

Request for waiver of the immunity of Witold Tomczak

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The Legal Affairs Committee unanimously adopted the report by Diana **WALLIS** (ALDE, UK) on the request for waiver of the immunity of Witold **TOMCZAK** (ID, PL).

To recall, Mr Tomczak is charged with causing damage valued at up to 39 669 PLN (approximately 11 500 EUR) to a sculpture titled “The Ninth Hour” – depicting Pope John Paul II crushed by a stone – in the Zachta Gallery in Warsaw in 2000. He claims that his action sought to defend his and other people’s religious feelings, as well as to protect the dignity of the Pope. He also contests the amount of the damage he allegedly caused.

The District Prosecutor in Warsaw asks that the parliamentary immunity of Mr Tomczak be waived in order that he may present him with the charges in the above-mentioned proceedings and question him as a suspect.

Given that Mr Tomczak was elected to the European Parliament on 13 June 2004 (well after the events), the committee considers that he was not protected by parliamentary immunity. Therefore, MEPs propose to waive the immunity of Witold Tomczak.