

25 May 2009

Guide to Open Europe's League Table of MEPs

This guide explains the criteria Open Europe has used to rank all 785 Members of the European Parliament (MEPs). MEPs have been ranked using two main categories: 'Transparency, openness and democracy' and 'Fighting waste and misuse of EU funds'. Open Europe has also identified a number of MEPs arguably considered 'unfit for public office'.

NOTES

- MEPs have been allocated points according to a 'Premier League' model, where 3 points is the highest score, followed by 1 point and 0 points. For the attendance criteria, a 6 point scale was used.
- In addition, MEPs have been given 1 bonus points for answering Open Europe's Transparency Initiative asking basic questions on how MEPS handle their expenses and allowances.
- MEPs who have been the subject of substantive press reports of wrongdoing have been shown a 'red card' in our ranking and had 10 points deducted from their score.
- Fields marked 'N/P' indicate that the MEP was not present for the vote in question. It should be noted that the MEP may have been at the Parliamentary session but chose not to vote.
- Fields marked 'N/E' indicate that the MEP was not elected to office at the time of the given vote. It should be noted that the ranking is weighted against Bulgarian and Romanian MEPs, and against any other individual MEPs who were not elected at the time of any of our votes, which cover the European Parliament's five-year term from 2004 to 2009.
- Only current MEPs are listed on our ranking.
- Votes are based on roll-call information provided by the European Parliament. Controversially, only some votes taken in the EP are recorded as a list of names – making it impossible to find out who voted and how on many important issues.

A) Transparency, openness and democracy

1. Vote for easier public access to EU documents

Background: Secrecy and lack of access to documents is one of the most fundamental problems with the EU. As Tony Bunyan, Director of Statewatch, has argued:

"The fundamental principle of access to documents is that voters can find out what measures are being discussed before they are adopted. In the EU this presents a real problem. EU institutions are meant to provide a public register listing all their documents but actually the European commission references less than one in 10 of its documents and has even raised the surprising argument of 'when is a document not a document'".¹

Evidence suggests that this issue is of paramount importance to the general public with over a third of public complaints to the European Ombudsman concerning the "lack of transparency in the EU administration"².

The vote: On 11 March 2009 MEPs commendably voted in favour of a report – the so-called Cashman report – which proposed to make it easier for the public to get access to EU documents.³ For instance, MEPs clarified the term "document", to which the public should have access, defining it as any data or content concerning a matter relating to the policies, activities and decisions falling within the institution's sphere of responsibility. This represents an improvement on the Commission's definition, which as universally acknowledged, is very arbitrary.

MEPs also stated that legislative documents, preparatory documents, impact studies, legal opinions and other documents must be published on a single website shared by the Commission, the Council and the European Parliament (EP). In addition, the EP called for greater openness in the controversial trade negotiations over the so-called ACTA deal on intellectual property rights enforcement.⁴ All this represented steps towards greater openness in the EU.

Score: MEPs who voted for this report received 3 points, while MEPs who abstained received 1 point. Those who voted against it received 0 points.

2. Vote to keep MEPs' expenses and accounts secret

Background: One of the biggest criticisms of MEPs is that they don't publish their expenses. In the past, MEPs have even sought to cover up misuse of allowances and expenses. In February 2008, MEPs on the Budget Control Committee voted by 21 to 14 not to publish a report – the so-called Galvin Report – which revealed widespread abuse

¹ See the *Guardian's* Comment is Free website, 21 May 2009, <http://www.guardian.co.uk/commentisfree/libertycentral/2009/may/20/freedomofinformation-eu>

² *Euractiv*, 28 April; <http://www.euractiv.com/en/pa/ombudsman-report-highlights-eu-lack-transparency/article-181794>

³ Report on the proposal for a regulation of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (recast) (COM(2008)0229 – C6-0184/2008 – 2008/0090(COD)), see:

<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P6-TA-2009-0114>

⁴ See EP's press release on 11 March 2009, http://www.europarl.europa.eu/news/expert/infopress_page/019-51409-068-03-11-902-20090310IPR51408-09-03-2009-2009-false/default_et.htm

of MEPs' allowances⁵. The cover-up was backed by the two main groups in Parliament, the European People's Party, which includes the British Conservatives, and the Party of European Socialists, with whom Labour sit.

The vote: In March 2009, on the same day that MEPs voted in favour of the Cashman report for better access to documents, hypocritically, they also voted to exempt documents relating to how much they are claiming in expenses, and what they are claiming for, from public information requests.

Citing rights and privileges contained in the "Members' Statute", an amendment tabled by Hartmut Nassauer MEP on behalf of the (Conservative) EPP group read:

*"The definition of an overriding public interest in disclosure shall take due account of the protection of the political activity and independence of Members of the European Parliament, in particular with regard to Article 6(2) of the Members' Statute."*⁶

*"Justification: With a view to protect the political activity and the independence of members, the Members' Statute provides that personal files and accounts of a Member of the European Parliament are not accessible by other Members of the European Parliament. As the Members' Statute is directly applicable Community law, other legal acts must respect its provisions and cannot allow circumventions. Therefore it seems appropriate to include the specific nature of these documents in the definition of an overriding interest."*⁷

MEPs also voted to create a new "top secret" category for EU documents, marking a step backwards for transparency.⁸ In effect, all this means that, for instance, financial disciplinary measures and demands for MEPs to pay back money due to unjustified expenses will not count as documents and not be made public.

Score: MEPs who voted for this amendment received 0 points, while MEPs who abstained received 1 point. Those who voted against it received 3 points⁹.

