Request for waiver of the immunity of Witold Tomczak

2008/2078(IMM) - 08/07/2008 - Text adopted by Parliament, single reading

The European Parliament adopted by 638 votes to 17, with 21 abstentions, a resolution on the request for waiver of the immunity of Witold **TOMCZAK** (ID, PL).

The report had been tabled for consideration in plenary by Diana **WALLIS** (ALDE, UK), on behalf of the Committee on Legal Affairs.

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. Moreover, he considers that his behaviour was aimed at protecting a higher value - that of the Pope's honour in the eyes of Polish Catholics. He also contests the amount of the damage he allegedly caused.

Given that Mr Tomczak was elected to the European Parliament on 13 June 2004 (well after the events), the Parliament considers that he was not protected by parliamentary immunity and considers that, on the basis of the information obtained, he is not protected by parliamentary immunity in respect of any of the allegations.

Therefore, the European Parliament has decided to waive the immunity of Witold TOMCZAK.