Request for the waiver of the immunity of Mylène Troszczynski

2017/2019(IMM) - 14/06/2017 - Text adopted by Parliament, single reading

The European Parliament decided to waive the immunity of Mylène **TROSZCZYNSKI**(ENF, FR).

As a reminder, the request to waive the immunity of Mylène Troszczynski was forwarded by the Minister of Justice of the French Republic in connection with a judicial investigation being conducted by the Bobigny Public Prosecutor on the grounds of **public defamation** and incitement to hatred or violence in respect of a person or group of persons on account of their origin or membership or non-membership of a particular ethnic group, nation, race or religion.

The request relates to the posting on her Twitter account on 23 September 2015 of a picture of women wearing the full veil who seem to be queuing outside the offices of a CAF (Caisse d'allocations familiales – Family Allowances Fund), accompanied by the comment 'Rosny-Sous-Bois CAF on 9.12.14. Wearing of the full veil is supposed to be prohibited by law...'.

Parliament recalled that Article 9 of Protocol No 7 on the Privileges and Immunities of the European Union states that Members shall enjoy, in the territory of their own State, the immunities accorded to members of the Parliament of that State.

The scope of immunity accorded to Members of the French Parliament corresponds in fact to the scope of immunity accorded to Members of the European Parliament under Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union.

Given that there is no suspicion of *fumus persecutionis*, which is any evident attempt to obstruct the parliamentary work of Mylène Troszczynski, behind the judicial inquiry which was opened following a complaint alleging defamation of a public administration, lodged by the Seine-Saint-Denis Family Allowances Fund, the European Parliament decided to waive the immunity of **Mylène Troszczynski**.