3. Vote to increase transparency, including better public access to MEPs' voting records

Background: For criticism of the secrecy of EU documents see above.

The vote: On 14 January 2009 the European Parliament, again commendably, adopted a report by MEP Marco Cappato urging the European Parliament, the European Council and the European Commission to do more to open up their registers and documents to

⁵ *Sunday Times*, 22 Feb 2009; <http://www.timesonline.co.uk/tol/news/politics/article5780750.ece>

⁶ See Proposal for a regulation of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (recast) (COM(2008)0229 – C6-0184/2008 – 2008/0090(COD)) Amendment 115:

<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P6-TA-2009-0114>

⁷ Amendment 115. See *Telegraph* journalist Bruno Waterfield's blog:

http://blogs.telegraph.co.uk/bruno_waterfield/blog/2009/03/11/euomps_keep_their_expenses_secret

⁸ On the amendment creating the "top secret" category no roll call was taken, and it therefore can not be included in the ranking.

⁹ The roll-call vote p 63 can be accessed here: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+PV+20090311+RES-RCV+DOC+PDF+V0//EN&language=EN>

the public¹⁰. The report called for a range of measures, including better public access to MEPs' voting records and their declarations of financial interests via a purpose built website¹¹.

MEPs adopted the report with 355 votes in favour, 195 against, and 18 abstaining¹².

Score: MEPs voting in favour get 3 points, those voting against get 0 points, those abstaining get 1 point.

4. Open Europe's Transparency Initiative

Background: As noted above, EU auditor Robert Galvin prepared a damning report on the misuse of Parliament staffing allowances using a sample of MEPs' 2004 accounts. But the report, which did not name individual MEPs, was not published and could only be viewed by MEPs in a special secure room. However, in February 2009 a copy of the report was leaked, revealing that a number of MEPs were paying funds into their own companies, and in one case an MEP claimed to have paid the full £182,000 staff allowance to one person, suspected of being a relative¹³. Other examples include several cases of claiming daily allowances while not being present¹⁴.

Despite, or perhaps because of, this, MEPs on the Budgetary Control Committee voted against publishing the report. Chris Davies, a Liberal Democrat MEP, commented that, "Far from cleaning up their act, a majority of MEPs seem intent on allowing greed and self-interest to triumph over the proper financial management of public money".¹⁵

The Transparency Initiative: In 2008 Open Europe sent a survey to all 785 MEPs, asking them to answer six simple and uncontroversial questions about their arrangements for handling their expenses.

The survey was initially sent only to British MEPs, but was rolled out to MEPs from every EU country later in the year and into 2009.

Shockingly, only 9% of all MEPs have responded to the survey. This is despite having each received two further reminders in addition to the initial email. In the course of six months Open Europe telephoned the offices of every single MEP to remind them of the importance of making a small effort to respond to the questionnaire.

One UK MEP, Christopher Beazley, told Open Europe: "I would have to question the legality of these questions. What right do you have to ask these?" He argued that MEPs' taxpayer funded expense claims were not "a public matter", that it was "private". Ironically, he also insisted that, "everything I do is as transparent as possible"¹⁶.

¹⁰ <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&language=EN&reference=P6-TA-2009-0022>

¹¹ For more background see *Euractiv*, 15 Jan 2009; <http://www.euractiv.com/en/pa/meps-urge-eu-boost-public-access-documents/article-178535>

¹² See roll-call vote p60; <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+PV+20090114+RES-RCV+DOC+PDF+V0//EN&language=EN>

¹³ *Sunday Times*, 22 Feb 2009; <http://www.timesonline.co.uk/tol/news/politics/article5780750.ece>

¹⁴ See, <http://blogs.euobserver.com/friedrich/2009/03/05/thank-you-mr-galvin/>

¹⁵ *Euractiv*, 23 April 2008: <http://www.euractiv.com/en/pa/mixed-message-transparency-parliament-votes/article-171841>

¹⁶ See Open Europe press release, 23 May 2008: <http://www.openeurope.org.uk/media-centre/pressrelease.aspx?pressreleaseid=75>

36 MEPs have given a full response, 35 gave a partial response, while 714 gave no response at all.

The questions were as follows:

- 1) Who is your paying agent/service provider?
- 2) What are his or her book-keeping or accountancy qualifications?
- 3) How much of the money claimed by your paying agent or service provider since your election has been paid out so far, and how much is still in his or her account?
- 4) Have you ever claimed less than the full entitlement, or repaid any excess?
- 5) Do you employ any family members?
- 6) Are you prepared to list the people currently in your employment (not their salary levels)?

Score: MEPs who responded get 1 point.

5. Vote against imposing sanctions for MEPs guilty of gross financial irregularities

Background: At the moment, there are no sanctions in place to punish MEPs who are caught misusing their expenses. Although the Galvin report revealed several instances of outright fraud involving MEPs' expenses, no penalties or sanctions have ever been imposed. For example, former Conservative MEP Den Dover has been asked by the Parliament to pay back over £500,000 in "unjustified" allowances, but no deductions have been made from Mr Dover's wages in an effort to regain the funds¹⁷. It is no wonder that citizens' interest in the European elections is so low when no concrete action is taken to recover money following high-profile scandals involving allowances in the EP.

The vote: On 12 April 2005, a report by Liberal MEP Ona Juknevičienė proposed a slew of changes to boost accountability and transparency of MEPs' pay and allowances, including a proposal to introduce sanctions, including suspension, for any member guilty of gross financial irregularities.

