



TEXTS ADOPTED

P10_TA(2026)0108

Request for the waiver of the immunity of Diana Iovanovici Șoșoacă

European Parliament decision of 28 April 2026 on the request for the waiver of the immunity of Diana Iovanovici Șoșoacă (2025/2196(IMM))

The European Parliament,

- having regard to the request for the waiver of the immunity of Diana Iovanovici Șoșoacă, received by letter dated 24 September 2025 from the Minister of Justice of Romania, transmitting a request from the Public Prosecutor's Office attached to the High Court of Cassation and Justice of Romania in connection with criminal proceedings instituted against Diana Iovanovici Șoșoacă and announced in Parliament on 9 October 2025,
- having heard Diana Iovanovici Șoșoacă on 24 March 2026, in accordance with Rule 9(6) of its Rules of Procedure,
- having regard to Articles 8 and 9 of Protocol No 7 on the Privileges and Immunities of the European Union, and Article 6(2) of the Act of 20 September 1976 concerning the election of the members of the European Parliament by direct universal suffrage,
- having regard to the judgments of the Court of Justice of the European Union of 21 October 2008, 19 March 2010, 6 September 2011, 17 January 2013 and 19 December 2019¹,

¹ Judgment of the Court of Justice of 21 October 2008, *Marra v De Gregorio and Clemente*, C 200/07 and C-201/07, ECLI:EU:C:2008:579; judgment of the General Court of 19 March 2010, *Gollnisch v Parliament*, T-42/06, ECLI:EU:T:2010:102; judgment of the Court of Justice of 6 September 2011, *Patriciello*, C 163/10, ECLI: EU:C:2011:543; judgment of the General Court of 17 January 2013, *Gollnisch v Parliament*, T-346/11 and T-347/11, ECLI:EU:T:2013:23; judgment of the Court of Justice of 19 December 2019, *Junqueras Vies*, C-502/19, ECLI:EU:C:2019:1115.

- having regard to Article 72(1) and (2) of the Romanian Constitution,
 - having regard to Rule 5(2), Rule 6(1) and Rule 9 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs (A10-0117/2026),
- A. whereas, by letter dated 24 September 2025, the Minister of Justice of Romania transmitted a request from the Prosecutor's Office attached to the High Court of Cassation and Justice of Romania for the waiver of the immunity of Diana Iovanovici Șoșoacă, Member of the European Parliament elected in Romania, in connection with criminal proceedings concerning several offences allegedly committed on different dates between 10 December 2021 and 11 February 2025;
 - B. whereas according to the request, a complaint has been made by three persons that Diana Iovanovici Șoșoacă and others allegedly deprived the complainants and a fourth person of their liberty for approximately 20 minutes between 15:40 and 16:00 on 10 December 2021, in an apartment in Bucharest; whereas the alleged action constitutes an offence pursuant to Article 205(1) of the Romanian Criminal Code;
 - C. whereas according to the request, on 28 February 2024 the Romanian Government's 'Elie Wiesel' National Institute for the Study of the Holocaust in Romania notified judicial authorities that, on 19 February 2024 on the official website of the SOS România party a press release of that party signed by Diana Iovanovici Șoșoacă as president of the same party was allegedly published in which she allegedly glorified a person convicted as a war criminal under Romanian Law No 312/1945 on the prosecution and punishment of those persons guilty of bringing the country to disaster or of war crimes; whereas the alleged action constitutes an offence under Article 5 of Emergency Government Ordinance No 31/2002 of Romania;
 - D. whereas according to the request, on 27 May 2024 the Centre for Monitoring and Combating Antisemitism in Romania reported that, on 13 May and 14 May 2024, Diana Iovanovici Șoșoacă allegedly made public statements, including through her public Facebook account, while on the premises of the Romanian Parliament, accusing Jews collectively of historical crimes against Romanian people; whereas the alleged action constitutes an offence under Article 3 of Law No 157/2018 of Romania on measures to prevent and combat antisemitism;
 - E. whereas according to the request, on 14 May 2024 Diana Iovanovici Șoșoacă, while on the premises of the Romanian Parliament to attend a joint sitting of the Romanian Chamber of Deputies and Senate,

allegedly made statements accusing Jews collectively of historical crimes against Romanian people; whereas the alleged action constitutes an offence under Article 6(1) of Emergency Government Ordinance No 31/2002 of Romania;

