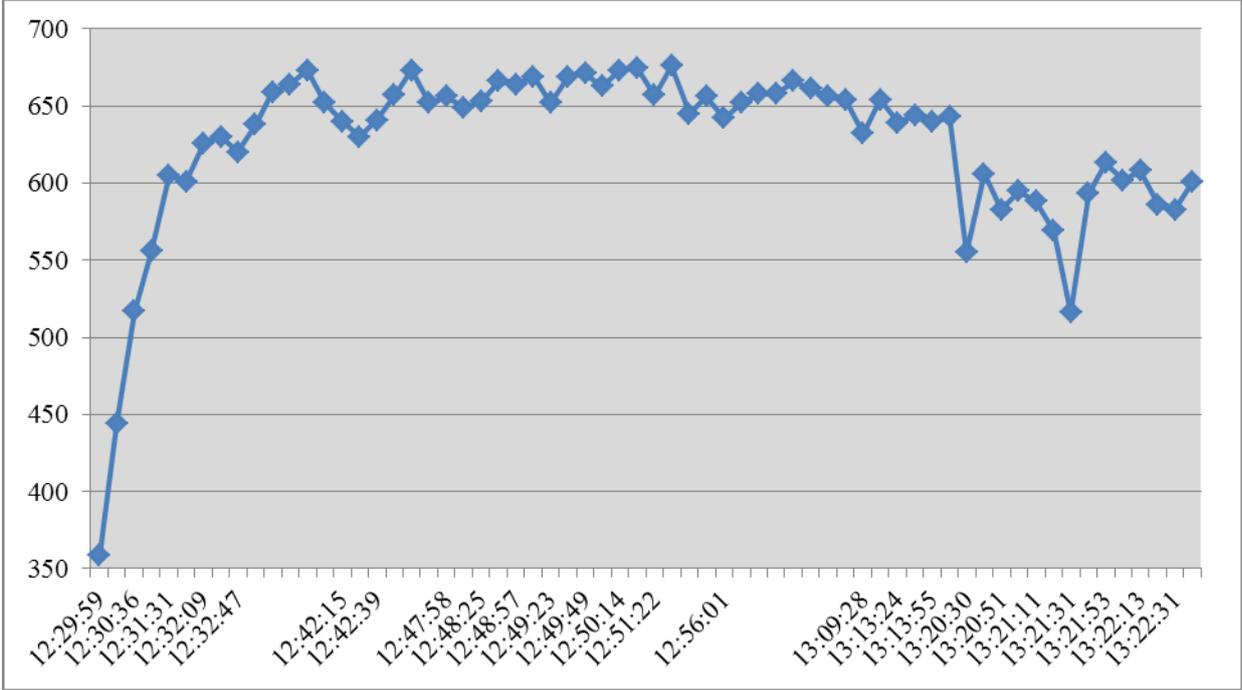


Figure 21. Voting in the European Parliament, Strasbourg session on Wednesday 8th June 2011. Number of voting members, all EVs and RCVs.

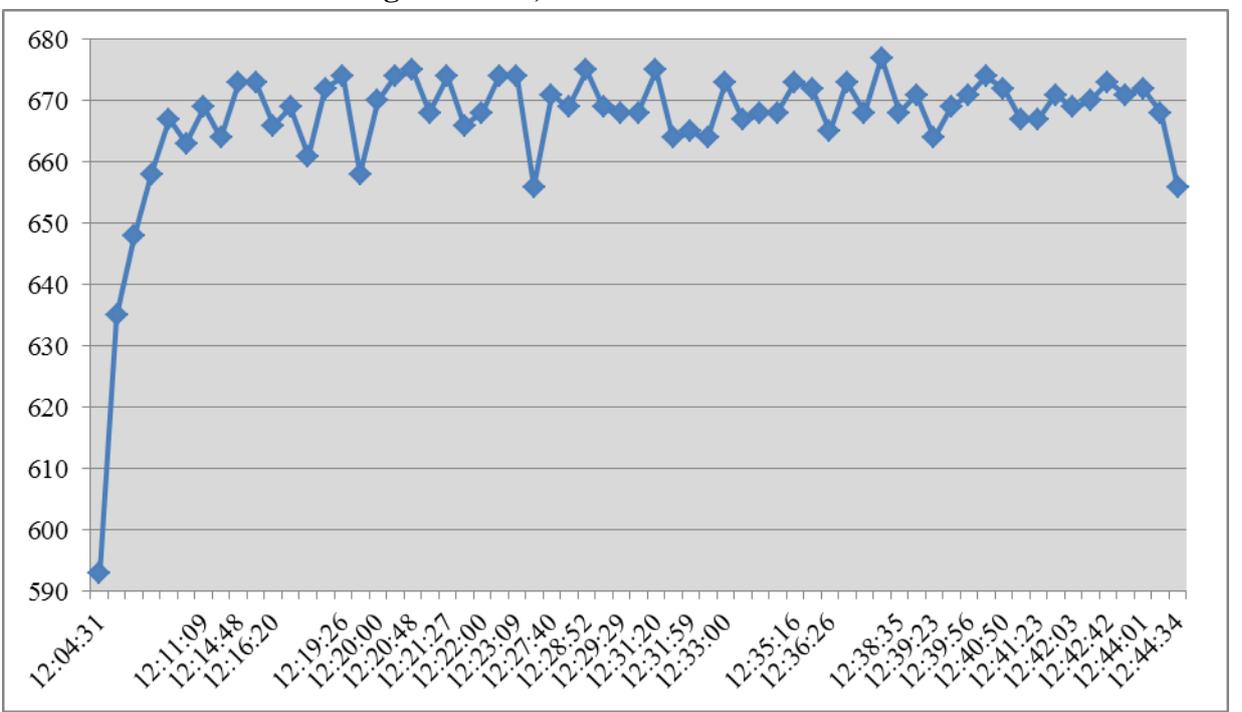


Figure 22. Voting in the European Parliament, Brussels session on Thursday 23rd June 2011. Number of voting members, all EVs and RCVs.

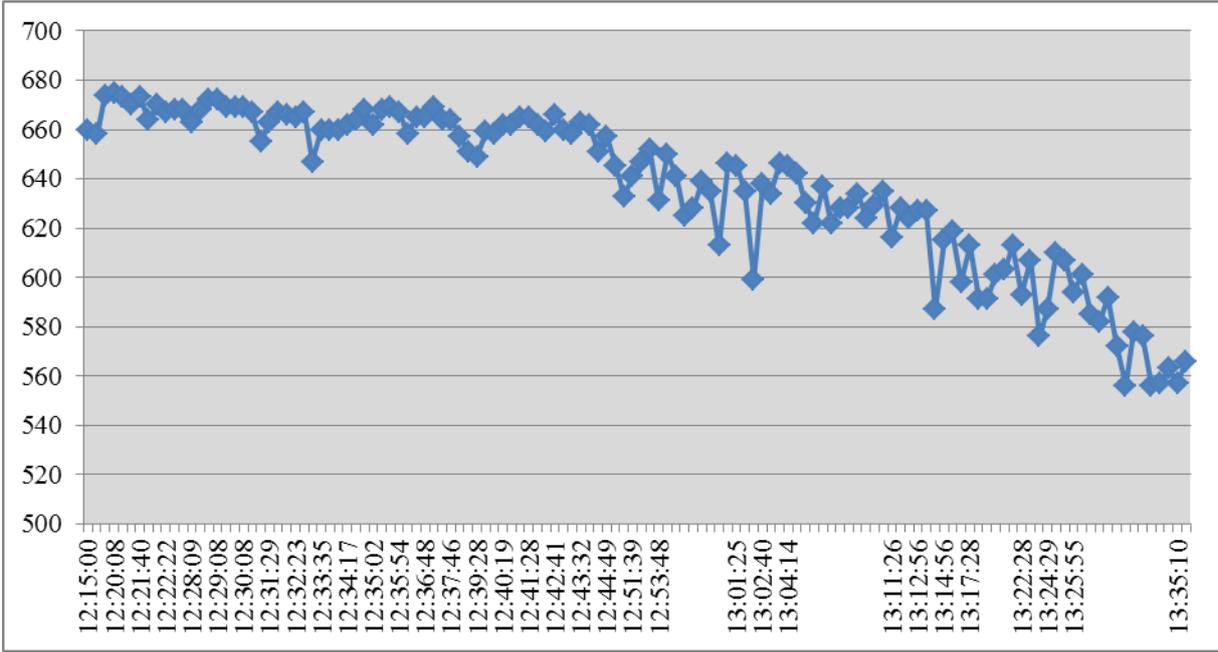


Figure 23. Voting in the European Parliament, Strasbourg session on Tuesday 5th July 2011. Number of voting members, all EVs and RCVs.

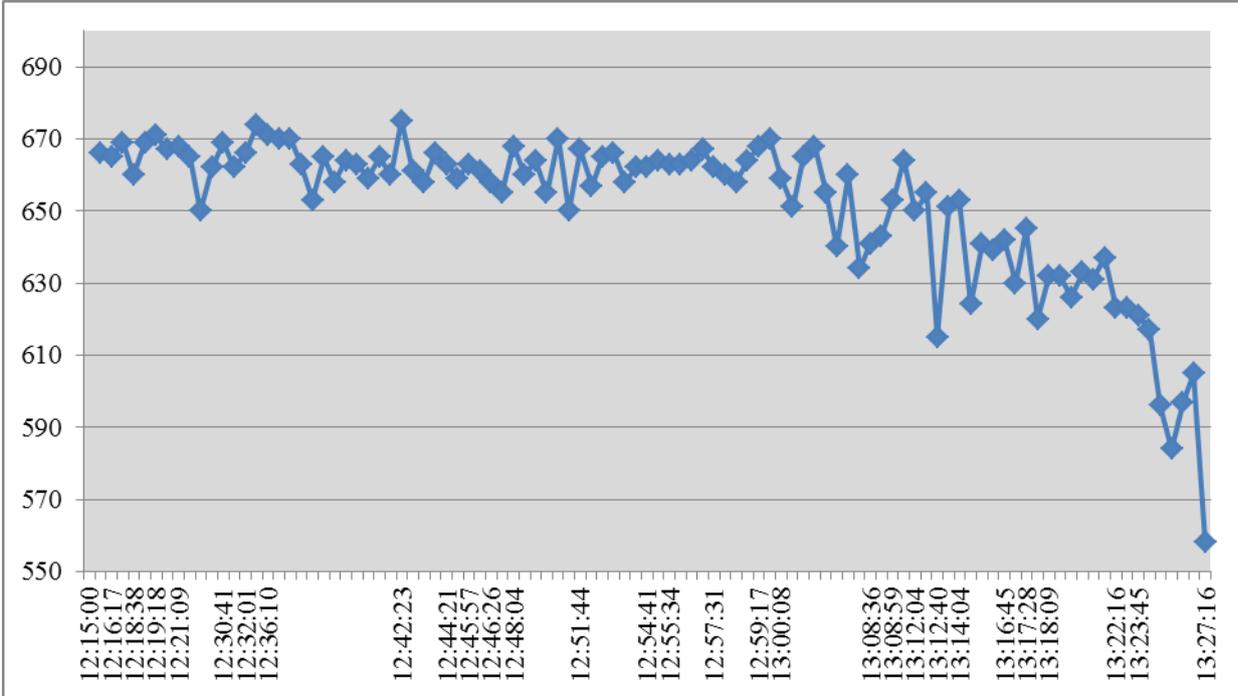


Figure 24. Voting in the European Parliament, Strasbourg session on Wednesday 6th July 2011. Number of voting members, all EVs and RCVs.

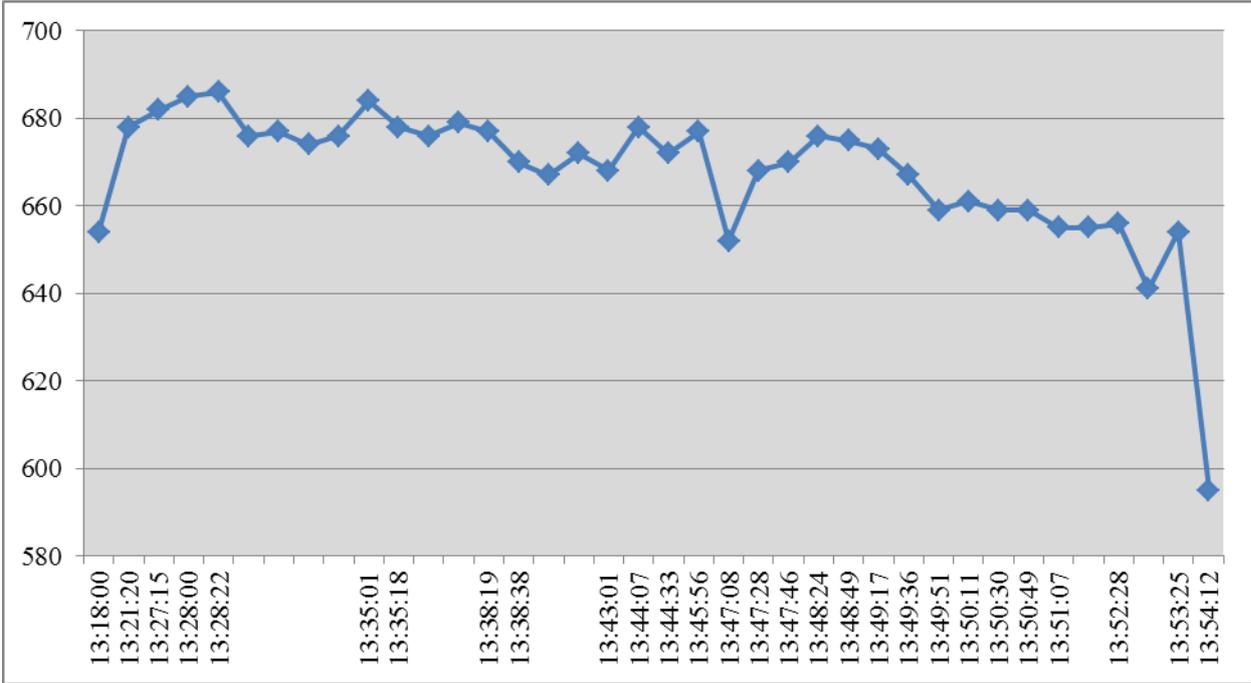


Figure 25. Voting in the European Parliament, Strasbourg morning session on Thursday 7th July 2011 (noon only). Number of voting members, all EVs and RCVs.

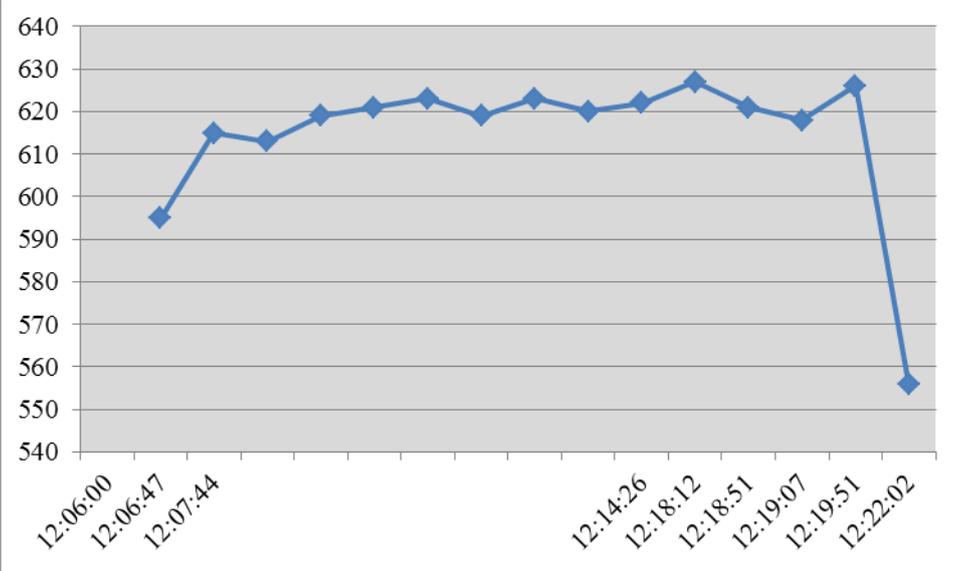


Figure 26. Voting in the European Parliament, Strasbourg session on Tuesday 13th September 2011. Number of voting members, all EVs and RCVs.