The amendment called for:

*"various sanctions that might be applied against any Member found not to be adhering to the rules relating to use of parliamentary allowances, and that in appropriate circumstances these should include the naming of any such Member and their temporary suspension from Parliament;"*¹⁸

However, the proposal was voted down by 340 votes to 266, with 28 abstentions.

Score: MEPs who voted in favour of the proposal received 3 points, MEPs abstaining 1 point, and those voting against received 0 points.

¹⁷ *Telegraph*, 10 Apr 2009: <http://www.telegraph.co.uk/news/worldnews/europe/eu/5131691/Disgraced-MEP-could-keep-500000-in-unjustified-expenses.html>

¹⁸ A6-0063/2005, amendment 1, paragraph Paragraph 54a (new), not available online.

6. Vote against providing mandatory receipts for travel expenses at lowest available cost

Background: One of the most visible perks for MEPs has been the system of 'automatic' travel expenses. Under the arrangement, MEPs are handed a lump sum of money meant to cover travel expenses regardless of the actual cost of the trips. This system has been widely criticised for being both out-of-date – pre-dating the rise of low-cost airlines – and for being wide open to abuse.

Swedish MEP Jens Holm calculated that between 2006 and 2008 alone, he received €158,708 in travel expenses from the European Parliament. Voluntarily keeping all the receipts from his travels, Holm noted that the generous system had left him with a tax-free surplus of approximately €70,000 – money which he gave away to charity.¹⁹

The vote: A proposal tabled alongside the 2005 Juknevičienė report called for the EP to "limit the payment of travel allowances to the actual expenses incurred or the lowest published fares."²⁰ However, the proposal was voted down, 345 against 259 with 32 abstentions.

After the vote, MEP Chris Davies said,

"This gives the all-clear to embezzlement. The European Parliament grows in influence and authority yet is continually dragged through the mire by its failure to make reforms that would be expected without question in any business. After the votes today people across Europe can hardly be blamed if they think that some MEPs are engaged in corrupt practices, and that they don't belong in a parliament but in jail."

We are using public money and the public has a right to know that it is being spent properly. We should be setting high standards for the whole of Europe, not waiting for scandals to engulf us and force long-overdue changes to be made."²¹

Under new rules to come into force after the European elections in June 2009, MEPs have to provide receipts for travel expenses. However, unlike the arrangements proposed in 2005, which aimed to reduce the refundable cost to the lowest available fare, MEPs will be able to claim expenses up to the cost of a business class fare, even for travel within the EU.

Score: MEPs who voted in favour received 3 points, those who abstained 1 point, and those who voted against 0 points.

7. Vote to ignore the outcome of the pending legally-binding Irish referendum on the Lisbon Treaty

Background: In a highly symbolic vote on 20 February 2008, MEPs passed a resolution in support of ratification of the Lisbon Treaty. It stressed "the need for all Member States

¹⁹ For more see: <http://openeuropeblog.blogspot.com/2009/04/putting-your-money-where-your-mouth-is.html>

²⁰ A6-0063/11, Amendment 11, Paragraph 52a. Not available online.

²¹ Press Association, "Euro-MPs vote to stay in the gravy train", 12 April 2005.

of the Union to achieve its ratification in good time”²². This was despite the fact that Ireland was already committed to asking its citizens whether they were prepared to accept the Treaty in a referendum.

The vote: An amendment was presented which asked that the European Parliament “undertake to respect the outcome of the referendum in Ireland,” scheduled to be held in June that year²³.

Incredibly, before the referendum had even taken place (in which 53% of Irish citizens voted no), MEPs voted not to respect the outcome of this legally-binding national referendum, with only 129 MEPs voting in favour of the amendment, 499 against, and 33 abstaining.²⁴

Score: MEPs voting in favour for the amendment received 3 points, those voting against 0 points, and those abstaining 1 point.

8. Vote in favour of opening Europe up to trade with developing countries

Background: The EU remains a closed market for many third countries, due to high tariffs and very complex rules. According to the GTAP database, overall, poor countries (those like Ethiopia with a GDP per capita of under £5,000 a year) face an EU tariff of 5 percent on average. This compares with an average tariff of 2.9 percent for middle income countries like Botswana (with a GDP per capita of between £5,000 and £15,000), and an average tariff of just 1.6 percent for the world's richest countries, such as Japan.

In addition, the formulation of EU trade policy remains highly secretive. Reform must therefore entail both opening the EU's markets to the rest of the world, as well as introducing more openness in the EU's own decision making.

The vote: In 2008, MEPs voted for a declaration calling for the so-called Doha round of world trade talks to be resumed. The declaration called for “the EU and the USA, as well as the G20 as new major economic players, to assume their responsibilities in the current negotiations, to respect fully the spirit of the [Doha] Development Round, and to make every effort to reach a deal as rapidly as possible”²⁵.

The trade talks are important both for opening up the EU's market (although the EU has not gone far enough in the trade talks) and for locking in reforms made to the EU's Common Agricultural Policy (CAP). As any reform-minded MEP will agree, the CAP is a hugely wasteful and opaque policy in need of urgent reform.

²² See European Parliament resolution of 20 February 2008 on the Treaty of Lisbon: <http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A6-2008-0013&language=EN>

²³ For more information see Thomas Rupp's article on *EUobserver*, 5 Mar 2008: <http://euobserver.com/9/25774>

²⁴ See roll-call vote p53: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+PV+20080220+RES-RCV+DOC+PDF+V0//EN&language=EN>

²⁵ European Parliament resolution on the suspension of the WTO Doha Round and the future of the Doha Development Agenda: <http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=P6-RC-2008-0521&language=EN>

Score: For voting in favour of the declaration, MEPs received 3 points, for abstaining 1 point, and for voting against 0 points²⁶.

