Amendments to the Rules of Procedure in order to ensure the functioning of Parliament in extraordinary circumstances

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The Constitutional Affairs Committee adopted a report by Gabriele BISCHOFF (S&D, DE) on amendments to the Rules of Procedure to ensure the functioning of Parliament in extraordinary circumstances.

Members stressed that the sanitary crisis caused by the COVID-19 pandemic has revealed the need to amend Parliament's Rules of Procedure to ensure the institution's functioning in different types of exceptional circumstances.

The report welcomed the importance of the temporary measures adopted during the current health crisis, considering that there were no alternatives to ensure the continuity of the Parliament's activities and enable it to exercise its legislative, budgetary and political control functions in accordance with the procedures laid down in the Treaties. These measures were fully justified and ensured the validity of all votes taken during their period of application.

In the light of these considerations, Members proposed that Parliament should amend its Rules of Procedure by introducing a new Title XIIIa entitled ‘Extraordinary circumstances’.

The proposed amendments relate to the following points:

Extraordinary measures (Rule 237a)

This Rule would apply to situations where the European Parliament, owing to exceptional and unforeseeable circumstances beyond its control, is prevented from carrying out its duties and exercising its prerogatives under the Treaties, and where a temporary derogation from the European Parliament's usual procedures is necessary in order to adopt extraordinary measures enabling it to continue to carry out those duties and to exercise those prerogatives.

Such exceptional circumstances would exist when the President concludes, on the basis of reliable evidence, that for reasons of security or safety or due to the unavailability of technical means, it is or will be impossible or dangerous for Parliament to convene in accordance with its usual procedures.

Disruption of the political balance in Parliament (Rule 237b)

The President could, with the approval of the Conference of Presidents, adopt the necessary measures to facilitate the participation of the Members or a political group concerned if he concludes, on the basis of reliable evidence, that the political balance of Parliament is seriously impaired because a significant number of Members or a political group cannot take part in Parliament’s proceedings in accordance with its usual procedures, for reasons of security or safety, or as a result of the unavailability of technical means.

The sole aim of such measures should be to allow the remote participation of Members concerned by the application of selected technical means.

Remote participation regime (Rule 237c)

Where the President decides to apply the remote participation regime, Parliament could conduct its proceedings remotely inter alia by permitting all Members to exercise certain of their parliamentary rights by electronic means. This new Rule sets out the guarantees that the remote participation regime should provide in this case.

The President's decision would also determine how rights and practices which cannot be exercised appropriately without the Members' physical presence are to be adapted for the duration of the regime.

Regarding the rules on quorum and voting in the Chamber, Members participating remotely would be deemed to be physically present in the Chamber.

Holding of the plenary session in separate meeting rooms (Rule 237d)

This Rule sets out the rules applicable should the President decide to authorise the holding of a plenary session of Parliament in whole or in part in more than one meeting room, including, where appropriate, the hemicycle.