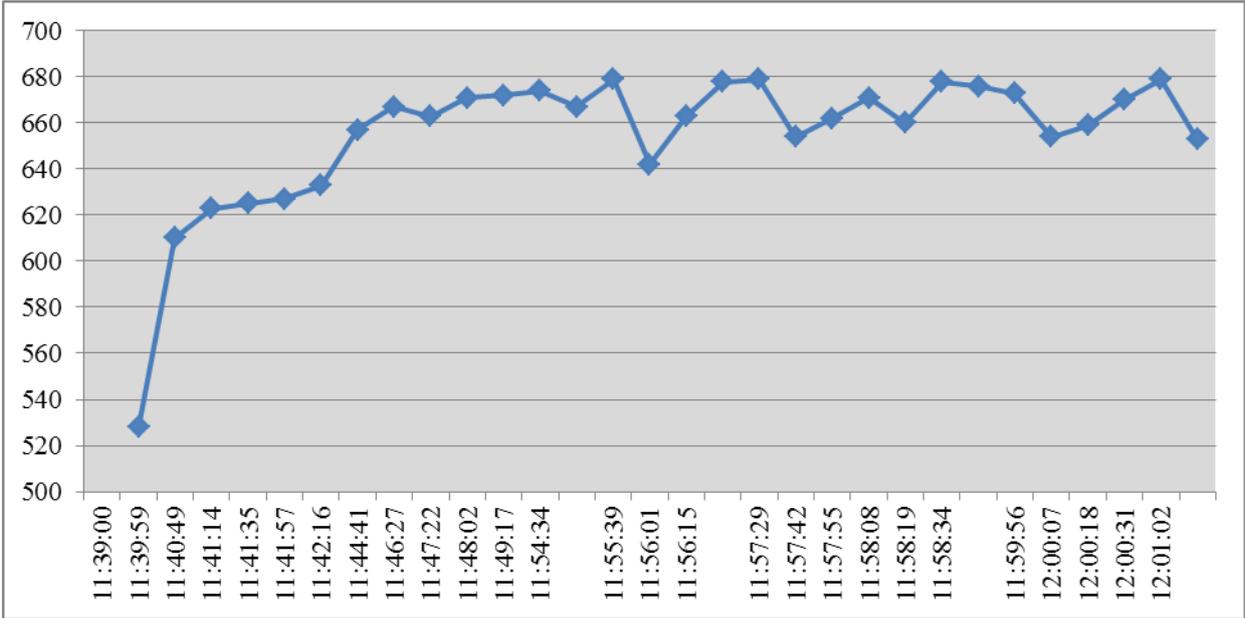


Figure 27. Voting in the European Parliament, Strasbourg session on Wednesday 14th September 2011. Number of voting members, all EVs and RCVs.

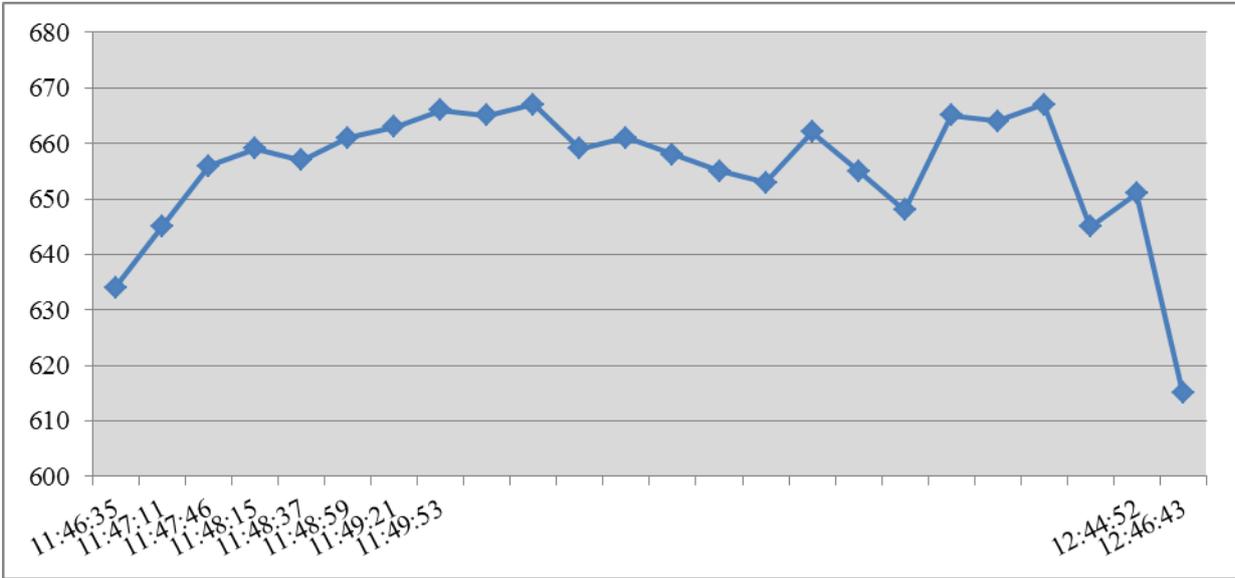


Figure 28. Voting in the European Parliament, Strasbourg session on Tuesday 27th September 2011. Number of voting members, all EVs and RCVs.

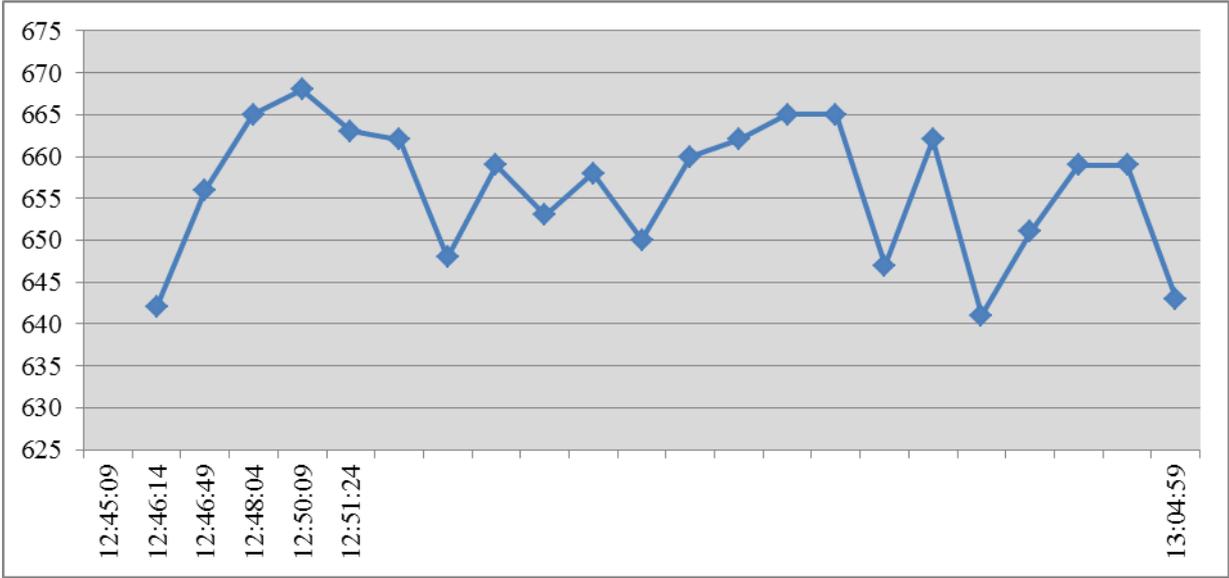


Figure 29. Voting in the European Parliament, Strasbourg session on Wednesday 28th September 2011. Number of voting members, all EVs and RCVs.

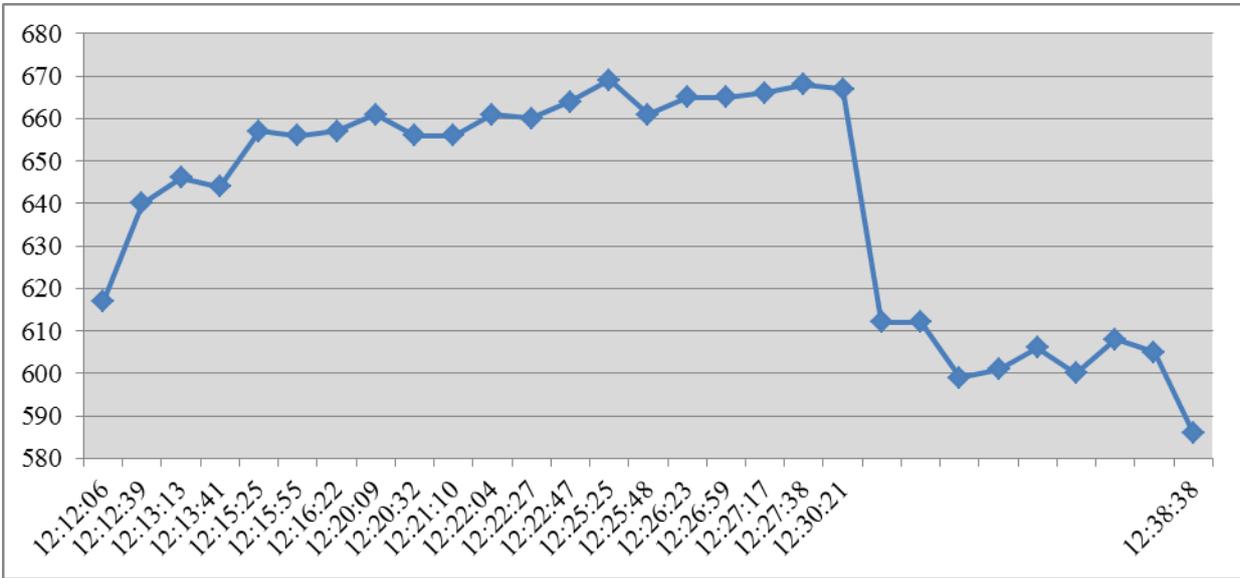


Figure 30. Voting in the European Parliament, Strasbourg session on Thursday 29th September 2011. Number of voting members, all EVs and RCVs.

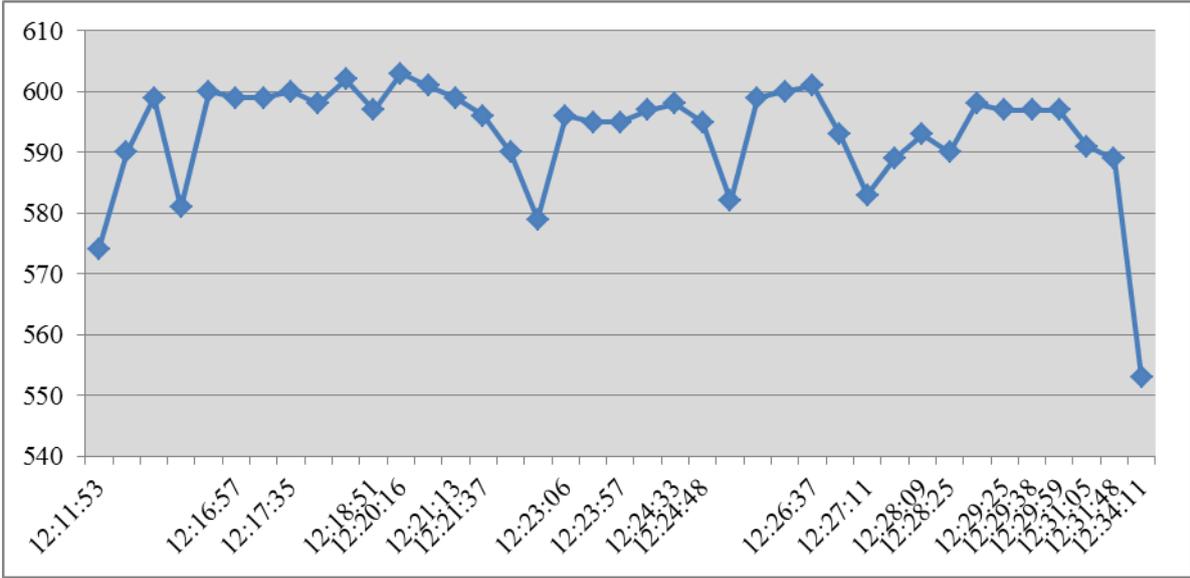


Figure 31. Voting in the European Parliament, Strasbourg session on Tuesday 25th October 2011. Number of voting members, all EVs and RCVs.

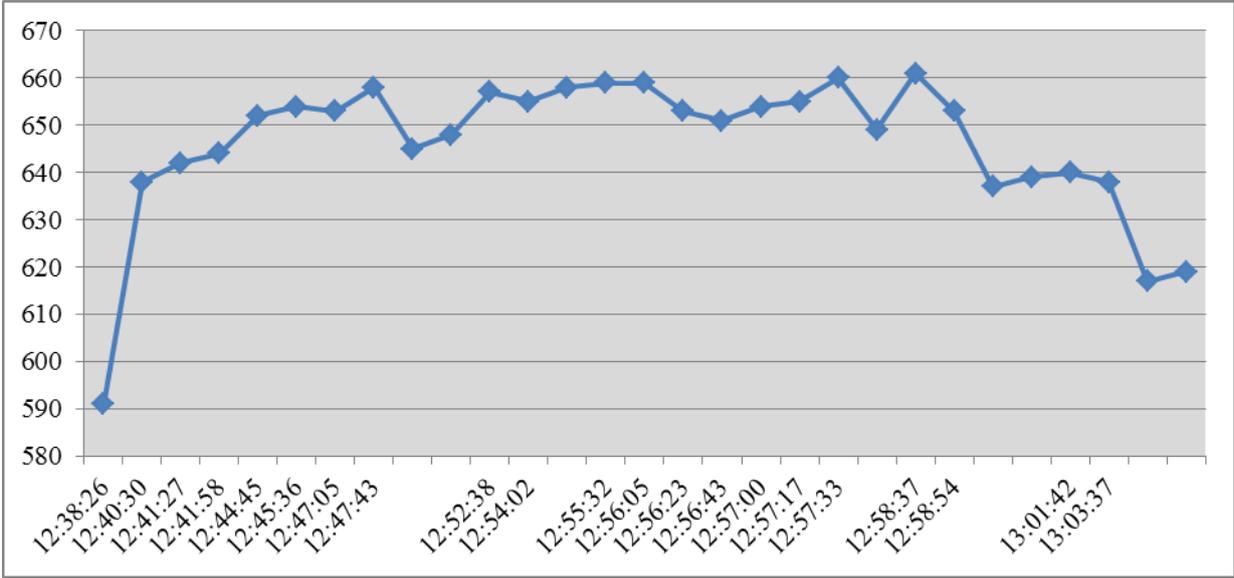


Figure 32. Voting in the European Parliament, Strasbourg session on Wednesday 26th October 2011. Number of voting members, all EVs and RCVs.