9. Attendance

Background: The European Parliament has a hugely important role to play in much of EU policy-making. MEPs effectively have a ‘veto’ over national governments in about 75% of all European legislation.²⁷ Therefore, attendance at the EP’s plenary sessions, when votes are held on EU legislation, is the most essential part of an MEP’s job.

The vote: In the absence of a user-friendly system provided by the European Parliament to track MEPs’ attendance, a new independent website, www.votewatch.eu, has been established, providing information on attendance records of MEPs for the 2004-2009 parliament.

VoteWatch.eu calculated MEPs’ attendance based on a percentage of attendance at plenary sessions in Strasbourg and part-sessions in Brussels – this is based on both the attendance registry and roll-call votes. Signing the attendance register or being present for one of the roll-call votes taken that day counts as being present for that session²⁸.

Score: Open Europe extracted the information from *VoteWatch*’s website and allocated points in the following way:

MEPs present at:

0-49% of plenary sessions received 0 points
50-59% of plenary sessions received 1 point
60-69% of plenary sessions received 2 points
70-79% of plenary sessions received 3 points
80-89% of plenary sessions received 4 points
90-99% of plenary sessions received 5 points
100% of plenary sessions received 6 points

It should be noted that although this measure is indicative of MEPs’ attendance, there have been cases where MEPs simply sign the attendance register, in order to claim their £259 daily ‘subsistence allowance’, only to return home without fulfilling any Parliamentary duties. In 2005, Austrian MEP Hans-Peter Martin drew attention to this fact by filming his colleagues signing in and then leaving the Parliament²⁹.

B) Fighting waste and the misuse of EU funds

1. Opting into the Parliament’s controversial second pension scheme

Background: Not content with the standard pension fund which MEPs from most EU countries receive from their own member state governments, many MEPs also opt into a second, voluntary pension scheme that was established in 1989.

²⁶ Roll-call vote p20: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+PV+20081009+RES-RCV+DOC+PDF+V0//EN&language=EN>

²⁷ See here for more: <http://www.openeurope.org.uk/research/europeanparliament2009.pdf>

²⁸ For a full description of *VoteWatch.eu*’s criteria see: http://www.votewatch.eu/static/votewatch_guide.php

²⁹ BBC, 17 Mar 2005: <http://news.bbc.co.uk/1/hi/world/europe/4358033.stm>

The fund is highly controversial. For every £1 MEPs contribute to the fund, the taxpayer contributes £2. MEPs' own contributions come not from their salary, but are taken automatically from their generous office expenses. MEPs are supposed to reimburse this account but there are no checks and it is suspected that many do not repay the money.³⁰

The European Court of Auditors has repeatedly questioned the legality of the fund and has called for clear rules to be established to cover the eventuality of a deficit.³¹ The system has also been criticised elsewhere. In 1997 the Dutch Parliament said the fund was "morally objectionable" and said it allowed MEPs to "get rich by milking the taxpayer."³²

In April 2009, Open Europe tracked down a closely guarded list of those MEPs who are profiting from the European Parliament's second pension fund.

The list, dating from December 2007, and provided by German investigative journalist Hans-Martin Tillack, names 394 MEPs who had signed up to the scheme³³. It should be noted that several Members have left the scheme and that the list is not exhaustive due to the secrecy of the fund, with the consequence that more MEPs are subscribed to it than the ones indicated.

Score: For not appearing on the list of pension fund members MEPs receive 3 points, for signing up but then leaving 1 point, and for continuing membership of the pension fund 0 points.

2. Vote against cleaning up the second pension fund

Background: Even in 2005, the MEPs' supplementary voluntary pension scheme (see above) was running at a deficit of €41m a year³⁴ but recent reports suggest that, as a result of the current recession, the deficit now stands at £105m³⁵. Under current rules, the scheme is guaranteed by European taxpayers, via the EU budget, meaning that taxpayers could be required to make up the shortfall caused by the recession.

The vote: In April 2005, MEPs voted on a proposal that would have ensured that contributions to MEPs' pension schemes could no longer be paid out of MEPs' allowances, but would instead be paid directly out of MEPs' own pockets. The amendment also stated that a possible future deficit in the scheme should in "no way be covered by the budget of the Parliament" (i.e. additional taxpayers' money). In addition, the proposal would also have allowed auditors to oversee the second pension scheme.³⁶

However, the proposal was rejected by 351votes to 240, with 39 abstentions.

³⁰ See

http://blogs.telegraph.co.uk/bruno_waterfield/blog/2009/04/16/meps_to_seek_second_pension_bailout_from_taxpayers and <http://www.timesonline.co.uk/tol/news/politics/article6108810.ece>

³¹ See here: <http://www.europarl.europa.eu/oeil/FindByProcnum.do?lang=en&procnum=DEC/2006/2071>

³²

http://www.nrc.nl/binnenland/article1714590.ece/lk_heb_het_nooit_voor_het_geld_gedaan_%5B26.08.06%5D

³³ A copy of the list can be found here: <http://www.openeurope.org.uk/research/MEPsvoluntarypensions.xls>

³⁴ European Report, 13 Apr 2005

³⁵ *Times*, 17 Apr 2009: <http://www.timesonline.co.uk/tol/news/politics/article6108810.ece>

³⁶ A6-0063/5, Amendment 5, Paragraph 63. Not available online.

