

Remote voting in the European Parliament and national parliaments

In the words of Parliament's President, David Sassoli, the 'European Parliament must remain open, because a virus cannot bring down democracy'. Ways have therefore had to be found to enable Members of the European Parliament (MEPs) to exercise their public duties should it become impossible for them to attend committees or plenary sessions in person. The need to keep parliaments functioning in emergency situations has been on Member States' agendas too. The European Parliament's Bureau has taken the unprecedented decision to provide for remote voting during the extraordinary plenary session on 26 March so as to allow for the rapid adoption of EU legislation to tackle the socio-economic consequences of the coronavirus (COVID-19) pandemic.

The European Parliament's response to the coronavirus pandemic

Facing an unprecedented crisis, the EU is acting to coordinate the [response](#) and alleviate the socio-economic consequences of the coronavirus pandemic. The European Parliament has acted immediately in order to be able to carry out its essential budgetary and legislative functions during the public health crisis, including the adoption of urgent legislative acts to support business, families and workers. Most importantly, it is sending out a powerful signal that democracy is alive and kicking. Until a few days ago, there had been no provisions in place for the European Parliament to hold meetings at a distance or to vote remotely. How, in such circumstances, could the Parliament could act as co-legislator were MEPs to catch the virus or be quarantined, meaning that there could no longer be a quorum to meet and vote? First it was decided to hold the March I plenary session in Brussels instead of Strasbourg, and then to reduce it to just two days owing to [force majeure](#). A [revised](#) calendar, with shorter part-sessions, was then adopted for the coming months. A set of measures is now in place to facilitate the remote participation of MEPs in committees, enabling them to view and listen to proceedings, ask for the floor and speak in meetings. Arrangements to allow MEPs to express themselves in the language of their choice ensures respect of the linguistic regime. Then, with the Commission's adoption of three urgent [legislative proposals](#) to mitigate the socio-economic impact of the coronavirus outbreak, the issue of plenary business became more urgent. An extraordinary plenary session has thus been convened for 26 March (Rules of Procedure (RoP) [154\(4\)](#)), replacing the session previously scheduled for 1-2 April. At this session, Parliament is due to vote on three proposals: for a coronavirus [response investment initiative](#), on extending the scope of the [EU Solidarity Fund](#) to cover major public health emergencies and, finally, to revise the regulation on the [allocation of slots](#) at EU airports.

How the vote will be organised

On 20 March, the Parliament's [Bureau](#) decided to supplement its earlier [decision](#) on voting methods, to allow, upon a decision by the President, a derogation in the context of the current public health emergency. The [decision](#) will enable a vote to take place by means of an alternative electronic voting procedure. Members will receive a voting paper by e-mail, to be returned completed (with a simple yes or no vote, and their signature) and scanned or photographed, from their official (European Parliament) e-mail address to a specific European Parliament functional mailbox. The President, assisted by Parliament's Secretariat will then establish the result of the vote, which will be recorded in the minutes and published. On 26 March, the Parliament will thus hold three successive [votes](#) on the three Commission proposals: on the request to apply the urgent procedure ([RoP 163](#)), on any amendments, and then a final first-reading vote.

Remote or not remote? A question for Member States too

Remote voting is possible in both chambers of the **Spanish** Parliament, (Article 82 of the Standing Orders of the [Congress](#), modified in 2011, and Article 92 of the Standing Orders of the [Senate](#), modified in 2013). In both chambers, remote voting is allowed only under specific circumstances, namely pregnancy, maternity and paternity leave, and serious illness, and only if the member cannot exercise his or her parliamentary functions and the Bureau considers it sufficiently justified. Remote voting is permitted only for plenary (not committee) sessions and only when it can be known in advance when and how the vote

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will take place. The procedure was further detailed in resolutions passed by the Bureau of each house ([Congress](#) and [Senate](#)). The Spanish Parliament has used the provisions to allow all [senators](#) and [members of Congress](#) to vote remotely during the plenary sessions held during the coronavirus crisis.

