

The President

DECISION OF THE PRESIDENT OF THE EUROPEAN PARLIAMENT

of 19 November 2021

**on extraordinary measures enabling the European Parliament to carry out its duties
and exercise its prerogatives under the Treaties**

THE PRESIDENT OF THE EUROPEAN PARLIAMENT,

Having regard to Rules 237a, 237c and 237d of the Rules of Procedure of the European Parliament,

Having regard to the approval of the Conference of Presidents of 19 November 2021 by written procedure,

Whereas:

- (1) In the last two weeks, the overall epidemiological situation within the Union has been characterised by a high and rapidly increasing case notification rate based on the latest data provided by the European Centre for Disease Prevention and Control. Over the next weeks, a further increase of the case notification rates, death rates and hospital admissions is expected.
- (2) Several Member States have recently reinforced their measures to limit the increased spread of COVID-19. Those measures include the reintroduction of restrictions on access by persons to certain facilities open to the general public, restrictions on entry by employees to their workplace and limitations on the freedom of movement. In many instances, those restrictions do not apply when a person is able to present an EU Digital COVID Certificate or another proof of vaccination, recovery or a negative PCR test.
- (3) Parliament recently reinforced its risk-mitigation and safety measures in order to protect the health of Members, staff and other persons working in the European Parliament, while at the same time safeguarding Parliament's operational capacity, particularly its legislative and budgetary activity. Following the decision of the Bureau of the European Parliament of 27 October 2021 on exceptional health and safety rules governing access to the European Parliament's buildings, access to Parliament's buildings in the three places of work is granted only upon presentation of a valid EU Digital COVID Certificate. In addition, by decision of the President of 27 October 2021, the security measures to limit the spread of COVID-19 were prolonged and adapted. Both decisions entered into force on 3 November 2021.

- (4) The threats and challenges deriving from the coronavirus continue to constitute exceptional and, in light of an overall epidemiological situation of high or very high concern where the case notification rates and other indicators are forecast to further increase, unforeseeable circumstances beyond Parliament's control.
- (5) On the basis of reliable evidence, inter alia from the European Centre of Disease Prevention and Control and confirmed by Parliament's Medical Service, for reasons of safety, it is dangerous for Parliament to convene in accordance with its usual procedures as set out in the Rules of Procedure and its adopted calendar.
- (6) It is therefore necessary to adopt appropriate extraordinary measures to enable Parliament to continue to carry out its duties and to exercise its prerogatives.
- (7) In particular, in order to protect the health of Members and staff and contribute to limiting the spread of the coronavirus, Rule 237a should be applied as a last resort. A remote participation regime should be introduced for the part-sessions and meetings of committees, interparliamentary delegations and other bodies of Parliament for the duration of this Decision, ensuring that Members can exercise certain of their parliamentary rights by electronic means.
- (8) Some rights and practices cannot be exercised appropriately without the Members' physical presence and should thus be adapted for the duration of this Decision.
- (9) The remote voting procedure has a major impact on the order of business of part-sessions, as it imposes additional constraints on the sequence according to which items are debated and put to the vote, leaving less time for debates. It is, thus, appropriate to currently not place on the plenary agenda debates on major interpellations, topical debates and one-minute speeches, to allow joint debates on items which are neither similar nor factually related, to proceed with the debates during votes and to replace the oral explanation of votes with written explanation of votes.
- (10) Since at the beginning of a part-session the votes for and against requests for amendments to the final draft agenda cannot be cast timely with remote participation, such amendments may only be proposed where they are supported by the political groups by consensus.
- (11) Some procedures in plenary need more time under the remote participation regime to be properly organised and notified to all Members. It is thus necessary to impose a deadline for requests to make statements in a procedure in plenary without amendment or debate, for requests for applications of the urgent procedure, for requests to establish the quorum, for requests for secret ballots, for the notification of points of order and for procedural motions.

- (12) The remote participation does not allow the President to give the floor to a Member at any moment, nor to see all Members at the same time. Therefore, it would not be possible to apply the catch the eye-procedure or the blue card procedure, thus granting non-allocated speaking time, to count medium and high thresholds in the ordinary manner or to allow oral amendments and oral modifications.
- (13) Since the votes under the remote participation regime are not taken one by one by the Members at the same moment but each Member fills in a ballot paper containing several votes within a predetermined period of time, the sequence of votes laid down in Rules 182 and 183 should be understood as the method for determining the results of the votes.
- (14) Plenary votes should be held by roll call save in case of secret ballots, in order to allow each Member to verify whether his or her remote vote was correctly taken into account.
- (15) As the remote participation regime considerably affects the chronology of the part-sessions, in particular as regards the announcement of the votes, the deadlines for the publication and approval of the minutes should be adapted.
- (16) The extraordinary measures provided for in this Decision are strictly necessary and no less restrictive measures are available or equally suitable to enable Parliament to continue to carry out its duties and exercise its prerogatives under the Treaties while ensuring safety,

HAS ADOPTED THIS DECISION:

Chapter I - Parliament's part-sessions and sittings

Article 1

1. The part-sessions shall be held under the remote participation regime laid down in Rule 237c.
2. Members shall exercise their voting rights in accordance with the provisions laid down in Chapter 1 of the Decision of the Bureau of 8 February 2021 on rules governing voting under the remote participation regime.

3. The rights and practices which cannot be exercised appropriately without the physical presence of Members shall be adapted, as laid down in the Annex.