Score: MEPs voting in favour of the proposal received 3 points, those abstaining 1 point, and those against 0 points.

3. Declaration calling for the Parliament to abolish its second seat in Strasbourg

Background: One of the most bizarre, wasteful and unnecessary habits of the European Parliament is the practice of moving between Brussels and Strasbourg every single month. Known as the ‘travelling circus’, this is estimated to cost around €203m a year, while producing a carbon footprint of around 18,884.5 tonnes a year³⁷.

The declaration: In September 2008, the oneseat.eu³⁸ campaign submitted a ‘written declaration’ to the European Parliament calling for an end to the monthly trip. The campaign had received 1.2 million signatures from the public in support of a one-seat European Parliament. The written declaration called for all plenary sessions to be held in Brussels³⁹, and MEPs had three months in which to sign. It required 393 signatures to be adopted by the Parliament as an official position, but received only 286⁴⁰.

While the European Parliament is officially powerless to change the situation – as this requires a unanimous vote among EU heads of state and government – signing the declaration indicates a desire to end the waste of taxpayers’ money. Open Europe publicly called on MEPs to sign the declaration in the run-up to the deadline, emailing every MEP to urge them to sign.⁴¹

Score: MEPs who signed the declaration received 3 points, and those who didn’t received 0.

4. Vote to continue ‘hypocritical’ EU subsidies to tobacco farmers

Background: The Common Agricultural Policy (CAP) costs about €55 billion⁴² a year and represents 40% of the EU Budget. Much debate has revolved around the wasteful and mis-targeted distribution of CAP subsidies. It has been calculated that 74% of the funds go to just 20% of EU farmers, while at the other end of the scale, 70% of farmers share just 8% of the funds⁴³. The OECD estimates that 24% of CAP subsidies do not in fact go to farmers, but to landowners who benefit from the payments without actually cultivating any land.

Over the years, the EU has spent billions on subsidising the tobacco industry. Meanwhile, it spends millions each year campaigning against smoking. The EU even runs its own €72 million anti-smoking campaign, called “Help: For a life without tobacco”,

³⁷ See “European Parliament two-seat operation: Environmental costs, transport and energy”, 2007: <http://www.greens-efa.org/cms/topics/dokbin/180/180441.pdf>, p10-13

³⁸ See <http://www.oneseat.eu/>

³⁹ Written Declaration by Alexander Alvaro, Piia-Noora Kauppi, Frédérique Ries, Catherine Stihler and Helga Trüpel on holding all European Parliament plenary sessions in Brussels, 22 Sept 2008: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+WDECL+P6-DCL-2008-0075+0+DOC+PDF+V0//EN&language=EN>

⁴⁰ For the full list see: <http://www.openeurope.org.uk/research/oneseatdeclaration.doc>

⁴¹ See: <http://www.openeurope.org.uk/media-centre/pressrelease.aspx?pressreleaseid=98>

⁴² See: http://ec.europa.eu/agriculture/publi/capexplained/cap_en.pdf

⁴³ See <http://news.bbc.co.uk/1/hi/world/europe/4407792.stm>

with a sophisticated website and a “giant inflatable structure [which] toured all 25 EU capitals”, aimed at young people.⁴⁴

The European Parliament has introduced tough regulations on cigarette advertising, including the “smoking kills” warning labels on cigarette packets.⁴⁵

The vote: On 20 May 2008, MEPs voted for the continuation of farming subsidies to tobacco farmers⁴⁶ by 379 votes to 244 and 14 abstentions⁴⁷.

MEPs voted in favour of setting aside more than £200 million (293 million euros) to pay tobacco premiums in the 2008 EU budget, and an additional £10 million (14,250,000 euros) was earmarked for the Community Tobacco Fund. Direct payments to tobacco farmers, which were due to expire in 2009, will now run until 2012 as result of this vote.⁴⁸

Brian Simpson MEP summed up the situation:

“You will be aware that over many years this Parliament has been very vocal in its efforts to highlight the dangers to health of smoking tobacco. Yet through all that time the European Union has given millions of euros in support to farmers for growing that very same product. It really is hypocritical in the extreme to carry on such a policy.”⁴⁹

Score: MEPs who voted for this proposal received 0 points, those who abstained received 1 and those who voted against received 3.

5. Failure to reform the CAP and continuation of subsidies to tobacco farmers

Background: See above.

The vote: In November 2008, while the European Commission and member states were attempting to reform the CAP to move it away from ‘direct aid’ to farmers linked to their production and in favour of greater spending on rural development⁵⁰, MEPs once again

⁴⁴ See: <http://en.help-eu.com/pages/index-2.html> and http://ec.europa.eu/health/ph_determinants/life_style/Tobacco/help_en.htm

⁴⁵ See the Tobacco Products Directive; http://eur-lex.europa.eu/pri/en/oj/dat/2001/l_194/l_19420010718en00260034.pdf; *Independent*, 16 May 2001 <http://www.independent.co.uk/life-style/health-and-wellbeing/health-news/cigarette-packets-to-carry-huge-health-warnings-684920.html>

⁴⁶ Report: on the proposal for a Council regulation amending Regulation (EC) No 1782/2003 as regards the transfer of tobacco aid to the Community Tobacco Fund for the years 2008 and 2009 and Regulation (EC) No 1234/2007 with regard to financing of the Community Tobacco Fund [COM(2008)0051 - C6-0062/2008 - 2008/0020(CNS)] See <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+PV+20080520+ITEM-008-05+DOC+XML+V0//EN&language=EN>

