

EP Rules of Procedure, Rule 9: code of conduct for Members

2005/2075(REG) - 19/01/2006 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution drafted by Gérard **ONESTA** (Greens/EFA, FR) with 399 votes in favour, 90 against and 35 abstentions. The resolution makes a number of changes to Parliament's Rules of Procedure, aimed at updating the provisions on MEPs' conduct during debates. (Please refer to the summary of 15/12/2005.) It notably adapts and clarifies the powers granted to Parliament's President to penalise Members who disturb parliamentary sittings.

The rules state that Members' conduct shall be characterised by mutual respect, be based on the values and principles laid down in the basic texts on which the European Union is founded, respect the dignity of Parliament and not compromise the smooth conduct of parliamentary business or disturb the peace and quiet of any of Parliament's premises. The President will call to order any Member who disrupts the smooth conduct of the proceedings.

The amendments to the provisions on "Order in the Chamber" give slightly stronger powers to the President, in that they enable him to deny an offending Member the right to speak and also enable him to exclude that person from the Chamber immediately, without a second call to order, "in cases of exceptional seriousness".

Under the new rules, MEPs face a range of penalties in "exceptionally serious cases of disorder or disruption" of the Parliament's proceedings. These include:

- a reprimand;
- forfeiture of entitlement to the daily subsistence allowance for a period of between 2 and 10;
- without prejudice to the right to vote in plenary, and subject, in this instance, to strict compliance with the Members' standards of conducts, temporary suspension, for a period of between 2 and 10 consecutive days on which Parliament or any of its bodies, committees or delegations meet, from participation in all or some of the activities of Parliament;
- submission to the Conference of Presidents of a proposal for the Member's suspension or removal from one or more of the elected offices held by the Member in Parliament.

The rules also state that, when assessing the conduct observed, account shall be taken of its exceptional, recurrent or permanent nature and of its seriousness, on the basis of the guidelines annexed to the Rules of Procedure.

There is a clear distinction between acceptable and unacceptable types of behaviour in the Parliament. A distinction should be drawn between visual actions, which may be tolerated, provided they are not offensive and/or defamatory, remain within reasonable bounds and do not lead to conflict, and those which actively disrupt any parliamentary activity whatsoever.

Finally, the new rules will provide a formal appeal procedure for the first time. Members will be able to appeal to the bureau against a decision within two weeks of being notified about the penalty. The bureau will then have four weeks to decide whether to repeal, amend or reduce the penalty. If there is no decision within four weeks, the penalties lapse.

