



TEXTS ADOPTED

P10_TA(2026)0166

Request for the waiver of the immunity of Nikos Pappas

European Parliament decision of 19 May 2026 on the request for the waiver of the immunity of Nikos Pappas (2025/2234(IMM))

The European Parliament,

- having regard to the request for the waiver of the immunity of Nikos Pappas, received by letter dated 7 October 2025 from the Deputy General Prosecutor of the Supreme Court of the Hellenic Republic, transmitting a request from the Prosecutor at the Athens Court of First Instance in connection with criminal proceedings to be brought against Nikos Pappas, and announced in plenary on 12 November 2025,
- having heard Nikos Pappas on 15 April 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,
- having regard to Rule 5(2), Rule 6(1) and Rule 9 of its Rules of Procedure,

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 the report of the Committee on Legal Affairs (A10-0128/2026),
- A. whereas the Deputy General Prosecutor of the Supreme Court of the Hellenic Republic has transmitted a request from the Prosecutor at the Athens Court of First Instance for the waiver of the immunity of Nikos Pappas, Member of the European Parliament elected in Greece, in connection with alleged insults online and threats, constituting criminal offences pursuant to Article 94, Article 361(1), first and second sentences, and Article 333(1), first sentence, of the Greek Criminal Code;
- B. whereas, according to the request, the complaint indicates that on 11 June 2025 Nikos Pappas allegedly insulted and threatened the complainant through direct messages sent via his personal account on Instagram;
- C. whereas Nikos Pappas was elected to the European Parliament in the June 2024 European elections and was, therefore, a Member of the European Parliament at the time of the alleged offences; whereas, according to the request, the complaint against him dates from 16 July 2025;
- D. whereas the alleged offence does not constitute, and the subsequent request for the waiver of the immunity of Nikos Pappas is not related to, an opinion expressed or a vote cast by him in the performance of his duties within the meaning of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union;
- E. 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;
- F. whereas, under Article 62 of the Constitution of the Hellenic Republic, no Member may, during his or her term of office, be prosecuted, arrested, imprisoned or subject to other measures involving deprivation of liberty without the authorisation of the Chamber of Deputies;
- G. 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;
- H. whereas, in accordance with Rule 5(2) of the 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;

- I. 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 is to damage Nikos Pappas' political activity in his capacity as a Member of the European Parliament and thus Parliament's independence;
- J. 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 Nikos Pappas;
 2. Instructs its President to forward this decision, and the report of its committee responsible, immediately to the competent authority of the Hellenic Republic and to Nikos Pappas.

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