⁴⁷ See roll-call vote p12; <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+PV+20080520+RES-RCV+DOC+PDF+V0//EN&language=EN>

⁴⁸ <http://www.conservativeeurope.com/news/730/hypocritical-eu-vote-for-tobacco-subsidies.aspx>

⁴⁹ See, <http://www.europarl.europa.eu/sides/getDoc.do?type=CRE&reference=20080520&secondRef=ITEM-009&language=EN&ring=A6-2008-0164#2-194>

⁵⁰ *Euractiv*, 20 Nov 2007; <http://www.euractiv.com/en/cap/cap-reform-commission-eyes-subsidy-cuts-big-farms/article-168551>

voted for an amendment to give direct aid from the EU Budget to farmers producing raw tobacco⁵¹.

Score: MEPs voting against received 3 points, those abstaining 1 point, those for 0 points.

6. Vote approving the European Parliament's 2006 accounts in spite of 75% unaccounted expenditure on MEPs' assistance allowances

Background: The European Parliament's 2006 budget amounted to €1.32bn, of which 21% was for MEPs' and their staff expenses⁵².

In 2008 the European Court of Auditors (ECA) said of the Parliament's accounts:

"Since 1998 the Court has, on several occasions (2), pointed out weaknesses in the regulatory framework established by the Bureau (a body consisting of the Parliament's President and 14 Vice-Presidents) for the payment of allowances for assistance to Members of the European Parliament (MEPs)"

The ECA noted in particular that:

"The supporting documents presented by the MEPs and regarded as adequate justifications by the responsible administrative department only cover 27,2% (11,9 million euro) for 2004 (July-December) and 22,5% (27,1 million euro) for 2005 (full year) of the relevant expenditure."

It added that because of this:

"The Court considers that there is not sufficient documentation to demonstrate that the MEPs have actually employed or engaged the services of one or more assistants and that the duties or services mentioned in the contracts signed by the MEPs have been really carried out."

The Court also criticised the Parliament's procurement procedures, "in particular concerning planning, compliance with applicable regulations and rules, reliability of management information and sound financial management."⁵³

The vote: Despite this damning report from the ECA about the inadequacies of the Parliament's accounting, 563 MEPs deemed that the Parliament's accounts were fit to be signed off. Only 63 voted against signing them off, and 51 abstained⁵⁴.

⁵¹ See Amendments 187, 198 and 209, European Parliament legislative resolution of 19 November 2008 on the proposal for a Council regulation establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers;

<http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2008-0549&language=EN&ring=A6-2008-0402>

⁵² <http://www.europarl.europa.eu/parliament/public/staticDisplay.do?language=EN&id=153>

⁵³ *European Court of Auditors*, Annual report on the implementation of the budget concerning the financial year 2006, together with the institutions replies, Sep 2007, p217-8;

<http://eca.europa.eu/portal/pls/portal/docs/1/479520.PDF>

⁵⁴ See roll-call vote p45; <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+PV+20080422+RES-RCV+DOC+PDF+V0//EN&language=EN>

Score: MEPs voting to sign off the accounts received 0 points, those abstaining 1 point, and those voting against 3 points.

7. Vote to approve the Parliament's 2007 accounts, in spite of auditors' criticisms

Background: As above, the European Parliament's 2007 accounts were also criticised by the European Court of Auditors over "weaknesses" in the area of parliamentary assistance allowances.

The Court's report also raised concerns about the risk of taxpayers having to foot the bill to cover a deficit in the controversial second pension scheme (see above).⁵⁵

The Vote: Despite the concerns raised by the ECA's report, in April 2009, MEPs voted by 419 votes to 106, with 67 abstentions⁵⁶ in favour of clearing the EP's budget for 2007⁵⁷.

Score: MEPs voting against clearing the budget received 3 points, those abstaining 1 point, and those in favour 0 point.

8. Vote to approve the Commission's error-prone 2007 accounts

Background: In November 2008, for the 14th consecutive year, the European Court of Auditors said that there were substantial irregularities in the EU's 2007 budget owing to fraud and mismanagement. The ECA said that "The Court's audit opinions on the EU accounts and the transactions underlying these accounts are similar to previous years. The estimated error rates in some spending...have fallen - however not enough to affect the overall picture."⁵⁸

Although the Commission has closed gaps and made improvements in the way it keeps records of EU spending, roughly the same amount of taxpayers' money is subject to fraud as in previous years.

The budget is dominated by two failing policies: the Common Agricultural Policy, and the so-called Structural Funds or regional spending. The sheer size and complexity of these two spending programmes means the EU's budget is highly prone to fraud and mismanagement⁵⁹.

According to the Court of Auditors, ultimately, it is the Commission that is "solely or in cooperation with Member States, responsible for the implementation of the EU budget"⁶⁰.

⁵⁵ *European Court of Auditors*, ANNUAL REPORTS concerning the financial year 2007, Sep 2008, p240-2; <http://eca.europa.eu/portal/pls/portal/docs/1/1569525.PDF>

⁵⁶ Roll-call vote p7; <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+PV+20090423+RES-RCV+DOC+PDF+V0//EN&language=EN>

⁵⁷ See, Report on discharge in respect of the implementation of the European Union general budget for the financial year 2007, Section I – European Parliament;

<http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A6-2009-0184&language=EN>

⁵⁸ See, http://www.europarl.europa.eu/eplive/expert/shotlist_page/20081110SHL41605/default_en.htm

⁵⁹ For some examples see, *Open Europe*, "100 Examples of EU fraud and waste"; www.openeurope.org.uk/research/top100waste.pdf

⁶⁰ See, http://www.europarl.europa.eu/eplive/expert/shotlist_page/20081110SHL41605/default_en.htm

The vote: MEPs voted by 415 votes to 72, with 11 abstentions⁶¹, to approve the Commission accounts⁶².