Article 2

1. Members shall exercise their right to speak in plenary from the hemicycle or from dedicated meeting rooms in Parliament's liaison offices in the Member States. A separate room may be made available at the place where the part-session is held. In the hemicycle, Members may also speak from the front rostrum.
2. In the Chamber, the President shall ensure that physical distancing of 1.5 meter between attendees is observed and that only so many Members are physically present that the physical distancing requirements are respected.

Chapter II - Committees and interparliamentary delegations

Article 3

1. Committees and interparliamentary delegations shall organise their meetings, including hearings and workshops under the remote participation regime laid down in Rule 237c.
2. In committees and interparliamentary delegations, Members shall exercise their voting rights in accordance with the provisions laid down in Chapter 2 of the Decision of the Bureau of 8 February 2021 on rules governing voting under the remote participation regime.
3. The rights and practices which cannot be exercised appropriately without the physical presence of Members shall be adapted as laid down in the Guidelines on the remote voting procedure in committees as adopted by the Conference of Committee Chairs.
4. In meeting rooms, the Chair shall ensure that physical distancing of 1.5 meter between attendees is observed and that only so many Members are physically present that the physical distancing requirements are respected.

Chapter III - Other bodies

Article 4

1. Meetings of other bodies may be organised under the remote participation regime laid down in Rule 237c.

2. In meeting rooms, the Chair shall ensure that physical distancing of 1.5 meter between attendees is observed and that only so many Members are physically present that the physical distancing requirements are respected.

Chapter IV - Final provisions

Article 5

This Decision shall be without prejudice to any additional preventive and safety measures for risk mitigation by the President, the Bureau of the European Parliament or other competent authorities of Parliament.

Article 6

1. This Decision shall enter into force on 22 November 2021 with its publication on Parliament's website.
2. This Decision shall lapse on 24 December 2021 unless renewed, amended or revoked before this date.

Brussels, 19 November 2021



David Maria SASSOLI

Annex - Part-session and sittings

The rights and practices which cannot be exercised appropriately without the physical presence of Members shall be adapted as follows:

1. Major interpellations - Rule 139(4) and (5)
Unless the Conference of Presidents decides otherwise, no major interpellation as provided for in Rule 139 shall be placed on the plenary agenda.
2. Plenary agenda - Rule 158(1)
An amendment to the final draft agenda may be proposed only if the political groups support it by consensus.
3. Procedure in plenary without amendment or debate - Rule 159(4)
The rapporteur or the Chair may notify in writing to the President at least one hour before the start of the voting session a request to make the statement referred to in Rule 159(4). The President shall determine the time where such statement will be made.
4. Short presentation - Rule 160
The procedure whereby, in the framework of a short presentation, the President may give the floor to Members who caught his or her eye shall not be applied.
5. Topical debate - Rule 162
Unless the Conference of Presidents decides otherwise, no topical debate as provided for in Rule 162 shall take place.
6. Urgent procedure - Rule 163(2)
A request for urgent procedure shall be announced at the latest at the opening of the sitting following its reception by the President. The vote on the request shall be taken on the day of its announcement or in the first voting session of the sitting following that of the announcement.
7. Joint debate - Rule 164
Items of business may be debated jointly even where they are neither similar nor factually related.

8. Language interpretation - Rule 167(2)

Interpretation shall be provided to the greatest extent possible (Rule 237c(2), fifth indent).

9. Non-allocated speaking time - Rule 171(6)

The procedure whereby the President may call on Members to speak for the time not specifically allocated in advance shall not be applied.

10. Blue card - Rule 171(8)

The procedure whereby the President may give the floor to Members who indicate by raising a blue card their wish to put a question shall not be applied.

11. One-minute speeches - Rule 172

Unless the Conference of Presidents decides otherwise, one-minute speeches to draw Parliament's attention to a matter of political importance shall not take place.

12. Quorum - Rule 178

A request to establish the quorum must be notified in writing to the President at least one hour before the start of the voting session. The quorum shall be checked with the alternative electronic voting system.

13. Thresholds - Rule 179(4), first indent

Where a Rule laying down a medium or high threshold is invoked in the course of a sitting, the support of a political group shall be counted as representing all Members who belong to the supporting group.

14. Oral amendments and oral modifications - Rule 180(6)

Oral amendments and oral modifications may not be put to the vote.

15. Sequence of votes - Rules 182 and 183

The provisions of Rules 182 and 183 laying down the sequence of votes shall not be understood as referring to the chronological order of the votes but to the method for determining the results of the votes.

16. Debates during voting- Rules 182(4) and 187(2), second subparagraph
Debates may be held between the opening and the closing of remote votes.
17. Voting by roll call vote - Rule 190
Votes shall be by roll call, even if no request for roll call has been made, with the exception of votes by secret ballot.
18. Voting by secret ballot - Rule 191(2)
A request for secret ballot must be notified in writing to the President at least 24 hours before the start of the relevant voting session.
19. Explanations of votes - Rule 194
No oral explanation of vote shall be given. Written explanations of votes shall not exceed 400 words.
20. Points of order - Rule 195
Points of order must be notified in writing to the President at least one hour before the start of the sitting or the start of the agenda item in question.
21. Procedural motions - Rules 197 to 201
Procedural motions under Rule 197, 198, 199, 200 or 201 shall be admissible only if they were notified in writing at least 24 hours in advance to the President. The President shall immediately inform Members of the motion by publication on Parliament's website or by the best alternative means. The motion shall be put to the vote at the relevant voting session.
22. Minutes - Rule 202
The minutes of each sitting shall be made available at the latest one hour before the beginning of the first sitting of the following part-session. They shall be placed before Parliament, for its approval, at the beginning of the first sitting following the moment where they were made available.