

Request for the defence of the privileges and immunities of Eleonora Forenza

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The Committee on Legal Affairs adopted the report by Gilles LEBRETON (ENF, FR) on the request for defence of the privileges and immunities of Eleonora FORENZA (GUE/NGL, IT).

As a reminder, Gabriele Zimmer, Member of the European Parliament and President of the GUE/NGL group, requested, under Articles 8 and 9 of Protocol No 7, the defence of the parliamentary immunity of Eleonora Forenza, Member of the same group, who was searched, then detained by German police along with a number of other activists following a demonstration held in the context of the G20 summit in Hamburg on 8 July 2017.

The Committee on Legal Affairs takes the view that the facts of the case, as established on the basis of Gabriele Zimmer's request and the hearing of Eleonora Forenza, show that the German police subjected Eleonora Forenza to a body search and then detained her despite being fully aware of her status as a Member of the European Parliament.

Since Eleonora Forenza was in a Member State other than her own, **she fulfilled all the conditions required for the immunity referred to in Article 9, first paragraph, point (b) of the Protocol to apply to her case.** It follows, therefore, that the German police, by searching and detaining Eleonora Forenza, knowingly infringed the privileges and immunities she enjoys.

Given the circumstances of the case, it is clear that Eleonora Forenza was not found in the act of committing an offence, so the exception laid down in Article 9 of Protocol No 7 on the Privileges and Immunities of the European Union does not apply and she is therefore fully covered by her parliamentary immunity in this case.

Accordingly, having examined the arguments for and against the defence of Eleonara Forenza's immunity, the Committee on Legal Affairs recommended that the European Parliament **defend the privileges and immunities of Eleonora Forenza.**