Score: MEPs who voted against approving the Commission's accounts received 3 points, those who abstained 1 point, and those who voted in favour 0 points.

9. Vote to postpone clearing the Council's 2007 accounts due to concerns over foreign policy spending

Background: Since 1970 a "gentlemen's agreement" has existed according to which the European Parliament does not scrutinise the accounts of the European Council, which brings together ministers from EU member state governments. The Council's budget has grown in size and scope as the EU has gained more powers, especially in the field of foreign policy. The Council's budget amounted to €594 million in 2007 and represented 8% of the EU's administrative expenditures⁶³.

The vote: In 2009, in response to the Council's growing budget, MEP Søren Bo Søndergaard presented a report which called for postponing approval of the Council's accounts until the Parliament had been granted permission to scrutinise them. The report read:

*"[The Parliament] rejects the Council's suggestion that the fact that Parliament and the Council have not, in the past, scrutinised the implementation of their respective sections of the budget was the result of a "Gentlemen's agreement"; considers that in view of the increasingly operational nature of expenditure, the expenditure of the Council ought to be scrutinised in the same way as that of the other institutions."*⁶⁴

MEPs voted in favour of this report by 571 votes to 41, with 21 abstentions, therefore postponing the decision to clear the Council's accounts, in recognition of the fact that European citizens have a right to know how their money is being spent.

Note: Some MEPs voted against postponing the Council's accounts on grounds that the foreign policy provisions of the budget is purely a matter for member states' governments and is therefore beyond the mandate of the European Parliament.

Score: MEPs voting to postpone the decision on the Council's accounts received 3 points, those who abstained 1 point, and those who voted against postponement 0 points.

10. Vote to approve the 2007 accounts of the European Police College while it was under investigation for fraud

⁶¹ Roll-call vote p229; <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+PV+20090423+RES-RCV+DOC+PDF+V0//EN&language=EN>

⁶² See, Report on the discharge for implementation of the European Union general budget for the financial year 2007, Section III – Commission, Decision 1;

<http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A6-2009-0168&language=EN>

⁶³ See, *EUobserver*, 23 Apr 2009; <http://euobserver.com/18/27988>

⁶⁴ See, Report on discharge in respect of the implementation of the European Union general budget for the financial year 2007, Section II – Council;

<http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A6-2009-0150&language=EN>

Background: In early 2009 it was reported that the UK-based quango the European Police College is being investigated by the EU's anti-fraud watchdog, Olaf, over concerns about the "private use of public funds". According to information given to MEPs, almost £21,000 in EU funds was wrongly paid out for staff use of cars, transport services, mobile phones and furniture⁶⁵.

The vote: A report from the EP's Budgetary Control Committee recommended that the accounts of the European Police College should not be cleared due to the fact that the European Court of Auditors could not qualify its accounts and had "identified cases where appropriations were used to finance the private expenditure of the College's staff"⁶⁶.

Despite this evidence of the misuse of EU funds, MEPs voted against the Committee's report by 226 votes to 230, with 9 abstentions⁶⁷. As a result, the accounts of the Police College were cleared.

Score: MEPs voting against the report received 0 points, those abstaining 1 point, and those who voted in favour of the Committee's report received 3 points.

C) MEPs arguably 'Unfit for public office'

Some people would argue that some of the MEPs in our ranking may be unfit for public office, owing to run-ins with the law, the misuse of public funds, or extremist or offensive views.

A handful of MEPs who have been the subject of substantive press reports of wrongdoing have been shown a 'red card' in our ranking and had 10 points deducted from their score.

These are:

Mario Borghezio MEP - Italy - Lega Nord

Borghezio has often been accused of being xenophobic. In 2003 he was arrested in Belgium for protesting against islamization of Europe⁶⁸. According to New Statesman⁶⁹, "Borghezio once organised a team of "green volunteers" to cleanse the Italian railway system of reputed prostitutes; they sprayed a group of African women sitting in a train compartment with disinfectant." In September 2005, he was convicted and fined 3,040 euro for arson, having set fire to some immigrants' belongings under a bridge in Turin.⁷⁰

⁶⁵ *Telegraph*, 17 Feb 2009; <http://www.telegraph.co.uk/news/worldnews/europe/eu/4682071/Senior-police-training-centre-under-investigation.html>

⁶⁶ Report on discharge in respect of the implementation of the budget of the European Police College for the financial year 2007; <http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A6-2009-0160&language=EN>

⁶⁷ Roll-call vote p281; <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+PV+20090423+RES-RCV+DOC+PDF+V0//EN&language=EN>

⁶⁸ http://archivistorico.corriere.it/2007/settembre/12/Borghezio_cella_Bruxelles_Italia_protesta_co_9_070912021.shtml

⁶⁹ <http://www.newstatesman.com/200105140024>

⁷⁰ <http://ricerca.repubblica.it/repubblica/archivio/repubblica/2005/07/02/incendio-doloso-multato-borghezio.html>

