Request for the waiver of the immunity of Jean-Marie Le Pen

2018/2247(IMM) - 06/03/2019 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs adopted the report by Kostas CHRYSOGONOS (GUE/NGL, EL) on the request for waiver of the immunity of Jean-Marie LE PEN (NI, FR).

The Examining Magistrates at the Paris Regional Court have requested the waiver of the parliamentary immunity of Jean-Marie Le Pen in order to hear him in connection with alleged criminal offences relating to breach of trust, concealment of breach of trust, fraud by an organised group, forgery and the use of forged documents, and concealed work by concealment of employees, in relation to the employment conditions of assistants of Members of the European Parliament affiliated to the Front National.

The committee noted the following points:

- the Front National's establishment plan, published in February 2015, listed only 15 MEPs (of a total of 23), 21 local parliamentary assistants and 5 accredited parliamentary assistants (of a total of 54 assistants). The investigations also revealed circumstances, particularly the accumulation of employment contracts of European parliamentary assistants, that made it seem unlikely that the parliamentary assistants concerned were genuinely performing duties connected with the European Parliament;

- the investigation revealed that in his capacity as Member of the European Parliament, Jean-Marie Le Pen employed a parliamentary assistant in 2011, but the parliamentary assistant in question told investigators that he had worked on the election campaign of another Member during the period concerned, and that Jean-Marie Le Pen arranged for the payment of parliamentary assistants' salaries to three other people, although they had done virtually no work whatsoever in that capacity;

- the investigation also revealed that in his capacity as President of the Front National at the time of the alleged offences, Jean-Marie Le Pen established a system, brought to light by the European Parliament, of using EU funds to pay for some of the Front National's employees through parliamentary contracts with people who, in reality, had worked for the party, thereby infringing the EU rules in force'.

On the basis of these considerations and in view of the fact that there is no evidence of or any reason to suspect *fumus persecutionis*, the committee recommended that Parliament decide to waive the immunity of Jean-Marie Le Pen.