


Procedure file

Basic information	
IMM - Members' immunity	2010/2097(IMM)
Request for the defence of parliamentary immunity of Bruno Gollnisch	
Subject 8.40.01.03 Members' immunity	
Procedure completed	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs	S&D RAPKAY Bernhard	01/12/2010

Key events			
11/04/2011	Vote in committee		Summary
15/04/2011	Committee report tabled for plenary	A7-0154/2011	
10/05/2011	Results of vote in Parliament		
10/05/2011	Decision by Parliament	T7-0189/2011	Summary
10/05/2011	End of procedure in Parliament		

Technical information	
Procedure reference	2010/2097(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Defence of immunity
Legal basis	Rules of Procedure EP 7
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	JURI/7/03222

Documentation gateway					
Committee report tabled for plenary, single reading		A7-0154/2011	15/04/2011	EP	
Text adopted by Parliament, single reading		T7-0189/2011	10/05/2011	EP	Summary

Request for the defence of parliamentary immunity of Bruno Gollnisch

The Committee on Legal Affairs adopted the report by Bernhard RAPKAY (S&D, DE) on the request for defence of the immunity and privileges of Bruno GOLLNISCH (NI, FR) recommending that the European Parliament should not defend his immunity.

The request concerns the judicial investigation of an action and claim for compensation (*plainte avec constitution de partie civile*) brought by the International League Against Racism and Anti-Semitism (hereinafter, the LICRA) on 26 January 2009 against an unnamed person for incitement to racial hatred in view of remarks made in a party (National Front) press release in the Rhône-Alpes Regional Council (FR).

Mr Gollnisch asks the European Parliament to defend his immunity as Member of the Parliament because the case in question concerns, in his view, the issue of freedom of expression of his political opinions. However, given that the proceedings concern an offence allegedly committed in France, whose citizenship Bruno Gollnisch enjoyed at the material time, the defence of *fumus persecutionis* i.e. a sufficiently serious and precise suspicion that the case has been brought with the intention of causing political damage to the Member does not hold. The committee believes the case does not come within the scope of Bruno Gollnisch's political activities as member of the European Parliament. It concerns instead activities of a purely regional and local nature of Bruno Gollnisch as regional councillor for Rhône-Alpes, a mandate to which he was elected by direct universal suffrage and which is distinct from that of Member of the European Parliament.

As a result, the committee recommends that the European Parliament should not defend the parliamentary immunity of Mr Gollnisch.

Request for the defence of parliamentary immunity of Bruno Gollnisch

The European Parliament decided not to defend the immunity and privileges of Bruno GOLLNISCH (NI, FR).

The request concerns the judicial investigation of an action and claim for compensation (*plainte avec constitution de partie civile*) brought by the International League Against Racism and Anti-Semitism (hereinafter, the LICRA) on 26 January 2009 against an unnamed person for incitement to racial hatred (see [IMM/2010/2284](#)) in view of remarks made in a party (National Front) press release in the Rhône-Alpes Regional Council (FR). Mr Gollnisch asks the European Parliament to defend his immunity as Member of the Parliament because the case in question concerns, in his view, the issue of freedom of expression of his political opinions.

However, given that the proceedings concern an offence allegedly committed in France, whose citizenship Bruno Gollnisch enjoyed at the material time, the defence of *fumus persecutionis* i.e. a sufficiently serious and precise suspicion that the case has been brought with the intention of causing political damage to the Member does not hold.

Parliament believes the case does not come within the scope of Bruno Gollnisch's political activities as member of the European Parliament. It concerns instead activities of a purely regional and local nature of Bruno Gollnisch as regional councillor for Rhône-Alpes, a mandate to which he was elected by direct universal suffrage and which is distinct from that of Member of the European Parliament.

As a result, the European Parliament has decided not to defend the parliamentary immunity of Mr Gollnisch.