EP Rules of procedure, rule 159: appointment of the Ombudsman

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The Committee on Rules of Procedure approved four amendments to Rule 159 of the Rules of Procedure on the appointment of the ombudsman by 12 votes in favour, 8 votes against and 1 abstention. These changes to the Rules of Procedure will be put to the vote of plenary in Brussels on 1 December The amendments propose: 1. giving plenary the right to choose between the nominees approved by the Committee on Petitions. The committee took account, in proposing that the six initial nominees be re-entered on the lists, of the argument put forward on 22 November by Mr Gregorio GARZON CLARIANA, a legal adviser to the European Parliament, concerning the precautions needed in order to forestall litigation and an ousted candidate's taking recourse to the Court of First Instance on the grounds that the rules were changed during the nomination procedure; 2. applying the procedure used to elect the president of the European Parliament, mutatis mutandis, to the election of the ombudsman, i.e. a maximum of four ballots and, in the event of a tie, the elder candidate being elected. The amendments concern paragraphs 4, 5, 6 and 8 of Rule 159 of the Rules of Procedure. Paragraphs 4 and 6 and 6a will read as follows: Paragraph 4 (new): The committee responsible will submit its choice of nominees, listed according to the number of votes obtained in committee, to the vote of the European Parliament. Explaining the exact scope of his amendment before it was adopted, Mr Florus WIJSENBEEK (LDR, NI) pointed out that the order recommended was that obtained during the first ballot in the Committee on Petitions. During the first ballot on 4 November, Mr Alvaro GIL-ROBLES Y GIL-DELGADO (E) won 11 votes, Mr Siegbert ALBER (D) won 10 votes, Mr Juan Maria BANDRES-MOLET (E) won 2 votes and Mr Henry McCUBBINN (UK), Mr William F. NEWTON-DUNN (UK) and Mrs Marie-Claude VAYSSADE (F) each won 1 vote. Paragraph 6 (new): The vote shall be held by secret ballot. The European Parliament shall apply the provisions of Rule 14 (1) of the Rules of Procedure, mutatis mutandis, to the election of the ombudsman. This amendment was proposed by two Italian members of the Greens, Mrs Maria Adelaide AGLIETTA and Mr Alexander LANGER. The age criterion, in the event of a tied vote, gave rise to a lively debate between those who supported this "criterion of experience" and those who were opposed to using a purely internal criterion to elect the ombudsman, who personified a new institution. The second group, which favoured drawing lots, were beaten by seven votes in favour, ten votes against and three abstentions. Paragraphs 5 and 8 were deleted at the proposal of the rapporteur, Mr Ben FAYOT. Paragraph 5 concerned entering the vote on the agenda for plenary and paragraph 8 concerned a new call for nominations in the event of a negative vote.