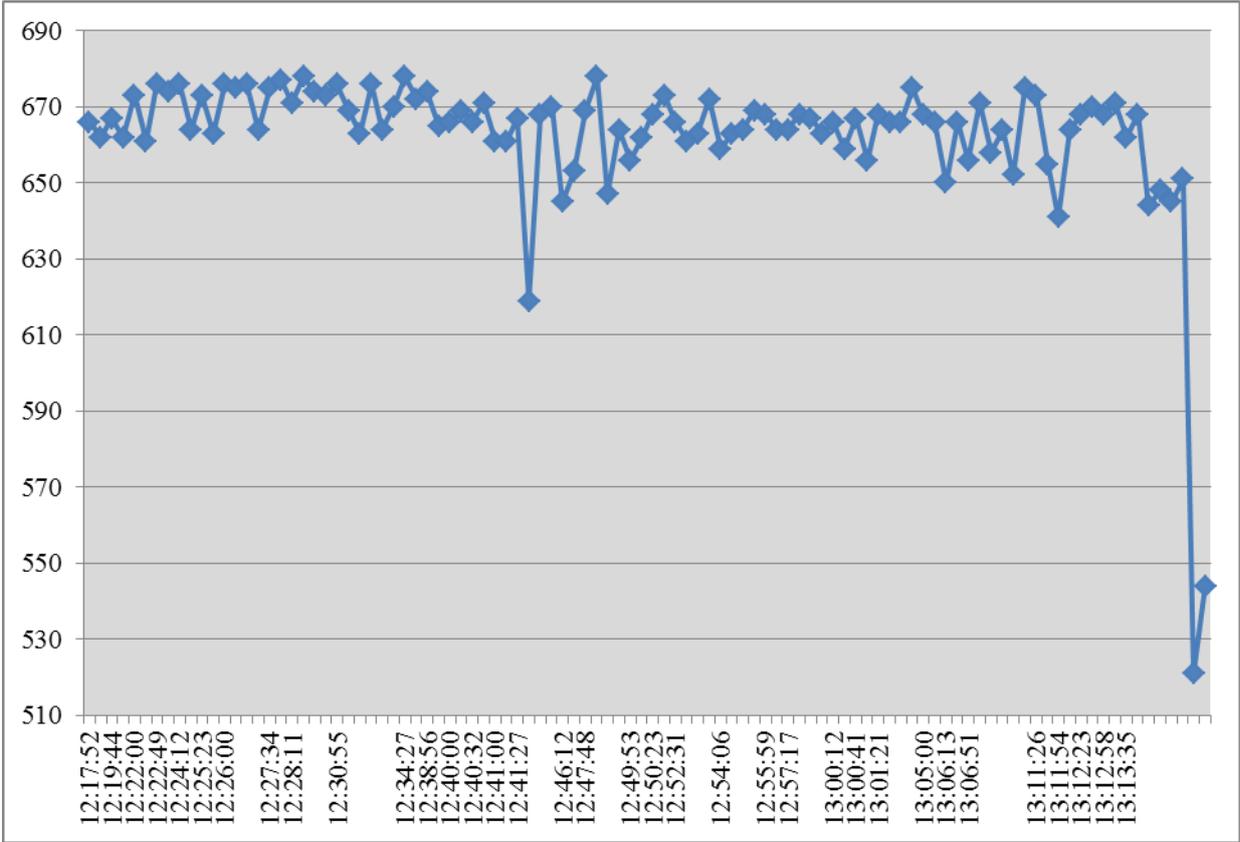


Figure 33. Voting in the European Parliament, Strasbourg session on Thursday 27th October 2011 (all day). Number of voting members, all EVs and RCVs.

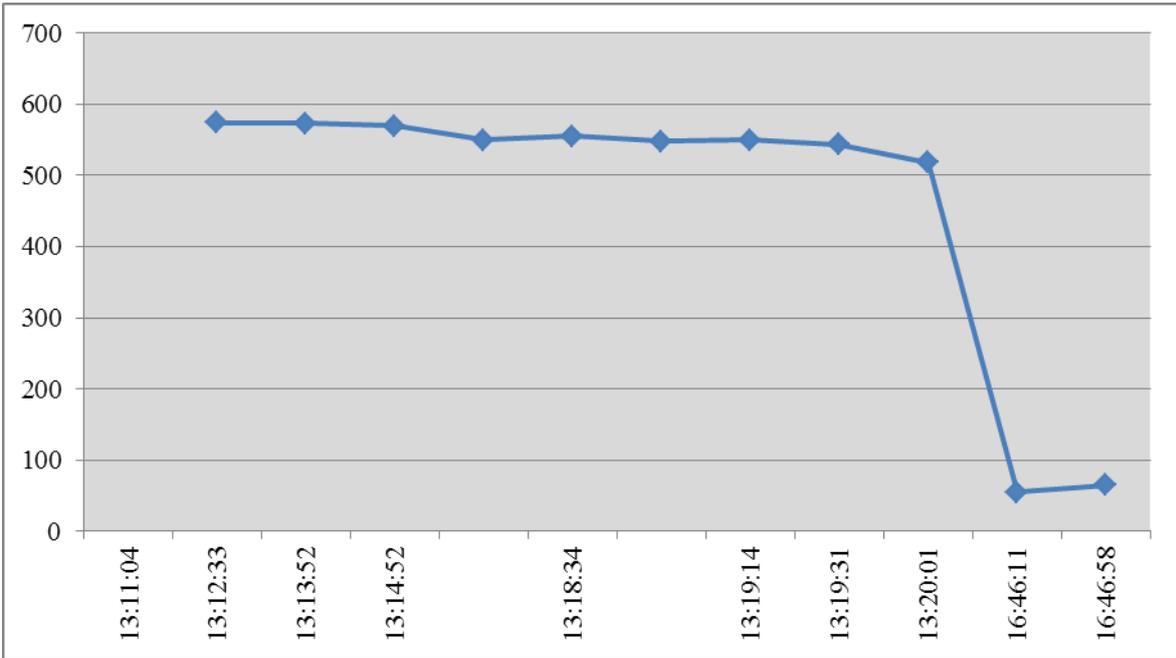


Figure 34. Voting in the European Parliament, Strasbourg session on Tuesday 15^h November 2011. Number of voting members, all EVs and RCVs.

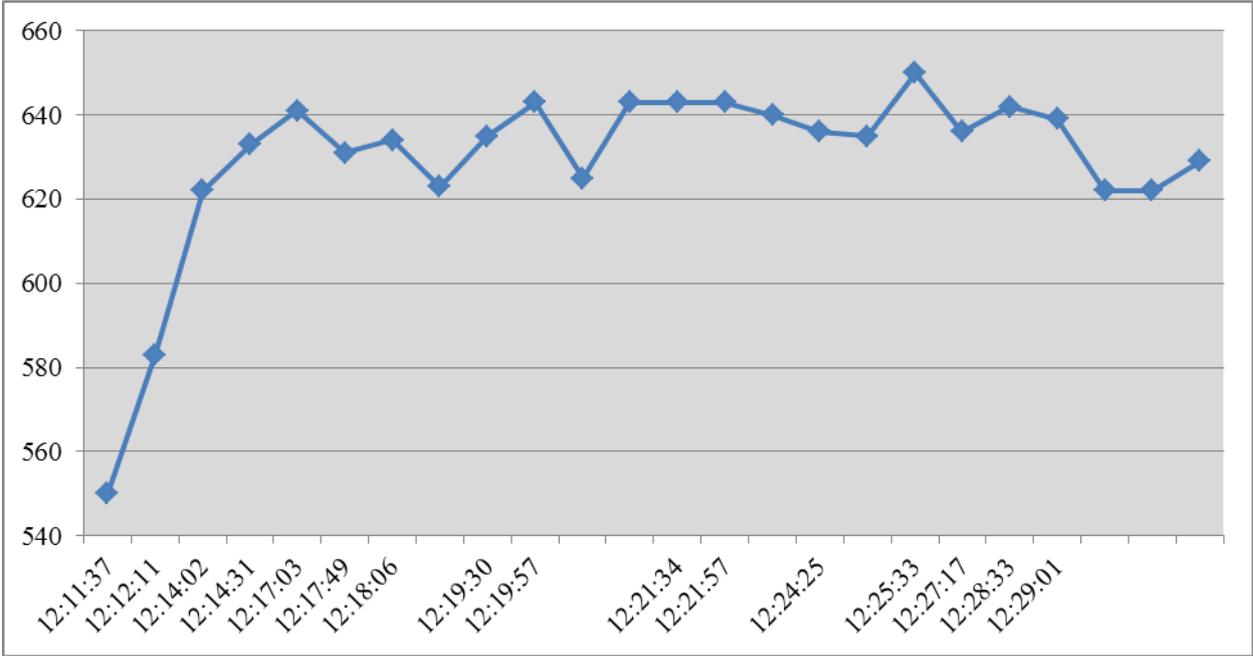


Figure 35. Voting in the European Parliament, Strasbourg session on Wednesday 16^h November 2011. Number of voting members, all EVs and RCVs.

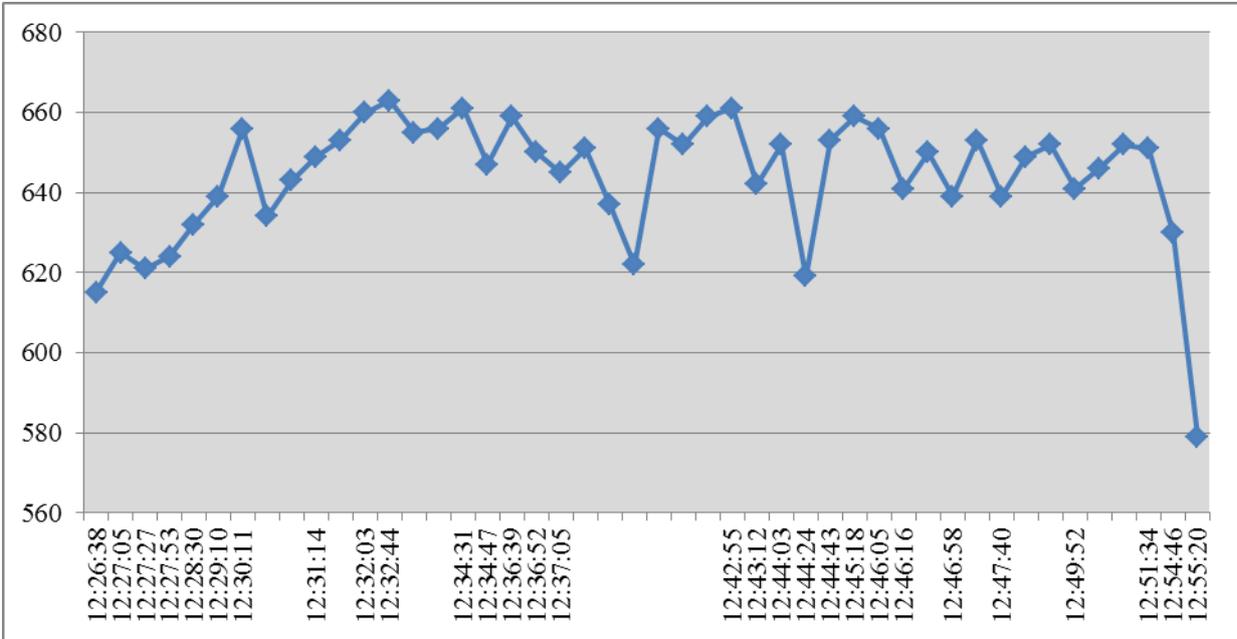


Figure 36. Voting in the European Parliament, Strasbourg morning session on Thursday 17th November 2011 (noon only). Number of voting members, all EVs and RCVs.

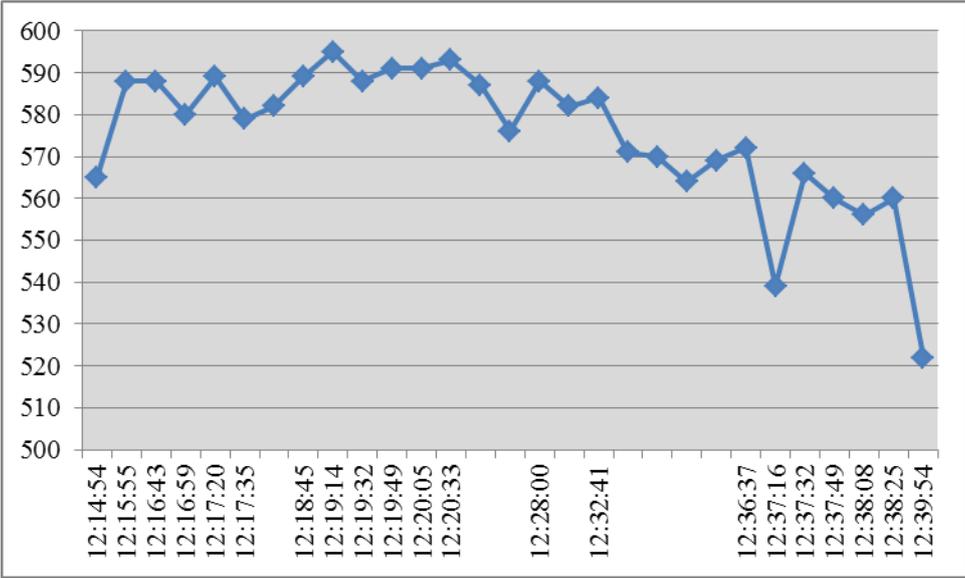


Figure 37. Voting in the European Parliament, Strasbourg session on Thursday 1st December 2011. Number of voting members, all EVs and RCVs.

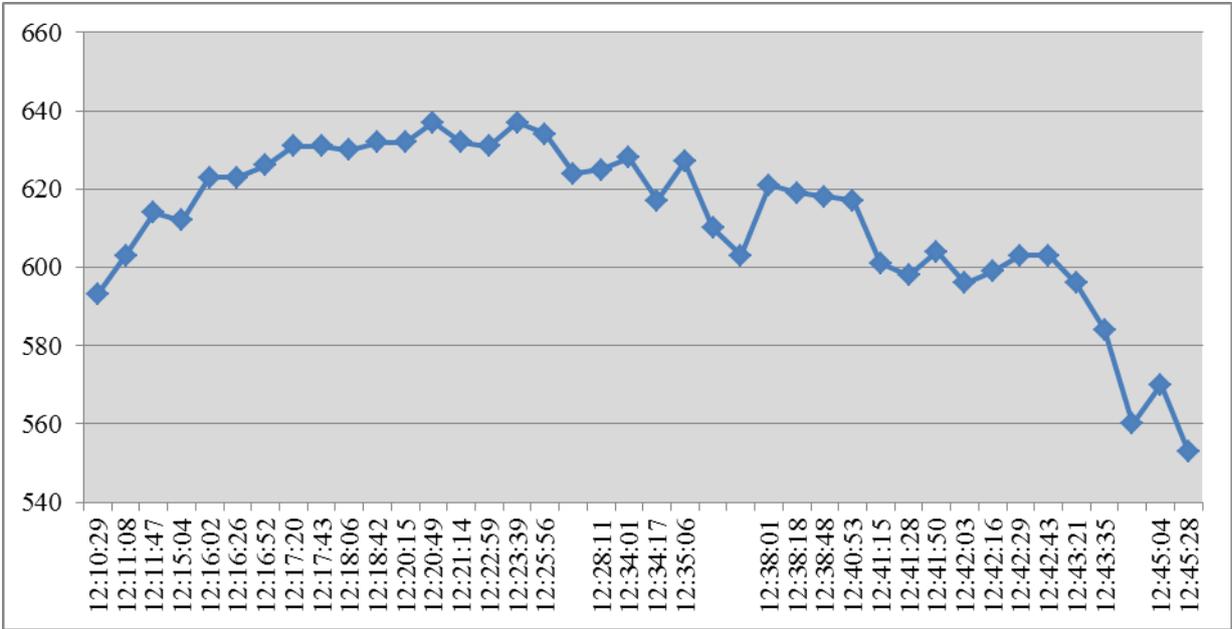


Figure 38. Voting in the European Parliament, Strasbourg session on Tuesday 13th December 2011. Number of voting members, all EVs and RCVs.