- F. whereas according to the request, on 5 and 6 October 2024 Diana Iovanovici Șoșoacă allegedly made several public online statements glorifying certain persons and movements deemed to have committed or participated in war crimes under Romanian national law, and accusing Jews collectively of historical and religious crimes; whereas the alleged actions constitute offences under Article 5 of Emergency Government Ordinance No 31/2002 of Romania;
- G. whereas according to the request, on 1 December 2024 Diana Iovanovici Șoșoacă allegedly publicly glorified a person convicted of war crimes under Romanian national law, through statements made online and in acts of public promotion of legionary, racist and xenophobic ideas and concepts in relation to the Jewish community; whereas the alleged actions constitute offences under Article 5 of Emergency Government Ordinance No 31/2002 of Romania;
- H. whereas according to the request, on 15 December 2024, Diana Iovanovici Șoșoacă allegedly directly threatened to commit acts of violence against two police officers in the performance of their duties related to an administrative fine previously imposed; whereas the alleged action constitutes an offence under Article 257(1) and (4) of the Romanian Criminal Code;
- I. whereas according to the request, on 25 February 2025, the Institute for the Investigation of Communist Crimes and the Memory of the Romanian Exile, a governmental organisation, notified judicial authorities that, on 11 February 2025, Diana Iovanovici Șoșoacă made a speech in the plenary sitting of the European Parliament during which she allegedly recommended to her colleagues that they develop foreign policy strategies modelled on that of Nicolae Ceaușescu, who was convicted of genocide pursuant to a judgment of 25 December 1989 of the Bucharest Territorial Military Tribunal; whereas the alleged action constitutes an offence under Article 5 of Emergency Government Ordinance No 31/2002 of Romania;
- J. whereas Diana Iovanovici Șoșoacă was elected to the European Parliament in the European elections of June 2024, and was, therefore, not a Member of the European Parliament at the time of any of the alleged actions mentioned in the request committed on 10 December 2021, on 19 February 2024, and on 13 and 14 May 2024; whereas Diana Iovanovici Șoșoacă was a Member of the European Parliament at the time of the alleged actions mentioned in the request committed on 5 and 6 October 2024, on 1 December 2024, on 15 December 2024 and on 11 February 2025; whereas apart from the complaints or criminal proceedings against Diana

Iovanovici Șoșoacă regarding the alleged actions of 10 December 2021 and of 19 February 2024, all other criminal proceedings were opened after her election as a Member of the European Parliament;

- K. whereas Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union provides that ‘Members of the European Parliament shall not be subject to any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties’;
- L. whereas the alleged offence committed on 11 February 2025 regarding an alleged glorification of Nicolae Ceaușescu, convicted as a war criminal under Romanian national law, involves a statement made by her during the plenary sitting of the European Parliament in Strasbourg in the course of a debate on the ‘Wider comprehensive EU-Middle East strategy’; whereas this statement therefore constitutes an opinion expressed or vote cast by Diana Iovanovici Șoșoacă in the performance of her duties within the meaning of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union;
- M. whereas all the other alleged offences do not constitute, and the remaining request for the waiver of the immunity of Diana Iovanovici Șoșoacă is not related to, an opinion expressed or vote cast by her in the performance of her duties within the meaning of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union;
- N. whereas Article 9, first paragraph, point (a) of Protocol No 7 on the Privileges and Immunities of the European Union provides that, during the sessions of the European Parliament, Members of the European Parliament are to enjoy, in the territory of their own Member State, the immunities accorded to members of the parliament of their Member State;
- O. whereas Article 72(1) and (2) of the Romanian Constitution provides that:
 - ‘1. no Deputy or Senator shall be held judicially accountable for the votes cast or the political opinions expressed while exercising their office;
 - 2. the Deputies and Senators may be subject to criminal investigation, or criminally prosecuted for acts that are not connected with their votes or their political opinions expressed in the exercise of their office, but shall not be searched, detained or arrested without the consent of the Chamber they belong to, after being heard. The investigation and prosecution shall only be carried out by the Public Prosecutor’s Office attached to the High Court of Cassation and Justice. The High Court of Cassation and Justice shall have jurisdiction over this

case’;

- P. whereas the purpose of the immunity provided for in Protocol No 7 on the Privileges and Immunities of the European Union is to protect Parliament and its Members from legal proceedings in relation to activities carried out in the performance of parliamentary duties and which cannot be separated from those duties;
 - Q. whereas in accordance with Rule 5(2) of its Rules of Procedure, parliamentary immunity is not a Member’s personal privilege but a guarantee of the independence of Parliament as a whole and of its Members;
 - R. whereas in this case, Parliament has found no evidence of *fumus persecutionis*, that is to say it does not appear that the intention underlying the legal proceedings in question is to damage Diana Iovanovici Șoșoacă’s political activity as a Member of the European Parliament and thus Parliament’s independence;
 - S. whereas Parliament cannot assume the role of a court and, in a waiver of immunity procedure, a Member cannot be regarded as a defendant²;
1. Decides to waive the immunity of Diana Iovanovici Șoșoacă in respect of the alleged offences referred to in points B, C, D, E, F, G and H;
 2. Decides not to waive the immunity of Diana Iovanovici Șoșoacă in respect of the alleged offence referred to in point I;
 3. Instructs its President to forward this decision and the report of its committee responsible immediately to the competent authorities of Romania and to Diana Iovanovici Șoșoacă.

² Judgment of the General Court of 30 April 2019, *Briois v Parliament*, T-214/18, ECLI:EU:T:2019:266.