Basic information

2016/2295(IMM) IMM - Members' immunity	Procedure completed
Request for the waiver of the immunity of Marine Le Pen **Subject** 8.40.01.03 Members' immunity	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	JURI Legal Affairs		

Key events

Date	Event	Reference	Summary
28/02/2017	Vote in committee		
28/02/2017	Committee report tabled for plenary	A8-0047/2017	Summary
02/03/2017	Decision by Parliament	T8-0056/2017	Summary
02/03/2017	Results of vote in Parliament		
02/03/2017	End of procedure in Parliament		

Technical information

Procedure reference	2016/2295(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Waiver of immunity
Legal basis	Rules of Procedure EP 6
Stage reached in procedure	Procedure completed
Committee dossier	JURI/8/08360

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A8-0047/2017	28/02/2017	Summary

Text adopted by Parliament, single reading		T8-0056/2017	02/03/2017	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Request for the waiver of the immunity of Marine Le Pen

2016/2295(IMM) - 02/03/2017 - Text adopted by Parliament, single reading

The European Parliament decided to waive the immunity of Marine Le Pen (ENF, FR).

The French judicial authorities requested that the immunity of Marine Le Pen, Member of the European Parliament and Chair of the Front National (FN) party, should be waived in connection with proceedings relating to the posting on her Twitter account of violent images.

It is the established legal practice of the European Parliament that immunity may be waived where opinions expressed and/or images that are the subject of legal action have no clear or direct connection with the performance of parliamentary duties by the Member of the European Parliament and do not constitute opinions expressed or votes cast in the performance of those duties.

Given that there is no reason to suspect that this may be a case of "*fumus persecutionis*", i.e. a situation in which there are signs or evidence of an intent to damage a Member's political activity, Parliament considered that the Parliamentary immunity of Marine Le Pen should be waived.

Request for the waiver of the immunity of Marine Le Pen

2016/2295(IMM) - 28/02/2017 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs adopted the report by Laura Ferrara (EFDD, IT) on the request for waiver of the immunity of Marine LE PEN (ENF, FR).

The French judicial authorities requested that the immunity of Marine Le Pen, Member of the European Parliament and Chair of the Front National (FN) party, should be waived in connection with proceedings relating to the posting on her Twitter account of violent images.

The report noted that in line with the established legal practice of the European Parliament, immunity may be waived where opinions expressed and/or images that are the subject of legal action have no clear or direct connection with the performance of parliamentary duties by the Member of the European Parliament and do not constitute opinions expressed or votes cast in the performance of those duties.

Members recalled that the dissemination of violent images likely to undermine human dignity is an offence under the French Criminal Code.

They recalled that the images posted by Marine Le Pen can be accessed by anyone via Google and that they have been widely reposted on the internet since they appeared on her Twitter account, this does not alter the fact that their violent nature is likely to undermine human dignity.

Members stated that the speed at which legal proceedings have been taken against Marine Le Pen is comparable to the pace of other proceedings in matters relating to the press and other media, and there is no reason to suspect that this may be a case of "*fumus persecutionis*", i.e. a situation in which there are signs or evidence of an intent to persecute an individual.

Therefore, on the basis of the abovementioned information, the Committee on Legal Affairs recommended the European Parliament to waive the immunity of Marine Le Pen.