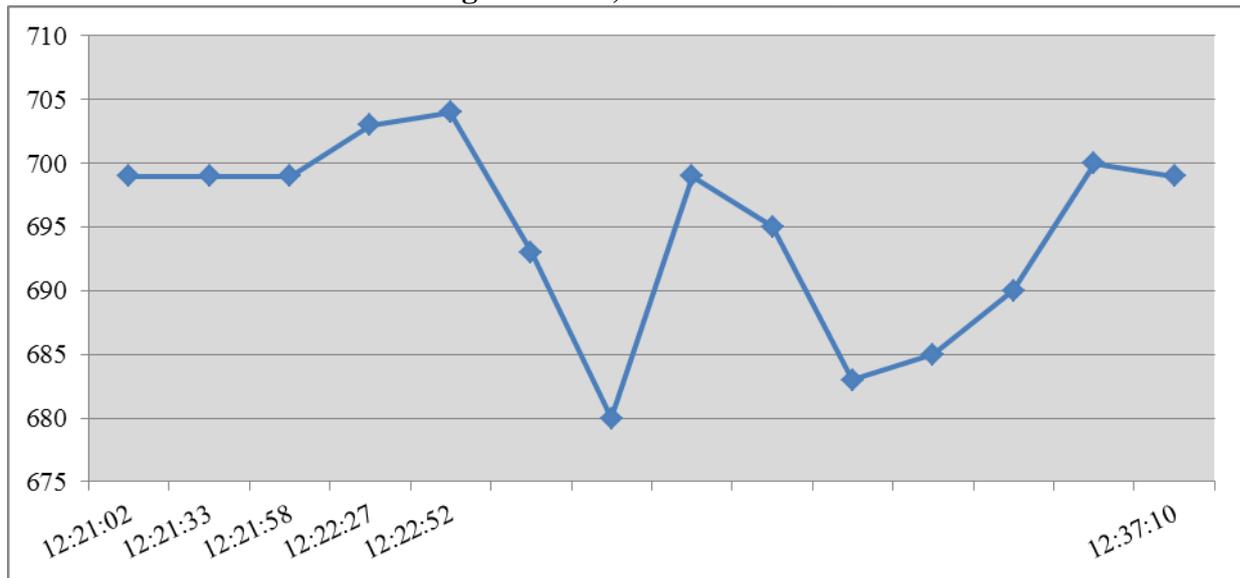
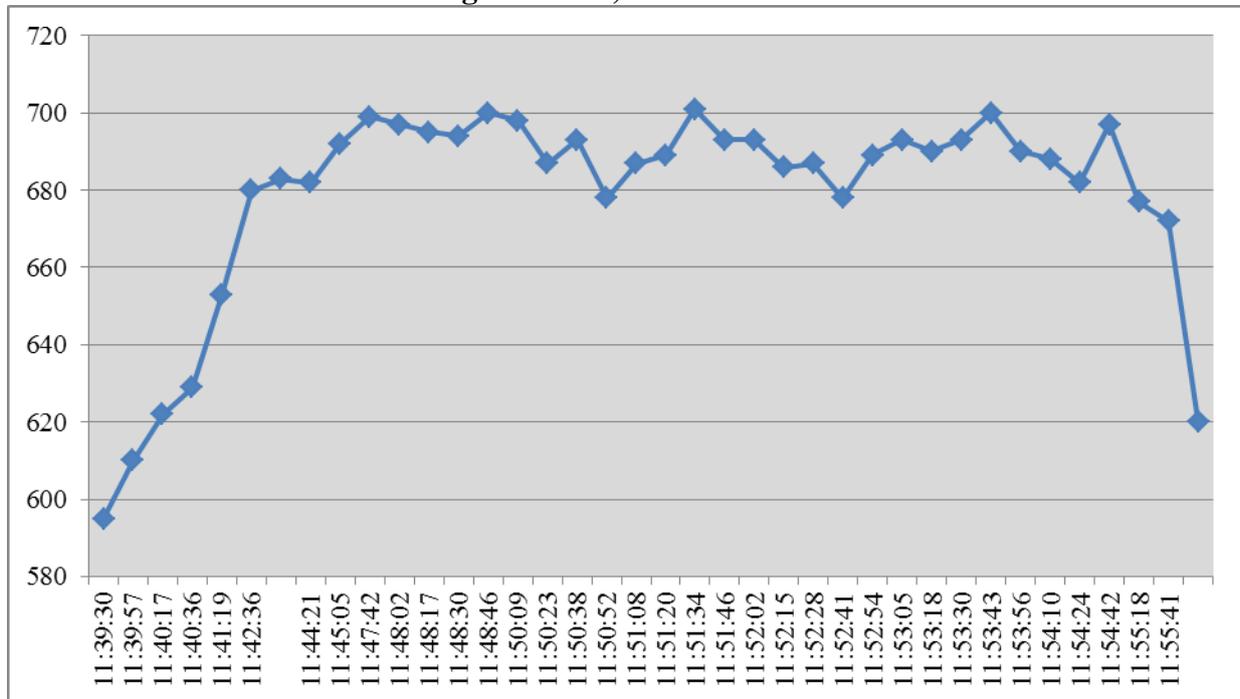


Figure 39. Voting in the European Parliament, Strasbourg session on Wednesday 14th December 2011. Number of voting members, all EVs and RCVs.



2.8. Thursday afternoon - Illegal voting

According to Rule 155(2) (the EP's Rules of Procedure 7th parliamentary term), the EP constitutes a quorum when one third of all MEPs are present in the plenary chamber. This means that at least 246 members (252 after the addition of the extra seats according to the Lisbon Treaty and now 256 after Croatia's accession) must vote (or formally, be present in the chamber) in order for the EP to be quorate. However, this is very rarely the case during the voting on Thursday afternoons (or previously on the Fridays) in Strasbourg.

During 2011, on none of the *Thursday* afternoon votes was there ever a quorum in the EP. The average number of voters present during these Thursday afternoons in January to December was 56 to 57 MEPs present with a top score of 86 in January and a record low of 39 in April. During the 12 Thursday afternoon sessions in 2001, the average attendance at the 53 RCVs was 111 members. There was no quorum at any of these 53 RCVs either.

With such a low attendance at an average of 57 MEPs there is a considerable risk of random results in the vote results. In general there are only resolutions outside the legislative procedure that are voted on during Thursday afternoons. It can happen though that reports that are up for vote on Thursdays before lunch are postponed to the afternoon on the same day due to a shortage of time. But with such a low number of attendees a very small group of MEPs, by mustering their troops, can be able to influence the results at the votes on Thursday afternoons in a way that is not representative of the general views of the EP. The leaders of the political groups should be aware of this and try to get a larger share of their MEPs to take part in the Thursday afternoon votes. A group discipline with order to MEPs to take shifts in staying over at the Thursday afternoon votes at least half of the sessions during a year should not be complicated to achieve.

Rule 155 : Quorum

1. Parliament may deliberate, settle its agenda and approve the minutes, whatever the number of Members present.
2. A quorum shall exist when one third of the component Members of Parliament are present in the Chamber.
3. All votes shall be valid, whatever the number of voters are, unless the President, on a request made before voting has begun by at least 40 Members, establishes at the time of voting that the quorum is not present. If the vote shows that the quorum is not present, the vote shall be placed on the agenda for the next sitting.

A request for the quorum to be established must be made by at least 40 Members. A request on behalf of a political group is not admissible.

When establishing the result of the vote, an account must be taken, in accordance with paragraph 2, of all the Members present in the Chamber and, in accordance with paragraph 4, of all the Members who asked for the quorum to be established. The electronic voting system cannot be used for this purpose. The doors of the Chamber may not be closed.

If the number of Members required to make up the quorum is not present, the President shall not announce the result of the vote but shall declare that the quorum is not present.

The last sentence of paragraph 3 shall not apply to votes on procedural motions but only to votes on the subject-matter itself.

4. Members who have asked for the quorum to be established shall be counted as being present within the meaning of paragraph 2, even if they are no longer in the Chamber.

Members who have asked for the quorum to be established must be present in the Chamber when the request is made.

5. If fewer than 40 Members are present, the President may rule that there is no quorum. (Rules of Procedure – EP:s 7th parliamentary term)

The irony is that for example at the vote in the afternoon on Thursday 7th April 2011 there were just about 40 MEPs present and there was not even enough members present to request if a quorum is present.

Up until the year 2000, the EP met in general twelve times a year from Monday to Friday in Strasbourg. However, the attendance was very low on the last day of the session week, sometimes below 20 MEPs. In 2001, the Friday sessions were abolished.

In general the last vote at the sessions in Strasbourg is at around 16.30 on Thursday afternoon. Most of the MEPs have left after lunch that day. In general during 2011 according to the vote records on average the turnout was below 60 MEPs.

In regards to the above mentioned attendance at the votes on Thursday afternoons during 2011, there are a number of interesting points to note.

In general the EP votes on Thursday afternoons/afternoons on resolutions outside the legislative procedure. Often the resolutions are about foreign affairs like the situation in Belarus, Pakistan, Uganda and Zimbabwe et cetera. Individual cases in these countries are often named as well in the resolutions. For these individuals it is of course important to have been mentioned in resolutions by the EP when they suffocate in a prison under a dictatorship. Nevertheless, there are different opinions on these issues, like about the development in Venezuela and Cuba or the conflict between Israel and Palestine.

So there are reasons for the MEPs to take part in these votes as well as there are good reasons for the leaders of the political groups to get their MEPs to vote. But, in reality the MEPs and the group leaders seem to have resigned on this. The MEPs want to get home after a quite exhausting week in Strasbourg from Monday to Thursday lunchtime. The statistics gives a clear indication of this.

Table 12. Maximum and minimum vote participation in RCVs and all EVs during the Thursday afternoon sessions of 2011

Date	Maximum RCVs	Maximum EVs (or secret ballots)	Minimum RCVs	Minimum EVs (or secret ballots)
20/01	86	86	79	86
17/02	56	60	56	60
10/03	52		52	
07/04	43	43	39	42
12/05	59		59	
09/06	62		59	
07/07	63		60	
15/09	53		53	
27/10	65		55	
17/11	47	46	47	46
15/12	48	45	48	45

Table 13. Composition of the political groups in the European Parliament after the election 2009 in numbers and percentages in comparison with presence in numbers and percentages at the Thursday afternoon votes in Strasbourg January to November 2011

Political group	Number of seats after the election 2009	Percentage of the seats in the EP after the election 2009	Average number of present at the 18 RCVs Thursday afternoons January to November 2011	Average percentage of the seats of the average presence Thursday afternoons January to November 2011
EPP	265	36%	26.83	46.6%
S&D	184	25%	11.67	20.3%
ALDE	85	11.5%	5.33	9.3%
Greens/EFA	55	7.5%	3.33	5.8%
ECR	54	7.3%	4.44	7.7%
GUE/NGL	35	4.8%	2.67	4.6%
EFD	32	4.3%	2.06	3.6%
NI	27	3.7%	1.28	2.2%
Total	736		57.61	

Remarks:

Due to the 18 new seats which were added in the EP, according to the Lisbon Treaty, in December 2011, the December session has been taken out of the calculation. However, the total turnout of MEPs was more or less exactly the same in November and December at the Thursday afternoon vote.

As can be studied in the table above the EPP group becomes strengthened proportionally at the votes on Thursday afternoon. But for example practical travel logistics can play a role here. If the EPP has many members elected in countries on a short distance from Strasbourg they can easily fill up the vote at this late hour of the session and be home in time for tea in the evening. We hope others can continue this study of which MEPs take part and why during the last votes at the Strasbourg sessions.

2.9. Comparison with Thursday afternoon votes 2001

It is interesting to note that there are some parallels with research made by the same researcher in 2001.

First of all, even if the EP claims to have become much more important during the ten years that has passed between 2001 and 2011, the attendance at the Thursday afternoon votes in Strasbourg has fallen by nearly half. The MEPs take even less notice about this part of the sessions.

Secondly, we can see some similarities in the behavior of the political groups at Thursday afternoon votes between 2001 and 2011.

The Christian Democrats (EPP, in 2001 EPP-ED) also strengthened their position at the Thursday afternoon votes with a higher attendance in 2001. Also in 2001, some smaller groups had lower attendance at these votes. The Socialists (S&D, in 2001 PSE) usually claims to have a good mustering of their members at votes, but as can be seen in the tables above and below their Thursday afternoon records are not impressive.

Table 14. Comparison of the political groups' percentage share of the European Parliament as a whole and their attendance at RCVs on Thursday afternoons in 2001

Party group	Number of members	Percentage of EP	Average Number of Members present Thursday afternoons	Average Percentage of those present on Thursday afternoons
EPP-ED	232	37.06%	50.15	45.19%
PSE	181	28.91%	26.89	24.23%
ELDR	52	8.31%	8.16	7.35%
Greens/EFA	46	7.35%	10.17	9.16%
GUE/NGL	42	6.71%	8.85	7.97%
UEN/EDD/TGI/NI*	73	11.66%	6.76	6.09%
Total	626		110.98	

Comments:

* As the UEN, EDD, TGI and NI groups varied in size during 2001 (TDI was forced to dissolve and become part of NI), we have combined them.

During 2001, 53 RCVs took place on Thursday afternoons. These RCVs consisted of six consultation reports, six reports outside the legislative procedure and 15 resolutions concerning everything from religious freedom in China, freedom of the press throughout the world, the situation in Zimbabwe and children's rights to Hurricane Michelle, etc. EPP-ED therefore strengthens its position on Thursday afternoons in 2001 through having better attendance discipline. The four smallest groups had a low attendance. During its existence during the first half of 2001, TDI usually had 1 (one) member present per Thursday afternoon.

3. Does it matter?

With each new treaty within the EU, the EP has benefited in terms of political influence and power-sharing with the Council of the European Union. As the EP is increasingly becoming a co-determinant in the political process, it is vital, not least for the institution's own sake, that something should be done about the random voting results in the Parliament. Political decisions can be brought into question and become the subject of suspicion if they can be dismissed as purely random results in a voting procedure where a number of external practical factors (irregular attendance between party groups and Member States, late arrival of MEPs, the fast pace of voting which do not give MEPs time to press the buttons, et cetera, et cetera) affect the result.

The fact that the co-decision matters are considered first during voting sessions is actually a major problem. For various reasons some members arrive late for voting, often because the lifts are overcrowded immediately before voting. A good turnout is essential to get the 384 votes (based on a present 766 member EP) to carry an amendment in the second reading of a co-decision procedure. The biggest group, EPP, cannot get this magical number with only cooperating with the third largest group ALDE. They must also include the second largest group S&D. Only then can they get a solid and continued majority over time that gives the EP influence in the negotiations with the Council and the Commission.

