



Members of the European Parliament



President of the European Parliament
Brussels, Belgium
PAUL-HENRI SPAAK, 09B011
Wiertzstraat 60
B-1047 Bruxelles

10 November 2020

Subject: Hate speech in plenary and implementation of the Rules of Procedure

Dear Mr. President,

As laid down in Rule 10 of the Parliament's Rules of Procedures (RoP), "the conduct of Members shall be characterised by mutual respect and shall be based on the values and principles laid down in the Treaties, and particularly in the Charter of Fundamental Rights. Members shall respect Parliament's dignity and shall not harm its reputation". Article 4 adds that "in parliamentary debates in the Chamber, Members shall not resort to offensive language".

The following explanation, also in the RoP details: "The assessment of whether the language used by a Member in a parliamentary debate is offensive or not should take into consideration, inter alia, the identifiable intentions of the speaker, the perception of the statement by the public, the extent to which it harms the dignity and reputation of Parliament, and the freedom of speech of the Member concerned. By way of example, defamatory language, "hate speech" and incitement to discrimination based, in particular, on any ground referred to in Article 21 of the Charter of Fundamental Rights, would ordinarily constitute cases of "offensive language" within the meaning of this Rule."

The European Parliament Anti-Racism and Diversity Intergroup together with civil society partners has been working intensively since 2016 to ensure the strengthening of the Rules, but also its implementation. In particular, Rule 176 says: "In serious cases of breach of Rule 10 (2) to (9), the President shall adopt a reasoned decision imposing upon the Member concerned the appropriate penalty in accordance with this Rule".

In your answer to our last letter from 29 November 2019 concerning hate speech in plenary, you explained your decision that the Members responsible will not be subject to the measures outlined in Rule 176 by pointing to the Rule 10 (8), which says that "the application of this Rule shall not otherwise detract from the liveliness of parliamentary debates, nor shall it undermine Members' freedom of speech".

To our knowledge, no Member has been subject to the measures of Rule 176 for breaching Rule 10 (4) except for MEP Janusz Korwin-Mikke who has been suspended in 2017 for 10 days and lost allowance for 30 days because of his misogynist speech in plenary. We are neither aware that any of the immediate measures outlined in Rule 175 for breaches of the standards of conduct defined in Rule 10 (3) or (4). It is truly disappointing that the penalties have never been implemented and that no deserving MEP, with that one exception, has ever been sanctioned for hate speech in the European Parliament.

Therefore, honourable President, we would like to ask you the following questions:

How many times cases of hate speech committed by Members have been reported to the president during this term and the previous parliamentary term (hate speech in plenary and in general)? What form of hate speech the Members were accused of (sexist, racist, xenophobic, homophobic etc.)? What actions, if not sanctions, have been taken to address the cases?

Racism, homophobia and other forms of discrimination are direct violations of the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law. In addition, in light of the urgency of addressing racism and racial discrimination in the aftermath of the murder of George Floyd and consequent increase of understanding of the seriousness of structural racism in Europe, we believe that it is of utmost importance to start implementing Article 21 of the Charter of Fundamental Rights and the penalties laid down in the RoP.

Hate speech is not freedom of speech.

Yours sincerely,

Hilde Vautmans, ARDI Vice-President, RENEW Europe

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