

Request for the defence of parliamentary immunity of Bruno Gollnisch

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The Committee on Legal Affairs adopted the report by Bernhard RAPKAY (S&D, DE) on the request for defence of the immunity and privileges of Bruno GOLLNISCH (NI, FR) recommending that the European Parliament **should not defend his immunity**.

The request concerns the judicial investigation of an action and claim for compensation (*plainte avec constitution de partie civile*) brought by the International League Against Racism and Anti-Semitism (hereinafter, the LICRA) on 26 January 2009 against an unnamed person for incitement to racial hatred in view of remarks made in a party (National Front) press release in the Rhône-Alpes Regional Council (FR).

Mr Gollnisch asks the European Parliament to defend his immunity as Member of the Parliament because the case in question concerns, in his view, the issue of freedom of expression of his political opinions. However, given that the proceedings concern an offence allegedly committed in France, whose citizenship Bruno Gollnisch enjoyed at the material time, the defence of *fumus persecutionis* i.e. a sufficiently serious and precise suspicion that the case has been brought with the intention of causing political damage to the Member does not hold. The committee believes the case does not come within the scope of Bruno Gollnisch's political activities as member of the European Parliament. It concerns instead activities of a purely regional and local nature of Bruno Gollnisch as regional councillor for Rhône-Alpes, a mandate to which he was elected by direct universal suffrage and which is distinct from that of Member of the European Parliament.

As a result, the committee recommends that the European Parliament should not defend the parliamentary immunity of Mr Gollnisch.