It has happened that there have been votes in the second reading where the EPP has been outside the compromise in the second reading and then it has been very difficult to reach the required majority. So the random factor can also play an important role in matters where the EP actually has an influence within the European Union. However, during 2011 the votes at the second reading had a solid majority backing the compromise, but below there is an example from 7 July 2010 when there was a vote on novel foods. Then it was only by a tiny margin if an amendment did get the then required 369 votes or not. There are a number of examples from the voting in the EP where small margins have played an important role for the outcome of extremely important political issues: See also the report “Voting Procedure in the European Parliament 2001. An empirical analysis”³.

3.1. Example from a long vote and how results are affected – 23rd of June 2011⁴

3.1.1. A long vote

From Wednesday 22nd to Thursday 23rd June, the EP held a part session in Brussels. There were quite a few items up for vote at the end of the session before lunch on the Thursday. The members had to vote on twenty-three reports and many of them were requested roll call votes (RCVs) on various proposed points and amendments. The vote on the 23rd June was extremely important for various reasons. The “six pack” on economic governance in the Euro zone was to be voted on; it was “Ordinary legislative procedure (first reading)” (meaning that the EP had a co-decision responsibility with the Council on these matters); the Jordan Cizelj report on spent fuel and radioactive waste was to be voted on (which is an important subject despite being only a consultation procedure for the Parliament); and the Parliament also gave its opinion on the upcoming 2012 budget in a resolution. These last political standpoints are critical during the budget negotiations between EU institutions. There were 106 RCVs for which a special minutes register recorded how each member voted. There were also 22 electronic votes (EV) in which the result is registered but not how each MEP voted. Of these 128 RCVs/EVs there was one vote that was an appointment to the European Central Bank. That means that in total there were 128 RCVs and EVs.

In total, 659 MEPs signed in as being present in the minutes, but there were in total 679 MEPs that took part in at least one RCV. Furthermore, eight MEPs signed in as present but did not take part in that day’s vote: five EPP members (three of which were Polish including Buzek, the President of the EP, along with one German and one Finn), two ALDE members (one German and one Estonian), and one Green (Greens/EFA) member (German). That means that 28 MEPs voted but were not signed in as present in the minutes; these 28 probably signed in as present on another list in the EP. In order to get their daily allowance, MEPs had to vote in at least 50 percent of the RCVs that day.

Even though there were 679 MEPs that voted at least once in a RCV, the single largest number to participate in any one RCV was 675. At no point did all 679 MEPs present vote at the same time. The number of participants decreased gradually to 566 in the last RCV at 13.35.41. 658 MEPs participated in the first RCV at 12.16.26.

³ <http://www.oceurope.com/attachment/votingprocedureep2001en.pdf>

⁴ For those that are interested a special report on the votes in the EP this day with the title: “An analysis of the voting behaviour in the European Parliament Thursday 23rd of June, 2011 can be read at; <http://www.oceurope.com/attachment/ep.voting.behaviour.23.06.2011.pdf>

**Table 15. Participation of MEPs in the RCVs the 23rd June 2011, divided by group
Number of MEPs**

	Number of MEPs	Number of MEPs taking part in the vote	Percentage of MEPs taking part in the vote	Number of MEPs taking part in the last RCV	Percentage of MEPs taking part in the last RCV	Number of MEPs that left during the vote**
EPP	264	244	90.9	210	79.5	34
S&D	185	176	95.1	143	77.3	33
ALDE	85	75	88.2	67	78.8	8
ECR	56	54	96.4	42	75.0	12
Greens/ EFA	55	50	90.9	46	83.6	4
GUE/N GL	35	31	88.6	24	68.6	7
EFD	27	23	85.2	17	63.0	6
NI	29	26	89.7	17	58.6	9
Total	736	679	92.3	566*	76.9	113

Note:

* Two MEPs (one Irish EPP member and one Spanish non-attached member) reported afterwards to the minutes how they intended to vote in the last RCV that took place. This was disregarded. They must have been present because they voted in the RCV half a minute beforehand. However, due to the ability to declare intended votes up to two weeks afterwards by an MEP, the two MEPs mentioned have not been included in the statistics above or in the tables that follow. MEPs' post-vote declarations about how they intended to vote have not been examined in this study. Such notes do not change the results of the votes and are therefore inconsequential.

** Derived by subtracting the number that participated in the last RCV from the total number of MEPs that voted that day.

The ECR and S&D groups had the best discipline in terms of members' attendance at the vote, but Greens/EFA is the best in terms of their MEPs staying until the last vote.

Table 16. Groups strength in percentage during the RCVs the 23rd June 2011 Number of members in the EP groups

	Number of MEPs	Number of MEPs taking part in the vote	Percentage of MEPs taking part in the vote	Number of MEPs taking part in the last RCV	Percentage of MEPs taking part in the last RCV	Number of MEPs that left during the vote**
EPP	264	35.9 %	244	35.9 %	210	37.1 %
S&D	185	25.1 %	176	25.9 %	143	25.3 %
ALDE	85	11.5 %	75	11.0 %	67	11.8 %
ECR	56	7.6 %	54	8.0 %	42	7.4 %
Greens/ EFA	55	7.5 %	50	7.4 %	46	8.1 %
GUE/N GL	35	4.8 %	31	4.6 %	24	4.2 %
EFD	27	3.7 %	23	3.4 %	17	3.0 %
NI	29	3.9 %	26	3.8 %	17	3.0 %
In total	736	100 %	679	100 %	566	99.9 %

The EPP increased their share of present members in the last vote in comparison to their representation in the EP. The Greens/EFA did, as well.

A scenario where all 264 EPP members were present would have increased the participants in the last RCV to 620 members; of these, the EPP would then have had a share of 42.6%.

With close to 43% of all participating MEPs, everything decided in the EP would have been decided by the EPP.

In a scenario where the S&D had all their 185 members present in the last RCV, the total number of MEPs participating would have increased to 608. Of these 608, S&D would have had a share of 30.4%.

Table 17. Presence of MEPs participating in the RCVs the 23rd June 2011 divided by nationality Number of MEPs

	Number of MEPs	Number of MEPs taking part in the vote	Percentage of MEPs taking part in the vote	Number of MEPs taking part in the last RCV	Percentage of MEPs taking part in the last RCV	Number of MEPs that must have left during the vote²
Belgium	22	21	95.5	19	86.4	2
Bulgaria	17	17	100	16	94.1	1
Czech Republic	22	20	90.9	13	59.1	7
Denmark	13	13	100	11	84.6	2
Germany	99	91	91.9	80	80.8	11
Estonia	6	3	50	3	50	0
Ireland	12	10	83.3	7	58.3	3
Greece	22	20	90.9	18	81.8	2
Spain	50	47	94	34	68	13
France	72	65	90.3	54	75	11
Italy	72	69	95.8	45	62.5	24
Cyprus	6	6	100	5	83.3	1
Latvia	8	3	37.5	3	37.5	0
Lithuania	12	10	83.3	9	75	1
Luxembourg	6	4	66.7	4	66.7	0
Hungary	22	20	90.9	18	81.8	2
Malta	5	5	100	5	100	0
Netherlands	25	25	100	25	100	0
Austria	17	17	100	16	94.1	1
Poland	50	46	92	42	84	4
Portugal	22	22	100	17	77.3	5
Romania	33	29	87.9	28	84.8	1
Slovenia	7	6	85.7	5	71.4	1
Slovakia	13	13	100	12	92.3	1
Finland	13	11	84.6	9	69.2	2
Sweden	18	18	100	16	88.9	2
United Kingdom	72	68	94.4	52	72.2	16
In total	736	679	92.3	566	76.9	113

The lower presence from Estonian and Latvian MEPs can perhaps be explained by the fact that for Estonia the 23rd June is a day marked by important official ceremonies celebrating Victory Day when Estonian forces won in the Battle of Võnnu in 1919. As for Latvia, there is a Latvian festival held on the night of June 23rd to celebrate the summer solstice (Midsummer) — the shortest night and longest day of the year. The day of Līgo (23th June) and the day of Jāņi (24th June) are public holidays, and people usually spend them in the

countryside. It is not unusual at the sessions of the EP that at least one of the 27 national delegations have important events in their country.

3.1.2. Randomness in decisions due to close results

Most of the decisions that are voted on in the EP have a large majority behind them due to compromises made beforehand by the qualified majorities of the largest groups in the Parliament.

Sometimes, however, randomness is visible in a result. The worst example is from the 4th July 2001 when a report was rejected with the following votes: 273 yes, 273 no, 22 abstentions, and 58 absent. The report was about a directive on company law concerning take-over bids. It was the third reading in a co-decision procedure for the EP. Not all MEPs were satisfied about the conciliation with the Council, and the Parliament was very much divided according to national lines instead of group lines. Of course, this was a factor that confused the voting, because if MEPs that did not know what the vote was about voted in the same way as their group colleague next to them from another country, then they might have voted against instructions from their national party. The vote on the report was also the first vote that day and several members were delayed. For example, four members noted in the minutes afterwards that they intended to vote yes, but for some reason they did not vote. In the RCV after the equal result there were 17 more MEPs voting than there had been in the previous vote.

As a more recent example, there was an equal result during the last votes just before the session closed on Thursday afternoon on the 16th December 2010 in Strasbourg. There were votes on different group resolutions on the subject of Eritrean refugees held hostage in Sinai. A common resolution tabled by the S&D, ALDE, Greens/EFA and GUE/NGL was rejected with 31 votes in favour, 31 votes against and no abstentions; 674 members were not present or did not vote. Unfortunately, this happened on an electronic vote so how the participating MEPs voted was not recorded.

As for Thursday the 23rd June 2011, there were ten RCVs and ten EVs in which the difference between yes and no was 35 votes or less. RCV number 88 (on the Balzani report on the 2012 draft budget trilogue, or Budgetary procedure, amendment 8 part 2/Delete) was especially close with only six votes separating yes and no.

Table 18. Close results at the voting the 23rd June 2011

	Feio report A7-0179/2011 - Implementation of excessive deficit procedure (Consultation procedure) – Amendment 2 PC Kl. 12.29.08				Goulard report A7-0180/2011 – Budgetary surveillance in the euro area (Ordinary legislative procedure, first reading) – Amendment 2PC (Art 4, §2) Kl 12.35.54				Goulard report A7-0180/2011 – Budgetary surveillance in the euro area (Ordinary legislative procedure, first reading) – Amendment 2PC (Art 5) Kl. 12.36.48				Wortmann-Kool report A7 - 0178/2011 – Surveillance of budgetary positions and surveillance and coordination of economic policies (Ordinary legislative procedure - first reading) - Amendment 2 PC (Article 1, point 1 c) Kl. 12.40.39				Wortmann-Kool report A7 - 0178/2011 – Surveillance of budgetary positions and surveillance and coordination of economic policies (Ordinary legislative procedure - first reading) - Amendment 2 PC (Article 3, § 2, point c - Regulation 1466/97) Kl. 12.41.57			
Grou p	Yes	No	Abst	<i>Tot. parti cip.</i>	Yes	No	Abst	<i>Tot. parti cip.</i>	Yes	No	Abst	<i>Tot. parti cip.</i>	Yes	No	Abst	<i>Tot. parti cip.</i>	Yes	No	Abst	<i>Tot. particip.</i>
ALD E	72	2	0	74	71	1	1	73	74	0	0	74	73	0	0	73	73	0	0	73
ECR	4	50	0	54	4	49	0	53	4	46	0	50	3	49	1	53	3	49	1	53
EFD	4	10	9	23	2	11	9	22	4	10	9	23	5	10	8	23	4	10	9	23
GUE /NG L	0	31	0	31	0	30	1	31	0	29	1	30	0	30	0	30	0	30	0	30
NI	3	13	9	25	2	17	6	25	4	16	5	25	5	12	7	24	4	15	6	25
EPP	241	0	0	241	238	2	0	240	239	3	0	242	236	1	0	237	237	2	0	239
S&D	12	162	0	174	8	164	1	173	8	162	1	171	6	162	4	172	8	162	1	171
Gree ns/E FA	2	45	3	50	7	40	3	50	7	40	3	50	3	44	3	50	7	40	1	48
In total	338	313	21	672	332	314	21	667	340	306	19	665	331	308	23	662	336	308	18	662

Table 19. Close results at the voting the 23rd June 2011

	Wortmann-Kool report A7 - 0178/2011 – Surveillance of budgetary positions and surveillance and coordination of economic policies (Ordinary legislative procedure - first reading) - Amended proposal Kl. 12.43.48				Jordan Cizelj report A7-0214/2011 – Spent fuel and radioactive waste (Consultation procedure) – Amendment 59 Kl 13.00.29				Jordan Cizelj report A7-0214/2011 – Spent fuel and radioactive waste (Consultation procedure) - Amendment 136/1 Kl 13.03.57				Balzani report A7-0230/2011 - 2012 draft budget trilogue (Budgetary procedure) - Amendment 8 D/2 Kl 13.16.49			
Group	Yes	No	Abst	<i>Tot. particip</i>	Yes	No	Abst	<i>Tot. particip</i>	Yes	No	Abst	<i>Tot. particip</i>	Yes	No	Abst	<i>Tot. particip</i>
ALDE	72	2	0	74	5	63	1	69	71	1	0	72	8	52	4	64
ECR	4	43	5	52	48	3	0	51	0	52	0	52	1	47	0	48
EFD	4	8	9	21	13	8	1	22	3	16	3	22	11	10	1	22
GUE/ NGL	0	30	0	30	6	23	0	29	25	3	1	29	0	24	2	26
NI	5	18	1	24	9	13	3	25	9	11	4	24	5	9	0	14
EPP	237	4	0	241	215	17	1	233	16	213	1	230	204	17	0	221
S&D	6	158	6	170	14	153	1	168	149	18	1	168	56	88	15	159
Greens /EFA	5	40	5	50	1	48	0	49	49	0	0	49	0	44	0	44
In total	333	303	26	662	311	328	7	646	322	314	10	646	285	291	22	598

The participation from the MEPs in the vote decreased continuously. It is not evident that MEPs suddenly left after an especially important vote; instead, they left probably because the vote took longer than expected and some MEPs had a lunch meeting or flights to catch back home.

For example, the first vote in Table 18 was an important RCV about the amended proposal from the EP on the surveillance of budgetary positions and surveillance and coordination of economic policies as a whole. At this point, there were around ten members that had already left the plenary. The groups (ECR, GUE/NGL, S&D and Greens/EFA) that voted no and lost with a 30 vote margin could have won if the nine members from the ECR, twelve members from the S&D, and ten members from the Greens/EFA that either voted yes or abstained had voted no with their groups' majorities.

The EPP group is the largest group and the master of the EP. If they are able to keep their MEPs in the plenary during the whole vote they could win much more frequently. As can be seen above in Table 19, the last three selected votes were very close and the EPP narrowly lost. They would have won the last two if all their 244 members that had voted that day voted in these two RCVs. They also would have won the fourth vote in Table 5 at 13.00.29 if they had better cohesion within their group.

As can be noted in Tables 18 and 19, EPP and ALDE won the five close votes in Table 18 and the first vote in Table 19 which was connected to the "six pack" on economic governance. But the EPP lost the last three votes in Table 19 with close margins.

The EPP lost because ALDE switched to the S&D and ECR side but also because the EPP had 16-17 MEPs that voted contrary to the majority of the group. In the RCV about amendment 8 part 2/D in the Balzani report, the EPP lost even when S&D was heavily divided. Also, more than ten MEPs from the EPP had left the plenary at this time, which further worsened the EPP's chances to win RCVs.

