

# Procedure file

Basic information	
IMM - Members' immunity	2018/2075(IMM)
Request for the waiver of the immunity of Steeve Briois	
Subject 8.40.01.03 Members' immunity	
Procedure completed	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI <a href="#">Legal Affairs</a>	 <a href="#">ZWIEFKA Tadeusz</a>	09/07/2018

Key events			
22/10/2018	Vote in committee		
22/10/2018	Committee report tabled for plenary	<a href="#">A8-0349/2018</a>	Summary
24/10/2018	Results of vote in Parliament		
24/10/2018	Decision by Parliament	<a href="#">T8-0401/2018</a>	Summary
24/10/2018	End of procedure in Parliament		

Technical information	
Procedure reference	2018/2075(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 159
Stage reached in procedure	Procedure completed
Committee dossier	JURI/8/13292

Documentation gateway					
Committee report tabled for plenary, single reading		<a href="#">A8-0349/2018</a>	22/10/2018	EP	Summary
Text adopted by Parliament, single reading		<a href="#">T8-0401/2018</a>	24/10/2018	EP	Summary

## Request for the waiver of the immunity of Steeve Briois

The Committee on Legal Affairs adopted the report by Tadeusz ZWIEFKA (EPP, PL) on the request for waiver of the immunity of Steeve BRIOIS (ENF, FR).

The request for waiver of the immunity of Steeve Briois forwarded on 21 February 2018 by the French Minister of Justice and Liberties relates

to an alleged offence of public incitement to discrimination on grounds of nationality, race or religion by word of mouth, in written form or by means of images or electronic public communication by a person or persons unknown, an offence provided for in French law.

The judicial inquiry against Steeve Briois was opened in response to a civil action brought on 22 May 2014 by the Maison des Potes Maison de l'Égalité.

The complaint concerned statements made in a brochure entitled Handbook for Front National local councillors, posted on the official website of the Front National federation on 30 November 2013, that encouraged any National Front candidates elected to the post of local councillor in the elections held on 23 and 30 March 2014 to recommend, at the first sitting of their new local council, that priority should be given to French people (priorité nationale) when allocating social housing.

French law might attribute criminal liability not only to the material author of a publication. The investigators were informed in the course of the investigation by the Front Nationals then publications director that the contested handbook had been drawn up by the services of the general secretariat. Steeve Briois was at the time general-secretary. He was not a Member of the European Parliament when the alleged offence took place, but the allegedly offensive materials were still available for consultation by anyone wishing to access.

Parliament considered that:

- the charges are manifestly unrelated to the position of Steeve Briois as a Member of the European Parliament and concern instead activities of a national or regional nature;
- the alleged actions do not relate to opinions expressed or votes cast by Steeve Briois in the performance of his duties as a Member of the European Parliament within the meaning of Article 8 of Protocol No 7 on the privileges and immunities of the European Union;
- there is no reason to suspect that the intention underlying the legal proceedings, submitted before the Member assumed his seat in the European Parliament, is to obstruct the parliamentary work of Steeve Briois (fumus persecutionis).

On the basis of these considerations, the committee recommended that the European Parliament decide to waive the immunity of Steeve Briois.

## Request for the waiver of the immunity of Steeve Briois

---

The European Parliament decided to waive the immunity of Steeve Briois (ENF, FR).

As a reminder, the request for waiver of the immunity of Steeve Briois forwarded on 21 February 2018 by the Minister of Justice of the French Republic in connection with a judicial inquiry opened against Steeve Briois at the Nanterre Regional Court in response to an application with joinder filed by the Maison des Potes Maison de l'Égalité association on grounds of public incitement to racial or religious discrimination.

The complaint concerned statements made in a brochure entitled Handbook for Front National local councillors, published on 19 September 2013 and posted on the official website of the Front National federation on 30 November 2013, that encouraged any National Front candidates elected to the post of local councillor in the elections held on 23 and 30 March 2014 to recommend, at the first sitting of their new local council, that priority should be given to French people (priorité nationale) when allocating social housing.

Steeve Briois was at the time general-secretary. He was not a Member of the European Parliament when the alleged offence took place, but the allegedly offensive materials were still available for consultation by anyone wishing to access.

Parliament considered that the charges are manifestly unrelated to the position of Steeve Briois as a Member of the European Parliament and concern instead activities of a national or regional nature. It also considered the alleged actions do not relate to opinions expressed or votes cast by Steeve Briois in the performance of his duties as a Member of the European Parliament within the meaning of Article 8 of Protocol No 7 on the privileges and immunities of the European Union.

Moreover, according to Parliament, there is no reason to suspect that the intention underlying the legal proceedings, submitted before the Member assumed his seat in the European Parliament, is to obstruct the parliamentary work of Steeve Briois (fumus persecutionis).