


Procedure file

Basic information		
IMM - Members' immunity	2022/2019(IMM)	Procedure completed
Request for the waiver of the immunity of Ioannis Lagos		
Subject 8.40.01.03 Members' immunity		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Legal Affairs	 HALICKI Andrzej	17/05/2022

Key events			
28/02/2023	Vote in committee		
08/03/2023	Committee report tabled for plenary	A9-0053/2023	Summary
14/03/2023	Results of vote in Parliament		
14/03/2023	Decision by Parliament	T9-0060/2023	Summary

Technical information	
Procedure reference	2022/2019(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Waiver of immunity
Legal basis	Rules of Procedure EP 6; Rules of Procedure EP 9-p14
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	JURI/9/08421

Documentation gateway					
Committee report tabled for plenary, single reading		A9-0053/2023	08/03/2023	EP	Summary
Text adopted by Parliament, single reading		T9-0060/2023	14/03/2023	EP	Summary

Request for the waiver of the immunity of Ioannis Lagos

The Committee on Legal Affairs adopted the report by Andrzej HALICKI (EPP, PL) on the request for waiver of the immunity of Ioannis Lagos.

As a reminder, the Public Prosecutor at the Athens Court of First Instance requested the waiver of the immunity of Ioannis Lagos, Member of the European Parliament elected for Greece, in order to launch criminal proceedings against him on the grounds of a message posted by Ioannis Lagos on the social media platform Twitter.

On 6 December 2020, Ioannis Lagos published on his Twitter account a message, alongside a photograph of a Jewish monument in Larissa, containing allegedly racist comments and allegedly constituting an indirectly encouraging behaviour that might result in acts of discrimination, hatred or violence.

On 8 December 2020, the Greek Observatory of the Helsinki Accords filed a complaint against Ioannis Lagos on account of his tweet.

The message and picture in question were not published on Ioannis Lagos Twitter account linked to his official profile as a Member of the European Parliament.

Members consider that the alleged offence does not concern opinions or votes cast by Ioannis Lagos in the exercise of his duties as a Member of the European Parliament. Moreover, in the present case, the European Parliament has not been able to establish that there was *fumus persecutionis*, that is to say, factual evidence that the legal proceedings in question were instituted with the intention of harming the political activity of the Member and, consequently, of the European Parliament.

In the light of these considerations, the committee responsible recommended that the European Parliament decide to waive the immunity of Ioannis Lagos.

Request for the waiver of the immunity of Ioannis Lagos

The European Parliament decided to waive the immunity of Ioannis Lagos (NI, EL).

As a reminder, the Public Prosecutor at the Athens Court of First Instance requested the waiver of the immunity of Ioannis Lagos, Member of the European Parliament elected for Greece, in order to launch criminal proceedings against him on the grounds of a message posted by Ioannis Lagos on the social media platform Twitter.

On 6 December 2020, Ioannis Lagos published on his Twitter account a message, alongside a photograph of a Jewish monument in Larissa, containing allegedly racist comments and allegedly constituting an indirectly encouraging behaviour that might result in acts of discrimination, hatred or violence. Ioannis Lagos, by publishing that message on Twitter, is allegedly guilty of public incitement to violence and hatred against persons identified on the basis of race, colour, or national or ethnic origin in a manner that endangers public order and poses a threat to the physical integrity of the aforementioned persons, which constitutes a criminal offence under Greek Law.

The resolution stated that the message and picture in question were not published on Ioannis Lagos Twitter account linked to his official profile as a Member of the European Parliament and that the alleged offence does not concern opinions expressed or votes cast by Ioannis Lagos in the performance of his duties as a Member of the European Parliament.

In the present case, Parliament has not been able to establish that there was *fumus persecutionis*, i.e. factual elements indicating that the possible legal proceedings in question will be initiated with the intention of damaging the political activity of the Member and, consequently, of the European Parliament.

Therefore, following the recommendation of its Legal Affairs Committee, Parliament decided to waive the immunity of Ioannis Lagos.