The vote on the Balzani report on the 2012 draft budget trilogue (Budgetary procedure), amendment 8 part 2/Delete, where only six votes separated yes and no, is an interesting vote to analyse in the context of national interests.

An Italian MEP from the EPP tabled an amendment to delete paragraph 46 in the proposed report. Paragraph 46 was as follows: "Calls for a further reduction of export refunds and regrets the continued subsidising of the tobacco production in the EU, which is contrary to the objectives of the EU health policy;"

At the vote, the paragraph was split in two and the vote was to delete the second part "and regrets the continued subsidising of the tobacco production in the EU, which is contrary to the objectives of the EU health policy;" The difference between yes and no was only six votes. 291 MEPs voted not to delete this text from the report, 285 voted yes. The EPP was rather cohesive in their will to delete this part and they got support from MEPs in the S&D who were mainly from tobacco growing EU countries.

Table 20. How MEPs voted in RCV 88 about the regret of the continued subsidising of the tobacco production in the EU (Balzani report Amendment 8 part 2/Delete) the 23rd June 2011 divided by nationality

	Yes	No	Abstained	Total Participants	Did not vote or had left the plenary	Not present
Belgium	3	15	0	18	1	0
Bulgaria	10	4	1	15	2	0
Czech Republic	1	14	1	16	4	2
Denmark	0	11	0	11	2	0
Germany	39	43	3	85	6	8
Estonia	1	1	1	3	0	3
Ireland	0	9	0	9	1	2
Greece	17	3	0	20	0	2
Spain	36	3	2	41	6	3
France	31	22	1	54	11	7
Italy	43	9	5	57	12	3
Cyprus	2	2	1	5	1	0
Latvia	1	2	0	3	0	5
Lithuania	3	3	1	7	3	2
Luxembourg	2	2	0	4	0	2
Hungary	16	3	0	19	1	2
Malta	1	1	2	4	1	0
Netherlands	7	17	0	24	1	0
Austria	7	9	0	16	1	0
Poland	24	16	1	41	5	4
Portugal	8	8	1	17	5	0
Romania	17	10	0	27	2	4
Slovenia	2	3	1	6	0	1
Slovakia	7	4	0	11	2	0
Finland	2	7	1	10	1	2
Sweden	5	13	0	18	0	0
United Kingdom	0	57	0	57	11	4
In total	285	291	22	598	81	57

As can be seen above, the British, Danish, and Irish delegations clearly want to keep the criticism of tobacco policy in the EU in the report.

The Italians mostly voted yes to delete the text. As can be seen in Table 20, twelve Italians left the plenary before this vote or did not vote in this RCV. Of these twelve Italians, nine belong to the EPP. If these nine Italian EPP members did vote, the text would have been deleted.

However, Table 20 is an example of how national interests overpower group discipline in the EP.

3.1.3. Cohesion within the groups

From Tables 18 and 19, some conclusions can be drawn about group cohesion. First of all, that the EU-critical EFD group has lower cohesion than other groups is not surprising. This group agrees in their criticism of EU institutions but differs in opinion in many other issues. The Conservative ECR group and the Green/Regionalist Greens/EFA group also have room for improvement.

It would be very time consuming to analyse all 106 RCVs from the 23rd June. Therefore, due to a limit in the time needed to process the data, a sample has been taken from every fifth vote from RCV numbers 1 to 106. It gave the results as follows:

Table 21. Comparison of the groups cohesion in every fifth vote (RCV 1 to 106) the 23rd June 2011.

Group	Cohesion
ALDE	95.68%
ECR	90.37%
EFD	63.97%
GUE/NGL	87.05%
NI*	55.13%
EPP	98.06%
S&D	91.90%
Greens/EFA	90.96%

Note:

* NI – the non-attached members are not a group. The figure for the non-attached members is interesting to compare, however, with the cohesion in the groups of the EP.

That the non-attached (NI) members have the lowest cohesion is not surprising, and neither is the fact that the EFD group comes in with the second lowest cohesion. As for the highest cohesion for the EPP, randomness cannot be excluded as a reason. As can be seen in Tables 18 and 19, the EPP had a high cohesion when the “six pack reports” were voted on, but on the reports about spent fuel and radioactive waste and the coming 2012 budget, the EPP had defections from the group line that caused their defeat in three RCVs with close results.

3.1.4. The larger groups working together

As has been mentioned above, the groups in the EP try to find compromises in their daily work in order to fight for expansion of their EU institutions’ influence over the Commission and the Council. The 23rd June was not a typical example of how the larger groups work together, which is interesting in itself.

Table 22. Comparison of how the majority of each group voted with the majority of the other groups in percentage of the 106 RCV

	EFD	GUE/NGL	Greens/EFA	ECR	ALDE	S&D
EPP	66.00%	21.70%	55.70%	51.90%	87.70%	54.70%
S&D	50.90%	54.70%	72.60%	50.90%	53.80%	
ALDE	61.30%	26.40%	63.20%	52.80%		
ECR	54.70%	40.60%	34.90%			
Greens/EFA	50.00%	49.10%				
GUE/NGL	35.80%					

Note:

NI – Non-attached is not a group and has been excluded from this table.

The political agenda of the EP session on the 23rd June 2011 was extraordinary. The S&D group was not in agreement with the EPP and ALDE on the six packet of economic governance. The final votes on these reports were postponed. In general, these three groups find compromises in the Committees. As can be seen in Tables 18 and 19, the opposition to the six packet reports came from all other groups, even the Conservative ECR group.

As can be seen above, the 23rd June 2011 was more of a day when the EPP and ALDE voted together and, on the other side, the S&D and Greens/EFA frequently voted together. Furthest from each other were the Leftist GUE/NGL from the EPP and ALDE. It must also be noted that the Conservative ECR did not have much in common with the Christian Democratic EPP and the Liberal ALDE.

3.2. Example of how attendance fluctuates from one vote to another – 10th May 2011

It does happen that there is the same number in attendance from one vote to next, but not every day when there are votes though. On six occasions during 2011, it happened that three RCV (plus in one case one EV and two RCV) in a row had the same number of MEPs that casted their votes. That does not mean that it was exactly an identical group of individual MEPs. Some MEPs are added and some disappear.

An example of this is from the 10th May 2011 - three RCVs in a row had 651 MEPs that attended. The votes were about the 2009 discharge for the general budget of the EU, Section III, Commission. RCVs 32 to 34 were on:

Decision No 4 – Executive Agency for Health and Consumers

Decision No 5 – Trans-European Transport Network Executive Agency

Decision No 6 – European Research Council Executive Agency

The results were quite similar and clear in RCV 32: 536 yes, 104 no and 11 abstentions, in RCV 33: 536 yes, 106 no and 9 abstentions, and in RCV 34: 537 yes, 104 no and 10 abstentions.

However, as can be seen in the table below, when the MEPs are divided just by their groups the figures of participation in RCV 32 to 34 varies in all groups except for the EFD and the non-attached.

Table 23. Number of MEPs participating in the vote the 10th May 2011 and in RCVs 32 to 34 that day

Group	MEPs participating in the vote that day	MEPs participating in at least one of the RCV 32 to 34	MEPs participating in RCV 32 at 12.20:53	MEPs participating in RCV 33 at 12.21:13	MEPs participating in RCV 34 at 12.21:29
EPP	234	234	230	231	231
S&D	168	168	166	164	165
ALDE	76	75	74	72	75
Greens/EFA	50	50	48	49	46
ECR	51	51	51	50	50
GUE/NGL	33	33	30	33	33
EFD	27	26	26	26	26
NI	25	25	25	25	25
	664	662	651	651	651

These three RCVs above were held in 40 seconds. It seems like all MEPs did not catch up in this rapid pace. In the example above, the majority was never in any doubt. But that is no excuse for doing the votes too fast.

3.3. Example of shifting majorities and random results – 10th December 2013

Close voting results does occur occasionally. The biggest problem is however the fact that the attendance during the early stages of voting sessions is the major reason for random outcomes in the result.

There are now and then quite close results at the EVs. This is natural when the sitting chair at the vote, with show of hands cannot determine the result, then a check is done by EV. But at these votes it is not possible to see who voted which way and of course MEPs do make mistakes when they vote at EVs just as they do when there are RCVs.

A recent example shows that the voting procedure that we criticize is as valid today as it was 2011. On Tuesday the 10th December 2013 there was a long vote of one and a half hours. When the EP votes on resolutions, there can be tensions about the context of the report, even if the groups in general vote in favour of the resolution as a whole. With close results on points or amendments in the report there can be situations of inconsistency. If for example the groups S&D, ALDE, Greens/EFA and GUE/NGL form a bloc there can be close results in the votes against the EPP and ECR.

One small example is from the vote on the 10th December 2013 on the resolution “Defining criteria determining when recovered paper ceases to be waste pursuant to Article 6(1) of Directive 2008/98/EC on waste” (B7-0553/2013).

The vote on this resolution was held between 11.48 and 11.55, around 16 minutes after the votes had started. That means that it was at an advantageous time, the “late arrivers” had

come in and the “early leavers” had not yet left the plenary. It is a matter of fact that immediately after the final RCV (RCV number 17) on this resolution, three MEPs left the vote and two took a break.

On this resolution, there were two votes with a show of hands, two EVs and one RCV on the resolution as a whole. The EVs are worth further study as they were at amendments. Number 10 was tabled by ALDE, S&D and the Greens/EFA. Amendments 1 to 9 were tabled by ALDE and the Greens/EFA. As can be seen below, there were really close results and at amendment 9 the majority shifted in favour of ALDE and the Greens/EFA.

Table 24. Results at the vote on Tuesday 10th December 2013 Motion for a resolution B7-0553/2013 (Defining criteria determining when recovered paper ceases to be waste pursuant to Article 6(1) of Directive 2008/98/EC on waste)

Subject up for vote	Tabled by	Type of vote	Yes votes	No votes	Abstained	Result	Total number of votes
Am no 10	ALDE, S&D, Greens/EFA	EV	404	278	8	+	690
Am no 1	ALDE, Greens/EFA	EV	334	339	3	-	676
Am no 2	Greens/EFA	Show of hands				-	
Am no 3	ALDE, S&D	Show of hands				+	
Am no 4	ALDE, Greens/EFA	EV	343	345	5	-	693
Am no 5	ALDE, Greens/EFA	EV	340	345	6	-	691
Am no 6	ALDE, Greens/EFA	EV	346	346	3	-	695
Am no 7	ALDE, Greens/EFA	EV	344	345	5	-	694
Am no 8	Greens/EFA	EV	327	363	7	-	697
Am no 9	Greens/EFA	EV	348	344	5	+	697
Resolution (text as a whole)		RCV	606	77	10	+	693

As can be seen above, six of the votes had a very close result with a range of five votes between yes and no. The Greens lose on their amendments but win at one in the end. As these votes were done by EV it is not possible to analyse exactly how individual MEPs voted and if it was a lack of discipline and coherence in a group that was crucial for the result or if one or two MEPs just forgot to vote in those votes where the Greens/EFA narrowly lost.

The eight EVs above and the two votes with show of hands were held between 11.49 to 11.55. If a little bit more time was given to each of the votes for the MEPs to press the vote buttons another result might have emerged.

Even if the Greens/EFA lost on the votes on number seven of their amendment, and ALDE lost on five, both groups voted in favour of the resolution at the final vote.

This was a vote on a resolution, but the context of it can have an impact on the political line of the EP in the long term positions so it is not unimportant.

It happens now and then that there are close results at EVs. Some of them are held because the chair of the vote cannot see during the votes by show of hands where the majority is. The chair then checks by EV, or it might be demanded from the floor.

It would be best if all EVs were held as RCVs so the MEPs could be held to account how, or if they voted, at votes like the ones above.

3.4. Example of shifting majorities and random results – EU legislation co-decision second reading 7th July 2010

On Wednesday 7th July 2010, it was a vote on the Liotard report on Novel foods (A7-0152/2010). It was the second reading of a co-decision procedure. At this time the EP had 736 members so 368 votes were needed for an amendment to be approved and then to be the EPs position in the continued co-decision procedure. There were many votes where the result was around the magical 368 yes votes. Some amendments got this and were approved while some did not. A part of the picture is also that there was a huge difference in the attendance during this vote about novel foods from 661 as the lowest to 687 as the highest. Low attendance at some of the votes probably was crucial if an amendment was to be approved or not.

All the amendments had been approved in the Committee on the Environment, Public Health and Food Safety and should then have a majority in plenary as the Committee more or less is proportional in its political composition in the EP as a whole. However, the group meetings before the session might have other opinions than what has been expressed by MEPs from their groups in the Committee.

Many close votes were EVs. EVs of special interest to study were as follows:

Amendment 3 was approved with 399 yes against 263 no and 8 abstentions. In total 670 MEPs voted.

Amendment 7 was rejected with 342 yes against 322 no and 11 abstentions. In total 675 MEPs voted. So even if there was a majority of yes votes against no votes the qualified majority of 368 votes would not be reached.

Amendment 9 was approved with 369 yes against 298 no and 12 abstentions. In total 679 MEPs voted. With the slightest margin and thanks to a higher attendance than the previous EVs, this amendment was approved.

Amendment 19 was rejected with 363 yes against 311 no and 7 abstentions. In total 681 MEPs voted. This amendment fell with a tiny marginal. Was this due to a lack of discipline in the groups that were in favour?

Amendment 38 was rejected with 359 yes against 307 no and 13 abstentions. In total 679 MEPs voted. This was also close, nine more votes could have been mustered by the groups that voted yes or?

Amendment 39 part 2 was rejected with 349 yes against 324 no and 10 abstentions. In total 683 MEPs voted.

Amendment 43 was approved with 397 yes against 277 no and 10 abstentions. In total 684 MEPs voted.

Amendment 38 was rejected with 358 yes against 309 no and 11 abstentions. In total 678 MEPs voted.

Amendment 79 was rejected with 350 yes against 324 no and 7 abstentions. In total 681 MEPs voted.

Amendment 83 was rejected with 356 yes against 317 no and 14 abstentions. In total 687 MEPs voted.

Amendment 112 was rejected with 366 yes against 306 no and 13 abstentions. In total 685 MEPs voted. Only two more votes would have made it. At same time at least two MEPs that had voted just before did not vote in this EV.

Amendment 119 was rejected with 344 yes against 325 no and 14 abstentions. In total 683 MEPs voted.

We cannot analyse what went wrong in the votes above when they fell with such a small margin. But of the RCVs there were also some where the result was close. In the table below it can be studied how the groups voted at three RCVs with close results.

Table 25. How the MEPs voted on three amendments on the Liotard report A7-0152/2010) on Novel foods in co-decision second reading 7th July 2010

Group	Am 72				Am 76				Am 86			
	Yes	No	Abst	Tot votes	Yes	No	Abst	Tot votes	Yes	No	Abst	Tot votes
ALDE	76	0	0	76	49	22	5	76	72	5	1	78
ECR	2	46	0	48	12	37	0	49	1	49	0	50
EFD	6	21	1	28	7	11	10	28	15	10	1	26
GUE/NGL	32	1	0	33	33	0	0	33	32	1	0	33
NI	9	9	8	26	14	3	9	26	10	11	5	26
EPP	28	217	2	247	35	207	5	247	11	236	1	248
S&D	172	0	2	174	153	16	5	174	173	2	1	176
Greens/EFA	49	0	0	49	48	0	0	48	48	0	0	48
Total	374	294	13	681	351	296	34	681	362	314	9	685

There are multiple factors for the narrow loss on amendment 86 for the yes side. But as a start – five German CDU/CSU members that voted no have noted on the minutes that they intended to vote yes. That would give 367 votes! Of the 40 present German CDU/CSU members, two voted yes and 38 no, but maybe more than five of these 38 did make a mistake and did not ask for it to be noted in the minutes?