Mr Roberto Fiore MEP - Italy – Forza Nuova

Fiore was given a 9 year prison sentence (later reduced to 5.5 years) in Italy for “subversive association” for his involvement with the Armed Revolutionary Nuclei, a far-Right terrorist group⁷¹. This organisation was responsible for the 1985 Bologna train bombing which killed 85 people and wounded 200. Fiore however escaped his prison sentence due to Italy’s statute of limitations⁷², which effectively means that it expired.⁷³

He also has strong links to the BNP and helped to found International Third Position (a fascist organisation). According to Searchlight, “Fiore was also one of the founders of the extremely violent Hammerskins skinhead movement, part of the Nazi music and football hooligan gangs responsible for violence on the terraces. They have strong links with one of the most vicious fascist football hooligan gangs in Europe, the Roma Ultras.”⁷⁴

The Guardian also reported that Fiore “controls” CL English language school in London, Apparently, “the accountants for the college are Edgar and Jean Griffin, Nick Griffin’s (BNP Leader) parents, who live in Welshpool, Powys. Edgar Griffin confirmed that the language school was a “substantial business”, but declined to say why its reported profits were so small.” It is not clear whether the BNP receives funds from the school.

Mr Jean-Marie Le Pen MEP - France - Front National

Le Pen has been convicted in France and Germany and fined numerous times for making racist and anti-Semitic remarks. In 1987 he called Nazi concentration camps a “detail of Second World War history”, for which he was fined 1.2 million francs (£171,000)⁷⁵. In 2008 he received a €10 000 fine for discriminatory comments about Muslims and was ordered to pay €5000 in damages to the League of Human Rights.⁷⁶ In 2008 he was also given a 3 month suspended prison sentence and €10,000 fine for playing down the Nazi occupation of France by referring to it as “not especially inhumane”.⁷⁷

Mr Bruno Gollnisch MEP - France - Front National

In January 2007 Gollnisch was given a three-month suspended prison sentence for saying “no serious historian fully believes the conclusions of the Nuremberg trials” and “leave historians to discuss gas chambers”. This resulted in a €5,000 fine plus €55 000 in compensation to 8 anti-racism organisations, although the latter was later amended to €3000 in damages⁷⁸

Mr Vladimír Zelený MEP – Czech Republic

⁷¹ <http://www.telegraph.co.uk/news/worldnews/europe/italy/2017509/Euro-seat-for-Italian-neo-fascist-Fiore.html>

⁷² <http://www.guardian.co.uk/politics/2008/feb/29/thefarright.italy>

⁷³ <http://www.europeanvoice.com/article/imported/an-mep-with-rare-work-experience-/61574.aspx>

⁷⁴ <http://www.searchlightmagazine.com/index.php?link=BNP-deputy-leader-addresses-international-fascist-rally>

⁷⁵ <http://www.timesonline.co.uk/tol/news/world/europe/article5977445.ece>

⁷⁶ http://www.lexpress.fr/actualite/politique/le-pen-condamne-en-appel-a-10-000-euros-d-amende_471060.html

⁷⁷ <http://news.bbc.co.uk/1/hi/world/europe/7234978.stm>

⁷⁸ <http://www.lefigaro.fr/politique/2008/02/28/01002-20080228ARTFIG00480-la-condamnation-de-bruno-gollnisch-confirmer-en-appel.php>

In 2007 a Prague court gave Mr Zelezny a suspended jail term and fined him nearly €250,000 for not paying import duty on valuable paintings he had bought abroad.⁷⁹ In May 2009 he was convicted on tax evasion charges.⁸⁰

Mr Tom Wise MEP – United Kingdom – Independent

In April 2009 Wise and his researcher Lindsay Jenkins were charged with fraud for the misuse of thousands of pounds worth of expenses. If Wise is convicted, the maximum sentence for false accounting is seven years and for money laundering it is 14 years.⁸¹

Mr Densmore Dover MEP – United Kingdom – Conservative

The European Parliament decided that Den Dover, who resigned as chief whip in June 2008, had breached its rules and demanded that he pay back just over £500,000 in expenses.⁸² According to the Times, an official enquiry found that “Mr Dover had a conflict of interest in using M P Holdings as a “service provider” for secretarial and parliamentary assistant work. He had declared “no financial interest” in the family-owned company that employs his wife, Kathleen, as secretary and daughter, Amanda, as part-time parliamentary assistant. His wife and daughter are also company directors.”⁸³

Mr Ashley Mote MEP – United Kingdom – Independent

In 2007 Mote was convicted of 21 charges of benefit fraud⁸⁴ for falsely claiming for than £65,000 in benefits. He was given a 9 month prison sentence, which he served, but because it was less than 12 months he was allowed to return as an MEP.⁸⁵

Mr Giles Chichester MEP – United Kingdom - Conservative

Giles Chichester paid more than £400,000 in European Parliament office expenses into a company of which he was a director.⁸⁶

⁷⁹ <http://www.irishtimes.com/newspaper/world/2009/0122/1232474672730.html>

⁸⁰ <http://euobserver.com/843/28128>

⁸¹ <http://www.timesonline.co.uk/tol/news/politics/article6136068.ece>

⁸² <http://www.guardian.co.uk/politics/2008/nov/12/conservatives-fraud-den-dover-david-cameron>

⁸³ <http://www.timesonline.co.uk/tol/news/politics/article5141953.ece>

⁸⁴ <http://news.bbc.co.uk/1/hi/england/6951841.stm>

⁸⁵ <http://www.timesonline.co.uk/tol/news/politics/article6136068.ece>

⁸⁶ <http://www.timesonline.co.uk/tol/news/politics/article4069524.ece>