Parliamentary Assembly
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COUNCIL OF EUROPE
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Resolution 1965 (2013)[1]
Final version

The discipline of the members of the Parliamentary Assembly

Parliamentary Assembly

1. The Parliamentary Assembly reaffirms its commitment to the right to freedom of expression, which is the most important parliamentary privilege and an essential precondition for the independence of elected representatives of the people. There are various ways to express one's position in the context of a political debate, including by displaying symbols or logos or wearing a particular garment or costume, which are protected by the right to freedom of expression. Nonetheless, whoever exercises their freedom of expression also has duties and responsibilities, the scope of which will depend on the situation and the means used.

2. It is therefore imperative to strike a fair balance between freedom of expression in the Assembly and the protection of a person's reputation and honour, as well to take into account the need to guarantee the smooth running of the Assembly's business. Assembly Resolution 1854 (2011) on ensuring protection against attacks on a person's honour and reputation was an important step in this direction.

3. In recent years, the Assembly has had to deal with cases in which the behaviour of its members has been criticised by colleagues and non-governmental organisations, thus undermining, directly or indirectly, the honour and reputation of members, and the institution in general. Moreover, some unusual incidents have occurred in the Assembly Chamber or during committee meetings, suggesting that they may be repeated or become more common or more serious in the future. Breaches of existing ethical rules and the poor conduct of parliamentarians in parliamentary fora, including the Assembly, undermine representative democracy as a whole and send the wrong message to citizens.

4. Therefore, recalling Rule 12 of the Assembly's Rules of Procedure and the code of conduct for members of the Assembly, the Assembly considers it necessary to supplement the existing provisions regarding its members' conduct in order to help the President of the Assembly and the committee chairpersons interpret the Rules of Procedure, take appropriate action to maintain order and ensure that meetings proceed smoothly and in a way that respects members' freedom of expression.

5. The Assembly is entitled, under Article 28 of the Statute of the Council of Europe (ETS No. 1), to adopt its rules and manage its internal affairs; it has therefore the right to discipline its members for misconduct and the power to impose penalties for any interference with its rules.

6. Accordingly, the Assembly decides to amend the complementary texts of its Rules of Procedure by:

6.1. supplementing the "Additional provisions relating to the Assembly debates" with the following new provisions under the heading "Conduct of members of the Parliamentary Assembly during Assembly debates (Rule 21 of the Rules of Procedure)":

"Pursuant to Rules 19.1 and 21 of the Rules of Procedure, the President of the Assembly maintains order and decorum and ensures that debates are conducted in a civil and orderly manner, in conformity with the rules and practices in force. Members of the Parliamentary Assembly shall behave in a courteous, polite and respectful manner towards each other and towards the President of the Assembly or any other person who is presiding. They shall refrain from any action that may disrupt the proceedings. This provision shall apply mutatis mutandis to

1. *Text adopted by the Standing Committee*, acting on behalf of the Assembly, on 22 November 2013 (see Doc. 13339, report of the Committee on Rules of Procedure, Immunities and Institutional Affairs, rapporteur: Mr Chope).

meetings of the Bureau and of committees. With regard to Assembly members' discipline and observance of the rules of conduct, paragraphs 17 to [20] of the code of conduct for members of the Parliamentary Assembly shall apply";

6.2. adding in the code of conduct for members of the Parliamentary Assembly, at the end of paragraph 19, the following sentence: "and/or inform the speaker of the national parliament concerned. In cases of serious or repetitive breaches of the rules of conduct by a given member, and in accordance with the powers and responsibilities granted to the President of the Assembly in the Rules of Procedure, the President may take one or several of the following decisions: temporary deprivation of the right to speak and to be enrolled on the list of speakers; temporary deprivation of the right to sign an amendment, a motion or a written declaration. The President shall inform the Assembly accordingly."