But also, as can be seen in the table above, one Green/EFA member is missing at the vote on amendment 86 in comparison to the vote on amendment 72, which was approved.

Furthermore, because three S&D members and one GUE/NGL member did not follow their groups at the vote, the position of these two groups was lost.

Amendment 86, a legislation matter, could have been approved in the second reading if the vote procedure was more precise and given more time.

3.5. Example of a majority that actually did not exist – an example of a random result – 10th December 2013

On the same day as above, the 10th December 2013, there was also a vote on a resolution that got many MEPs very emotional. It was the Estrela report (A7-0426/2013) on sexual and reproductive health and rights. It was just a political statement outside EU legislation. But the vote on the report got attention in the media due to its controversial nature.

The report had been processed in the Committee on Women's Rights and Gender Equality and it was a comprehensive report. Some interesting points to note were for example:

Point 14: Calls on the Member States to provide access to sexual and reproductive health services through a rights-based approach and without any discrimination on the grounds of ethnic origin, housing status, migration status, age, disability, sexual orientation, gender identity, health or marital status;

Point 15. Calls on the governments of the Member States and the candidate countries to develop a high-quality national policy on sexual and reproductive health, in cooperation with pluralist civil society organisations, providing comprehensive information concerning effective and responsible methods of family planning, ensuring equal access to a range of high-quality contraceptive methods as well as fertility awareness;

Point 29. Calls on the Member States to refrain from preventing pregnant women seeking abortion from travelling to other Member States or jurisdictions where the procedure is legal;

There were two alternative resolutions tabled, one from the EFD group and one from the EPP and ECR groups. The resolution from the EFD group was defeated quite clearly with 95 yes votes against 548 no votes and 48 abstentions. But the vote on the resolution from the EPP and ECR was much more of an interest. This resolution was short and its two main points were:

1. Notes that the formulation and implementation of policies on SRHR and on sexual education in schools is a competence of the Member States;
2. Notes that, even though it is a competence of the Member States to formulate and implement policies on health and education, the EU can contribute to the promotion of the best practices among Member States;

Because this resolution was approved, the report from the Committee fell and 46 RCVs at the different points in this report were cancelled. This shortened the vote on this day.

This resolution was approved in RCV number 38 with 334 yes votes against 327 no votes with 35 abstentions. As this was an RCV, it is possible to carefully analyse how the individual MEPs voted. But, furthermore, if the notes of corrections to votes and voting intentions in the minutes of that vote are regarded the resolution would have actually fallen with the slightest marginal possible, 334 to 334.

The formal statement in the minutes does not have the effect of altering their individual vote, and nor does it have an impact on the overall result. Once the chair has announced the result of the vote it is final. A vote is not repeated and the individual vote or the overall result is never changed. A vote, once cast, cannot be 'corrected'. But it is interesting to sort out how the result would have been if the corrections and intentions were considered.

We start from the beginning. On this day, Tuesday 10th December 2013, there were 764 MEPs who were eligible to vote because two Polish EPP seats were vacant. The check of the vote records for this day shows that in total, 721 MEPs signed in as being present in the minutes, but there were in total 709 MEPs that took part in at least one RCV. Furthermore, 18 MEPs signed in as present but did not take part in that day's vote. One of them was Martin Schulz (German S&D member), the present President of the EP, the others were seven EPP members, 4 S&D members, three ALDE members, two GUE/NGL members, 1 ECR member, and one EFD member. Their national delegations also matters due to lobbying from Catholic groups. Five were Italian, three Spanish, three Dutch, two British, one Latvian, one Romanian, one Czech, one Greek, and one German.

The reason that so many signed in as present but did not vote was probably because they arrived to the session later that day as it was Tuesday.

Six MEPs voted but had not signed in as present, four of them presidents of political groups in the Parliament (see below). That means that two other MEPs voted without signing in as officially present that day.

Even though there were 709 MEPs that voted at least once in a RCV on the 10th December 2013, the single largest number to participate in any one RCV was 697. At no point did all 709 MEPs present vote at the same time. The number of participants decreased gradually to 645 in the last EV at approximately 13.03. It was the second last vote of that day, the last vote was by a show of hands. 463 MEPs participated in the first vote, a RCV, at 11.32:59. The vote on the resolution about sexual and reproductive health and rights at 12.52 to 12.53 kept the MEPs in the plenary almost to the end.

There are several different hypothetical results or “what if...” out of how MEPs came and went to the vote, missed the vote, voted the wrong way by mistake et cetera. First of all, we will look at the result versus the corrections and intentions of votes.

334 MEPs voted yes but, one Cypriot EPP member noted afterwards that he intended to abstain and one British S&D member noted that he intended to vote no, not yes. One Maltese S&D member noted that she intended to vote yes, not no, and one German EPP member who had not voted noted that he intended to vote yes. The total was $334-2+2=334$.

327 MEPs voted no but one Maltese S&D member noted afterwards that she intended to vote yes, not no. Several votes can however be added to the no side. Two ALDE members, both French noted that they should have voted no and not to abstain, one Austrian ALDE member that had missed pressing the button noted that she had intended to vote no, One British S&D member noted that he had intended to vote no and not yes, one Romanian S&D member noted that she should have voted no and not abstained, one Greek EFD member noted that she intended to vote no and not abstain, finally one Cypriot EPP member noted that he should have voted no and not to abstain and another Cypriot EPP member that had not voted noted that he would have voted no as well. The total was $327-1+8+334$.

35 MEPs abstained but one Cypriot EPP member noted that he should have abstained and not voted yes. Several votes should be deducted from the abstention if a revision could be made. Two French ALDE members noted that they should have voted no and not to abstain, one Romanian S&D member noted that she should have voted no and not to abstain, one Greek EFD member noted that she should have voted no and not to abstain, and finally one Cypriot EPP member also noted that he should have voted no and not abstained. The total was $35-5+1=31$.

With a result of 334 yes, 334 no and 31 abstentions, the proposed resolution would have fallen as equal results according to the Rules of Procedure is a rejection. Then the plenary would have continued with the vote on the proposed resolution from the Committee on Women's Rights and Gender Equality. The result of that vote is impossible to predict as it was asked for 46 RCV at the proposed resolution from the Committee.

Secondly, 13 MEPs who took part in the vote did not vote at RCV 38 and ten of them have not reported how they intended to vote either. Four of these 13 MEPs (two Czechs, one ECR and one GUE/NGL, and two Romanians, both S&D), left the vote at around 12 o'clock.

Furthermore, two MEPs (one Czech ECR member and one French EPP member) left just before the resolution came up for the vote. Seven of the 13 MEPs were present but missed to press the button at RCV 38. Of these seven, two were EPP members (one German and one Cypriot, the first mentioned noted afterwards that he intended to vote yes, the second mentioned that he intended to vote no), three were S&D members (two Slovaks and one German), and two were ALDE members (one Romanian and one Austrian, the last mentioned noted in the minutes that she had intended to vote no).

This resolution was just a political statement from the EP, but it has its impact on the debate in Europe about sexual and reproductive health and rights. It would therefore be highly motivated to see to that the vote procedure is done in a proper manner so all questions about randomness in the result could be eliminated.

There are many emotions on the issue of sexual and reproductive health and rights, abortions, contraceptives et cetera. If this is such a big deal as many of the groups claim – then they ought to have better control on getting the members into the chamber to vote.

For the S&D it was also essential how a national delegation broke with the group line. Of the four Maltese Labour Party members two voted yes, one voted no but that was a mistake, and one was absent. Had the Maltese delegation at least abstained, S&D would have been on the winning side. But the group whip is weak in a situation like this. It is the Maltese Labour Party and the electorate of Malta that nominates and elects respectively the MEPs from Malta and the MEPs have to follow the whip from home not that from the group.

There are several interesting variations here:

What if the Maltese Labour Party delegation had not broken rank with the S&D group and voted no instead of yes?

What if the S&D group could muster all their present members to also vote at RCV number 38?

What if the chair at the vote had given more time for the MEPs to press the vote buttons? If the MEPs are given at least 45 seconds and very clear information about what this particular vote is about the risk of votes being cast by mistake is reduced.

3.6. Some MEPs might not be that well informed about what they are about to vote on

At the end of October 2013, several newspapers, among them *The Independent* had an article⁵ about a Romanian MEP, Dumitru Zamfirescu, non-attached (NI) and member of the Romanian nationalistic Greater Romania Party (Partidul România Mare). Zamfirescu was a rather new MEP and he came in on the 9th January 2013 as a replacement.

He was accused of simply not caring after it was revealed that he has not voted against any of the, up to then, latest 541 proposals put to the EP. According to an investigation by the German weekly newspaper *Der Spiegel*, Dumitru Zamfirescu often voted “yes” to two or more motions which directly contradicted each other, and sometimes didn’t even bother to have the list explaining the details of each vote in front of him. *Der Spiegel* said that Zamfirescu recently had hit a run of 63 “yes” votes in a row – at other times he just abstains – on the highly controversial issue of a new set of tobacco regulations. He reportedly agreed that warning labels should cover both 50 and 65 per cent of cigarette packs, and that the

⁵ <http://www.independent.co.uk/news/world/europe/the-yes-man-romanian-mep-who-has-not-voted-against-anything-in-previous-541-motions-is-accused-of-not-caring-8899083.html>

tobacco companies should both get to choose where they go and be forced to put them on the lower part of the package.

According to the MEP who sat next to Zamfirescu in the assembly, these most recent “decisions” were just an indicator of the extent to which the independent Romanian representative isn’t all that bothered about issues that are up for vote.

Der Spiegel described the 59-year-old MEP as an ultra-nationalist former member of the far-right Greater Romania Party. Zamfirescu told the German newspaper he could remember the last time he voted “no”, but said: "I vote 'Yes' because I agree with all the proposals. I cannot remember the last time I voted 'No'."

To vote “yes” because you are so positive with everything that the EU proposes does not hold water though because for example sometimes amendments propose to delete a text and if a MEP is positive to that text he/she would have to vote “no”. Unfortunately, even someone that totally agrees with everything the EU does or should do has to check the vote lists as well in order to ensure that he/she really votes according to that political line.

3.7. It does matter

As can be studied above - the third problem is that a large random factor is being introduced into EP voting. Let us assume that a particular vote is fairly even between two blocks, left and right. If the number of votes fluctuates between +/- 10 in each individual vote as a result of MEPs leaving (or entering) the chamber or some members not being observant during the fast voting for one reason or another, then the majority can easily swing several times during the period when members are voting on a particular matter.

In reality, the short-term variation in the number of voters is much higher than the +/-10 that we assume above. It is in fact not unusual for variations of around +/-20 to 30 to occur in just a couple of minutes. For example (and similar situations occur on a number of occasions during almost every session day) on Wednesday 16th February 2011, 658 members voted at 12.03:35. Just 17 seconds later, at 12.03:52, a total of 641 voted (the ‘no’ side then won by 308 votes to 306). In the next RCV at 12.04:21, 668 voted. The number of participants in one vote is very rarely the same as in the previous vote; this only occurs by chance.

There are four reasons for the variation in the number of voters during a particular session day. Firstly, there is a systematic variation, which explains the inverted “U” shape: some MEPs arrive after the voting has started while some leave before it has finished. Secondly, there is an element of unpredictable randomness when some (present) MEPs abstain from voting for a particular reason (they might leave or enter the chamber for a brief period of time). This explains some of the fluctuations in the large “U” curve. Thirdly, it can be so that MEPs sometimes make a deliberate political choice to abstain from a vote on separate amendments or in a vote on a report as a whole. However, there is probably a fourth explanation, i.e. a systematic short-term variation resulting from the speed of the voting. Because of this speed (which can be up to 3-4 votes per minute), many MEPs are quite simply unable to follow precisely what the voting concerns and therefore abstain from voting.

This situation is aggravated by the delay in information as a result of the interpreting. It is in fact not uncommon for the speed of voting to be so high that the president declares a vote as concluded just as an individual member hears the interpretation of what the vote concerns. An indication that this “speed problem” exists is illustrated by Figure 35. This figure shows all RCVs and EVs between 12.26:38 and 12.55:20 on 16th November 2011. During this period of less than 30 minutes, 29 RCVs and 17 EVs took place (plus around 110 votes with a show

of hands). A “saw tooth pattern” can clearly be seen in the number of voters, where a large increase in the number of voters is followed by a large decrease, so creating the saw tooth pattern. This pattern, which can often be seen when the speed of the voting is high, is probably not a random fluctuation. A purely random fluctuation would not give this alternating pattern between increases and decreases, for the same reason that when tossing coins, heads is not always followed by tails (if a random process were to act in this predictable way, it would not be random and every casino in the world would have gone bankrupt a long time ago.)

The conclusion is that there is a regular variation in size of +/-20 votes (sometimes more), which is largely systematic and dependent on the speed of voting. For one reason or another (the delay in interpretation is an important factor), MEPs are quite simply unable to follow what they are voting on and therefore abstain from voting. This is however perhaps not the only explanation, and there may be other reasons.

4. Summarising discussion

This is an empirical analysis of the voting at the EP. We have identified a number of serious problems.

First and foremost, there is a problem with the attendance of elected MEPs. An average of approximately 90 MEPs did not attend a normal session day. Attendance is also inconsistent between the various national delegations.

Secondly, there is a problem with the fluctuation during the voting. In particular, the number of MEPs participating in the longer voting sessions lasting more than an hour can vary between 675 and 556 (Thursday 23 June 2011). But also at votes lasting less than half an hour the number of MEPs participating can vary between 669 and 586 (Wednesday 28 September 2011). The variation is on occasions higher than this. Some MEPs are only "part-time voters", i.e. some MEPs arrive late for the voting and some leave before the voting has finished.

Thirdly, there is a problem with the rapid, large and random variation in the number of voters over a period of just a few minutes. Even when there is a specific number of MEPs at the vote, the number of voting can vary by up to +/-50 in just a couple of minutes, as the MEPs are not alert or are unable to keep up with the speed at which the voting is conducted.

Fourthly, the number of voters rarely reaches the number of MEPs signed in as present. There are always a small proportion of non-voters at the sessions.

Fifthly, there is a problem which arises from the quorum rule: the number of voters on Thursday afternoons during 2011 is in every single case below what the EP's Rules of Procedure require for a quorum. A voting participation figure of 39 has been recorded (Thursday afternoon 7 April 2011), i.e. approximately 5% of the MEPs elected. Even this is a considerably higher figure than the lows previously recorded during a number of votes when Friday sessions were held.

The overall effect of all this is that, on average during 2011, approximately 85.6% (average 630 voting out of 736 elected MEPs) of all elected MEPs participated in RCVs, EVs and SBs on a single session day.

The most important voting takes place before lunch on Tuesdays, Wednesdays and Thursdays in Strasbourg. Similarly, the voting on the most important issues (i.e. the co-decision matters)

is held first during the voting sessions. In this way, the EP has organised its voting so that there is a higher level of participation for the most important voting sessions.

It is also difficult to determine whether there is a higher level of participation in (and therefore greater interest in) voting where the EP has more influence than in matters where MEPs are only voting on resolutions. As regards to the EU's budget, the EP has a direct influence but when the EP voted on the budget for 2012 on Wednesday the 26th September 2011, the attendance of MEPs was not extraordinary. An average of 668.6 MEPs took part in the 41 RCVs and EVs that took place concerning the budget itself. It is an attendance which is above average for 2011, but because it was a vote on a Wednesday when attendance is higher than average it was not that impressive.

