Basic information

2017/2221(IMM) IMM - Members' immunity	Procedure completed
Request for the waiver of the immunity of Steeve Briois **Subject** 8.40.01.03 Members' immunity	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	JURI Legal Affairs	REGNER Evelyn (S&D)	09/10/2017

Key events

Date	Event	Reference	Summary
24/01/2018	Vote in committee		
30/01/2018	Committee report tabled for plenary	A8-0011/2018	Summary
06/02/2018	Decision by Parliament	T8-0020/2018	Summary
06/02/2018	Results of vote in Parliament		
06/02/2018	End of procedure in Parliament		

Technical information

Procedure reference	2017/2221(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Waiver of immunity
Legal basis	Rules of Procedure EP 6
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	JURI/8/11261

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary

Committee report tabled for plenary, single reading		A8-0011/2018	30/01/2018	Summary
Text adopted by Parliament, single reading		T8-0020/2018	06/02/2018	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Request for the waiver of the immunity of Steeve Briois

2017/2221(IMM) - 30/01/2018 - Committee report tabled for plenary, single reading

The Legal Affairs Committee adopted the report by Evelyn REGNER (S&D, AT) on the request for waiver of the immunity of Steeve BRIOIS (ENF, FR).

As a reminder, the Prosecutor General of the Court of Appeal of Douai requested the waiver of the parliamentary immunity of a Member of the European Parliament, Steeve Briois, in connection with legal proceedings pending before the Douai Regional Court.

The request is related to legal proceedings instituted in relation to the offence of public insult directed at an individual in connection with allegedly defamatory comments that a number of internet users posted in response to a text that Mr Briois had published on 23 December 2015 on his Facebook page and that were not promptly removed by Mr Briois.

At the request of the Committee on Legal Affairs, the Public Prosecutor of Douai Regional Court stated that the aforementioned comments were certainly still online on 21 November 2017.

The committee took the view that the allegations against Steeve Briois, and **the subsequent request for waiver of his immunity, are not related to an opinion expressed or vote cast by him in the performance of his duties as a Member of the European Parliament**.

It considered that there is no apparent evidence of *fumus persecutionis*, that is, a sufficiently serious and precise suspicion that the case has been brought with the intention of causing political damage to the Member concerned.

Therefore, the committee recommended the **European Parliament to waive the immunity of Steeve Briois**.

Request for the waiver of the immunity of Steeve Briois

2017/2221(IMM) - 06/02/2018 - Text adopted by Parliament, single reading

The European Parliament **decided to lift the immunity Steeve Briois**.

As a reminder, the request for waiver of the immunity of Steeve Briois, forwarded on 25 September 2017 by the Minister of Justice of the French Republic at the request of the Prosecutor General of the Court of Appeal of Douai related to a complaint filed against Mr Briois by a civil party for the offence of public insult directed at an individual (‘*injures publiques envers un particulier*’).

Parliament considered that the allegations against Steeve Briois, and the subsequent request for waiver of his immunity, are **not related to an opinion expressed or vote cast by him in the performance of his duties** as a Member of the European Parliament, but to the fact that he allegedly failed to remove from his official Facebook page a number of comments posted by third parties and perceived by the person targeted as insulting.

It therefore considered that the **immunity accorded by Article 8 of Protocol No 7 is not applicable**. Moreover, in this case there is no apparent evidence of *fumus persecutionis*, that is, a sufficiently serious and precise suspicion that the case has been brought with the intention of causing political damage to the Member concerned.

As a result, Parliament decided to waive the immunity of Steve Briois.