

EUROPEAN PARLIAMENT

5 December 2000

21/2000

WRITTEN DECLARATION

pursuant to Rule 51 of the Rules of Procedure

by Bruno Gollnisch, Charles De Gaulle, Jean-Claude Martinez, Carl Lang and Marie-France Stirbois

for entry in the register

on the removal from office of Mr Jean-Marie Le Pen

Date of debarment: 5 March 2001

The European Parliament,

- A. whereas the rights of each Member constitute Parliament's freedom,
- B. astonished at the temporary ineligibility which has been decreed in respect of Mr Le Pen on account of a trivial campaign incident,
- C. stunned that the French Government should have decided as a result to remove him from office, even though Article 131-27 of the French Penal Code excludes such a course of action,
 - 1. Condemns this blatant violation of parliamentary immunity;
 - 2. Condemns the charge of *flagrante delicto* in a judgment which has been delivered a whole year after the events took place;
 - 3. Deplores the failure to apply Rule 7(4) of the Rules of Procedure;
 - 4. Condemns a decision which has been endorsed in the absence of any analysis, debate or vote and without any hearing of the individual concerned, who has been a Member of the European Parliament for 16 years;
 - 5. Calls on the French Presidency of the Council to restrict the removal of MEPs from office to serious cases of dishonourable conduct, under the watchful eye (as in the case of domestic MPs) of the Constitutional Council;
 - 6. Calls on the appropriate committee to revise the Rules of Procedure with a view to protecting Members from unjustified decisions taken by the Executive;
 - 7. Calls on the European Court of Human Rights to penalise this instance of law-breaking;
 - 8. Calls on the EC Court of Justice to restore the Member concerned to office;
 - 9. Instructs its President to forward this declaration to the other European institutions.