The "Less" important votes such as those held on Thursday afternoons concerning resolutions relating to urgent matters (generally concerning human rights in different parts of the world, natural catastrophes where humanitarian action is necessary, etc.) generally attracts 57.6 voting MEPs (since the Friday sessions were abolished).

The biggest problem is the democratic representation. Democracy is based on those elected representing the political will of the people. The EP has an unparalleled problem here, as the average voter turnout for the EP elections are just 43% (which is considerably lower than the equivalent turnout for the national parliamentary elections), i.e. just half of the voters are represented in the EP. Turnout for the Parliament's voting adds a further problem relating to political representation, as an average of 85.6% of MEPs participate in an individual vote. Given this and the random variation in the number of voters, the foundation of democratic representation is seriously undermined. This is the most important aspect of the issue that is analysed in this report.

5. Need for a pairing system – but how?

Most national parliaments have various forms of a pairing system where members of parliament from the government and the opposition agree to abstain from voting during ballots in order to retain the balance in the parliament determined by the election result. Only in exceptional circumstances will the parties announce that the pairing system does not apply and that the mobilisation of all members for a vote is important.

However, how should a pairing system be organised in an EP where there is of course no government majority or opposition? It is even more complicated, as there are at least four different political alignments of opinion within the EP. The principal political alignments are as follows:

- 1/ The traditional Right-Left alignments.
- 2/ The development of the EU in a supranational or international direction. However, the Federalists have a large majority with respect to the confederalists in the EP.
- 3/ North-south division based on different views on how much of the EU's budget should be allocated to regional policy, agricultural subsidies, fishing agreements with third parties, and Mediterranean programmes.
- 4/ Whether MEPs represent a net-paying or a net-receiving country within the EU does have an effect. To this can be added other contrasts such as how "green" or environmentally friendly each parent party is and how far the environmental debate has progressed in the various Member States. There are also other contrasts based on differing political traditions within the various Member States with regard, for example, to deregulation or zero tolerance in narcotics policies.

An interesting example of how difficult it is to organise a pairing system is the voting which takes place every year concerning the EP's meeting calendar for the following year, as described below.

As amendments for the reports arrive relatively late prior to a session and there is frequently insufficient time to even consider the items within the various national party groups before the session week begins, political positions are determined very late, in many cases immediately prior to the voting. This makes it difficult, if not impossible, to organise pairing in the various votes that will take place during a session.

But in short, a pairing system for the EP, as many national parliaments have, seems not to be an option. A basic reason is that the EP does not have a government side and an opposition side. Additionally, as can be seen in Tables 18 and 19, in close RCVs the groups usually do not have 100% cohesion. National delegations within the groups have a large amount of independence and can, to a large extent, vote according to their own preference. How can one pair an English Conservative with a Danish Socialist versus a Polish Christian Democrat?

6. Possible changes

The EP was elected in 2009 with a turnout of 43% all over the 27 member states. If we take the EP session of the 23rd June 2011 as an example, in the last RCV that day, 566 of 736 elected members took part, which is a 76.9% turnout. If these two turnout figures are multiplied, we see that only around 33% of the electorate of the European Union was represented in the last RCV this day. This is a legitimacy problem for the EP. Its political will can be neglected in the debate both because it is elected with a low turnout and because its members do not bother to take part in longer votes in the plenary which in turn might lead to randomness in decisions.

The EP *has* to solve this problem of a decreasing attendance during longer votes and the “saw tooth pattern in attendance during votes. With every new treaty, the EP has increased political influence within the European Union. It needs to show that it takes responsibility to adjust its voting procedure according to this increased political responsibility.

Some ideas for better vote attendance in the EP are as follows:

Proposal of measures to improve the voting procedure in the European Parliament

- Voting must be given more time in the schedule.
- More time must be given to the MEPs to vote when there is a RCV. To have four RCVs in one minute is too stressful. The members must get more time to press the vote button. Ideally, they should have at least 20 seconds for each vote.
- If the MEPs have been voting for more than one and a half hours and still have not completed the list, the rest of the votes must be postponed until the next day or the next session.
- Groups must demand that their members are present when there is a vote. Tougher rules should be implemented that reduce allowances if MEPs are absent from too many sessions over the course of the year.
- MEPs should be able to take sick leave or parental leave from the EP. Substitute members should be called in if a MEP is on leave for more than 30 days.

- Some sort of pairing system between the groups in the EP should be created. Those that work in the EP should consider this further.

1. Pairing system. A pairing system is very difficult to agree between the party groups. It is feasible, but with considerable scope for opt-out for individual members and national parties. The pairing system would then not apply in these situations. The problem is that, in many votes, a number of parties would undoubtedly give notice that they were opting out and we are then back to where we started.

2. Sometimes the party groups submit entire alternative proposals for a single vote per report. This should be encouraged even further in order to avoid all the votes being about details in the text of a report.

3. The right to a leave of absence from the EP with a replacement by deputies must be regulated, for example for taking care of children. A MEP must be given the opportunity to request leave of absence from the EP for a period of 30 days or more, with a deputy taking his or her place. This would eliminate many of the problems arising from absences.

4. Reduce the speed of the voting in the EP on the occasions when there are RCVs. For each RCV, MEPs should have at least 30 seconds to vote. Each RCV must be clearly announced and a longer interval must be allowed before the next RCV is called. With the current arrangement, three RCVs sometimes takes place in about a minute, which means that not all members keep up with the voting due to the time needed for interpretation and other external circumstances in the chamber.

5. MEPs should be discouraged from having a dual mandate in both the EP and at regional and/or local level. As of 2009, the so called “dual mandate” is prohibited. An individual can no longer be a member of both his or her national parliament and the EP. It was a good step. It is difficult to see how two such demanding functions could effectively be fulfilled at the same time. MEPs cannot be forbidden from doing evening jobs in their own companies, but they should be discouraged to do so by the political parties that nominate them.

More measures than these are however required. The EP must find a solution internally and create a voting system which, wherever possible, eliminates random voting results.

Finally, however, the group leaderships and, in the end, the MEPs themselves share the largest responsibility to ensure that randomness does not dictate vote results.

Annexes

B.1. Determination of the average number of members voting

In this report, we have used the average of Roll Call Votes (RCVs) (we also performed an alternative calculation of the average for EVs) per session day as a basis for calculating the average number of voters in an individual vote. This means that we first calculated the average number on a daily basis and then added the figures together and divided the result by the number of days.

It could be argued that this method produces a misleading average, as it does not take into account the fact that the number of voting sessions per day varies. If, for example, we assume that ten voting sessions take place on a day with an average vote participation of 650 and that one vote takes place on a day with 550 participants, the method would give the average total of 500 per day, while the true average number of participants per vote is $(10 \times 650 + 1 \times 550) / 11 = 641$.

We arrive at an average of 630 (as we have calculated both RCV by RCV and EV/SB by EV/SB). It can be argued that RCVs tend to attract more voters than voting without a roll call (as RCVs normally concern issues of greater importance). But there are many important issues that are only voted on by EV, for example sometimes final votes on resolutions as a whole. Participation in general in a RCV or EV/SB depends not on its importance, but if it is in the middle of the vote or at the beginning or the end of it.

We use the simpler "average of session days" and stress that we are only referring `this to the specific average.

B.2. Using the maximum number of RCVs when calculating the number of non-voting members

In the report, we have used the difference between the number signed-in as present during the sessions and the maximum number of RCVs as the basis for calculating the number of MEPs who did not vote at all. There are a number of possible sources of error with this approach. First and foremost, we do not know whether the MEPs who vote are the same ones on every occasion. All MEPs who are present may vote several times during the day, but not all at the same time on any one occasion (e.g. positions 1 to 500 can vote at 12.00 and positions 127 to 736 can vote at 13.00), which gives the impression that some MEPs may not vote at all.

We have assessed this possibility by checking name lists for RCVs on several random dates. This confirmed that many MEPs completely abstained from voting. We have also observed the votes in the chamber during the voting and this also indicates that there is no large-scale replacement of MEPs during a voting session. The variation in voting participation is entirely due to three factors:

- 1/ Some members arrive up to 20 minutes late for the voting.
- 2/ Some members start to leave the voting about 40-50 minutes after it has started.
- 3/ Individual members fail to vote or abstain from voting in individual RCVs or EVs/SBs.

Another source of error is the fact that the maximum number of RCVs is not a reliable basis for measuring the general maximum number of voters. However, this possibility can be eliminated because we have registered both the electronic votes (EVs)/secret ballots (SBs) and all roll call votes (RCVs). The results are shown in table 5 and the tables below.

In this report, we have included the voting sessions that are sometimes held when the

EP resumes its proceedings on Mondays at 17.00 in Strasbourg and on Wednesdays at 15.00 in Brussels. This reduces the average, but only marginally though. In 2011, there was only one occasion when there was a vote when the EP resumed its proceedings which occurred on Wednesday the 23rd March when they voted on one report. However, the opening of the session concerns matters where decisions have to be made on the adoption of the timetable and there is sometimes political sparring between the party groups over the organisation of the timetables for the sessions.

Finally, the actual core of the problem that we raised in this report is not that some MEPs (who sign themselves in) do not take part in the voting, but that the average number of voters fluctuates considerably.

Table B1. Average number of voters in RCVs, Strasbourg sessions 2011

	Tue	Wed	Thu (noon)	Average Tue- Thu (noon)	Thu Afternoon
Jan	659	674	623	652	83
Feb	646	649	609	635	56
Mar	657	659	601	639	52
Apr	646	671	608	642	40
May	637	618	589	615	59
Jun	613	668	614	632	60
Jul	655	667	610	644	62
Sep I	653	651	577	627	53
Sep II	656	653	593	634	
Oct	649	666	555	623	60
Nov	629	642	575	615	47
Average	645	656	596	632	57
Dec*	700	680	607	662	48

Note:

From January to November 2011 there were 736 MEPs, from the December session 2011 there were 754 MEPs (even if one MEP had not been installed yet).

Table B2. Average number of voters in EVs, Strasbourg sessions 2011

	Tue	Wed	Thu (noon)	Average Tue-Thu (noon)		Thu Afternoon
Jan	662	642	616	640		86
Feb	676	651	606	644		60
Mar	632	659	605	632		
Apr	652	671	587	637		43
May	629	662	594	628		
Jun	663	663	-	663		
Jul	647	669	620	645		
Sep I	669	659	572	633		
Sep II	656	605	594	618		
Oct	639	653	549	614		
Nov	630	648	575	618		46
Average	650	653	592	632		-
Dec	691	652	605	649		45

Note:

From January to November 2011 there were 736 MEPs. From the December session 2011 there were 754 MEPs (even if one MEP had not been installed yet).

On Thursday noon at the June session in Strasbourg there were no EVs. The calculation is therefore based on ten sessions from January to November 2011.

Table B3. Average number of members voting in RCVs, Brussels sessions 2011

Jan	
Feb	628
Mar (Wednesday)	615
Mar (Thursday)	632
Apr	
May	
Jun	643
Jul	
Sep I	
Sep II	
Oct	640
Nov	
Dec	614
Average	615 (Wednesday)/631 (Thursdays)

Table B4. Average number of members voting in EVs, Brussels sessions 2011

Jan	
Feb	630
Mar (Wednesday)	-
Mar (Thursday)	640
Mar	
Apr	
May	
Jun	608
Jul	
Sep I	
Sep II	
Oct	623
Nov	
Dec	599
Average	620 (Thursdays)

Table B5. Average - Highest and lowest number of recorded votes in RCVs and in EVs, Brussels and Strasbourg session per weekday, January to November 2011

	Average participation
Average - Highest number of recorded votes in RCVs, Strasbourg sessions Tuesdays	667.7
Average - Highest number of recorded votes in RCVs, Strasbourg sessions Wednesdays	676
Average - Highest number of recorded votes in RCVs, Strasbourg sessions Thursdays (noon)	609.3
Average - Highest number of recorded votes in RCVs, Strasbourg sessions Thursdays (afternoons)	58.6
Average - Highest number of recorded votes in RCVs, Brussels sessions Thursdays	654.8
Average - Lowest number of recorded votes in RCVs, Strasbourg sessions Tuesdays	556.9
Average - Lowest number of recorded votes in RCVs, Strasbourg sessions Wednesdays	578.8
Average - Lowest number of recorded votes in RCVs, Strasbourg sessions Thursdays (noon)	551.3
Average - Lowest number of recorded votes in RCVs, Strasbourg sessions Thursdays (afternoons)	55.9
Average - Lowest number of recorded votes in RCVs, Brussels sessions Thursdays	582.8
Average - Highest number of recorded votes in EVs, Strasbourg sessions Tuesdays	665.6
Average - Highest number of recorded votes in EVs, Strasbourg sessions Wednesdays	665.8
Average - Highest number of recorded votes in EVs, Strasbourg sessions Thursdays (noon)	602.4*
Average - Highest number of recorded votes in EVs, Strasbourg sessions Thursdays (afternoons)	**
Average - Highest number of recorded votes in EVs, Brussels sessions Thursdays	638.8
Average - Lowest number of recorded votes in EVs, Strasbourg sessions Tuesdays	625.5
Average - Lowest number of recorded votes in EVs, Strasbourg sessions Wednesdays	620.8
Average - Lowest number of recorded votes in EVs, Strasbourg sessions Thursdays (noon)	571*
Average - Lowest number of recorded votes in EVs, Strasbourg sessions Thursdays (afternoons)	**
Average - Lowest number of recorded votes in EVs, Brussels sessions Thursdays	604

Notes:

* On Thursday noon at the June session in Strasbourg there were no EVs. The calculation is therefore based on ten sessions from January to November 2011.

** Only at four of the ten votes on Thursday afternoons from January to November 2011 were there EVs. The average figure for EVs has therefore been disregarded.

Voting Procedure in the European Parliament 2011

An empirical analysis

The European Parliament gets more influence in the European Union with each new Treaty. But has the modernization of its Rules of Procedure been developed in accordance with the changes?

No, the European Parliament's voting procedure has several weaknesses that the European Parliament should deal with as soon as possible for its own sake. We have discovered the following problems:

1. In general, around 90 to 100 Members are missing at the votes. This causes a disproportion in comparison to the actual election result. Some session days are particularly affected. The least affected are Wednesdays at the Strasbourg sessions during which the highest number of Members are present.

2. During the votes there are two questionable patterns. Firstly, Members arrive too late or leave too early. Secondly, the votes also go too fast so there are "saw tooth patterns" in the attendance during the vote which causes random outcomes.

3. Our report points out some examples of random results. Firstly, in the context of resolutions there are sometimes close results that leave to chance what is approved and what is rejected. Secondly, things are even worse in the case of real EU legislation like the co-decision second reading, where forming the required majority (at present 384), can fail with just a handful of votes by pure chance. Thirdly, there is seldom a report or a resolution which is voted through with a slim majority, but it has happened and then also with a result of pure chance. The European Parliament has modelled its voting procedure on large compromise solutions between the big groups. But when compromises are not formed, the voting procedure fails to record the opinion of the majority in an accurate manner.

4. The attendance during the Thursday afternoon votes in Strasbourg has eroded to such a low level that something has to be done or the European Parliament should rightly be ridiculed. The decisions on Thursday afternoons do not reach quorum requirements and are therefore not legal.

All these issues are supported by statistics in this report. We also suggest some possible solutions to these problems. The Members of the European Parliament ought to listen, for their own sake.