


# Procedure file

Basic information		
IMM - Members' immunity	1998/2121(IMM)	Procedure completed
Request for the waiver of Mr Le Pen's immunity		
Subject 8.40.01.03 Members' immunity		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>REGL</b> Rules of Procedure, Verification of Credentials and Immunities	PSE <a href="#">WIBE Sören</a>	30/06/1998

Key events			
27/05/1998	Committee referral announced in Parliament		
21/09/1998	Vote in committee		Summary
21/09/1998	Committee report tabled for plenary	<a href="#">A4-0317/1998</a>	
05/10/1998	Debate in Parliament		
06/10/1998	Decision by Parliament	T4-0540/1998	
06/10/1998	End of procedure in Parliament		
26/10/1998	Final act published in Official Journal		

Technical information	
Procedure reference	1998/2121(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	REGL/4/10182

Documentation gateway					
Committee report tabled for plenary, single reading		<a href="#">A4-0317/1998</a> <a href="#">OJ C 328 26.10.1998, p. 0003</a>	21/09/1998	EP	

Text adopted by Parliament, single reading		T4-0540/1998 <a href="#">OJ C 328 26.10.1998, p. 0015-0031</a>	06/10/1998	EP	
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## Request for the waiver of Mr Le Pen's immunity

The Committee has adopted by 16 votes to 3, with 1 abstention, the report by Sören WIBE (PES, S) on the request for a waiver of the parliamentary immunity of Jean-Marie LE PEN (Ind, F). The request was made on 17th April 1998 by the Public Prosecutor's Office in Munich and relates to Mr Le Pen's statement "...the gas chambers are a detail in the history of the Second World War...". This statement was made at a press conference in Munich during the presentation of a book, Le Pen, The Rebel, written by the former MEP Franz SCHÖNHUBER, leader of the German Republikaner. The Public Prosecutor asked for Mr Le Pen's immunity to be lifted on the basis of Articles 130 and 220 of the German Criminal Code, which provide for a maximum prison sentence of five years, or a fine, to be imposed on anyone who publicly approves, denies or presents as inoffensive any act committed under the National Socialist regime. If the House votes for Mr Le Pen's immunity to be waived, the Public Prosecutor's Office will be able to pursue its case and question Mr Le Pen. The Rules Committee's view is that it is up to the judge to determine the extent to which German law has been violated and what the judicial consequences are to be.?