In **Italy**, discussion is ongoing on how to enable members of parliament (MPs) to cast their votes remotely, i.e. from outside Parliament's premises. Remote voting raises questions of compatibility with the Constitution, in particular [Article 64](#). The rules of procedure (RoP) of the [Chamber of Deputies](#) and of the [Senate](#) identify several ways to vote, though all of them, in particular the electronic vote, seem to require the presence of members in the chamber. Although the RoP of the two chambers do not explicitly forbid the casting of votes remotely, it is [believed](#) that modifications would be necessary should remote voting be introduced. Another [idea](#) is to hold a vote in shifts or to spread members around various parliamentary buildings in order to ensure social distancing. A legislative [proposal](#) has been drafted to form a joint commission representing both chambers, to adopt measures in place of the full parliament.

The **German** Bundestag is to hold [a one-day plenary meeting](#) this week, on 25 March. Although the results of votes are routinely recorded and verified electronically, the procedure is not designed to allow MPs to vote remotely. After discussing various possibilities, including a ['mini-plenary'](#) following the Bavarian Parliament's lead last week, the political parties agreed that, while in principle, [Article 45 of the Bundestag's Geschäftsordnung](#) requires the presence of half the members in order to take legally binding decisions and hold a valid vote, this threshold will be [lowered considerably](#). The presence of a quarter of all members will satisfy this requirement, following a [new paragraph 126a](#) to be added to the *Geschäftsordnung* during this week's plenary session. However, this paragraph may be revoked at any time and will become [void](#) by 30 September 2020 at the latest. The new procedure is based on [consensus](#) among the political parties.

On 14 March, the **Romanian** Parliament [adopted](#) a decision amending its [internal rules](#) to allow parliamentary work to be conducted 'via electronic means' in exceptional circumstances (such as epidemics, natural disasters, earthquakes or terrorist events) that prevent MPs from being physically present in parliament. The permanent Bureaux of the two chambers (the [Chamber of Deputies](#) and [the Senate](#)) will decide when such exceptional circumstances apply, after consulting the leaders of the parliamentary groups. On 18 March, the Parliament began using a new [online tool](#) enabling remote voting.

On 24 March, the Speaker of the **Polish** Sejm (the larger of the two chambers of the Polish parliament) [announced](#) that the Praesidium of the chamber had adopted a resolution on a change to its rules of procedure, adapting them to times of epidemic risk, epidemic or the states of emergency provided for in the Constitution. During an epidemic, only a limited number of MPs from each group will be physically present in the chambers, all others will be able to participate by videolink technology which will ensure verification of the identity of each Member. Voting will also take place electronically and at a distance, after an additional verification of identity. The plenary is expected to assemble according to these new rules on 27 March, and adapt the rules of procedure with retroactive effect. The new rules will also allow committees and sub-committees to meet via videolink. The Speaker underlined that the new rules do not prohibit MPs from participating in person, but she hopes that all political groups will decide, on a voluntary basis, to limit participation in person. The Senat (the other house of the Polish Parliament) has not yet introduced a comparable modification to its rules of procedure.

In **France**, the rules of procedure of both chambers, the [National Assembly](#) and the [Senate](#), require the physical presence of members in order to vote, and there are no provisions for remote voting. Both chambers allow their members to vote by proxy in specific circumstances (including *force majeure*). At the National Assembly, an MP may only grant a proxy vote to another MP in 'normal times'. However, in order to adapt to the COVID-19 crisis, the National Assembly has [agreed](#) on specific working methods. These include: the suspension of all current activities, apart from the adoption of emergency laws and questions to the government; a reduced format for sittings, limited to three people per political group (group president plus two MPs); and the extended delegation of voting (the possibility for a whole group to delegate votes to a single group member). On 22 March, both chambers agreed on a [law](#) declaring a state of public health emergency for two months, with specific provisions on parliamentary control.

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