



TEXTS ADOPTED

P10_TA(2026)0235

Request for the waiver of the immunity of Klára Dobrev

European Parliament decision of 7 July 2026 on the request for the waiver of the immunity of Klára Dobrev (2026/2010(IMM))

The European Parliament,

- having regard to the request for the waiver of the immunity of Klára Dobrev, submitted by the Budapest II and III District Court on 5 December 2025 in connection with criminal proceedings brought against her by way of a private motion and announced in Parliament on 19 January 2026,
- having heard Klára Dobrev on 5 May 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 Article 4(2) of the Fundamental Law of Hungary,
- having regard to Rule 5(2), Rule 6(1) and Rule 9 of its Rules of

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.

Procedure,

- having regard to the report of the Committee on Legal Affairs (A10-0190/2026),
- A. whereas on 5 December 2025, the Budapest II and III District Court submitted a request for the waiver of the immunity of Klára Dobrev, Member of the European Parliament elected in Hungary, in the context of criminal proceedings for defamation brought against her by a private prosecuting party in connection with an alleged offence that occurred on 3 October 2023;
- B. whereas, according to the request, on 4 November 2025 Hungary's Ministry of Culture and Innovation, represented by the Minister of Culture and Innovation at that time, Dr Balázs Zoltán Hankó, as a private prosecuting party, filed a complaint against Klára Dobrev for the offence of defamation on the basis of a statement allegedly made on 3 October 2023 during an online press conference on social media and internet websites under the title 'We demand answers about the state-funded awareness training for paedophile priests! How many paedophile priests received tens of millions from the state for sex education training? We demand answers from Balázs Hankó and Zsolt Semjén! Follow our press conference live about the scandal!'; whereas Hungary's Ministry of Culture and Innovation considered those statements to be seriously insulting and capable of undermining the Ministry's esteem within society;
- C. whereas by making these statements, Klára Dobrev allegedly committed the offence of defamation before the public at large pursuant to Article 226(1) and Article 226(2), point (b), of Act C of 2012 on the Hungarian Criminal Code; whereas pursuant to Article 231(2) of the Hungarian Criminal Code, that offence is punishable only in the context of a private motion;
- D. whereas the purpose of 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;
- E. whereas pursuant to Rule 5(2) of the Rules of Procedure, in exercising its powers on privileges and immunities, Parliament is to act to uphold its integrity as a democratic legislative assembly and to ensure the independence of its Members in the performance of their duties;
- F. whereas Klára Dobrev was elected to the European Parliament in the May 2019 European elections and re-elected in June 2024 and was, therefore, a Member of the European Parliament at the time of the alleged offence;

- G. whereas Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union provides that Members of the European Parliament are not to 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;
- H. whereas the alleged offence does not constitute, and the subsequent request for the waiver of the immunity of Klára Dobrev is not related to, an opinion expressed or a 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;
- I. 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, its Members are to enjoy, in the territory of their own State, the immunities accorded to members of the parliament of their Member State;
- J. whereas Article 4(2) of the Fundamental Law of Hungary provides that members of the Hungarian Parliament enjoy parliamentary immunity; whereas, pursuant to Section 74(1) of Act No XXXVI of 2012 on the National Assembly, criminal proceedings or, in the event of immunity not being waived voluntarily in respect of the matter in question, infraction proceedings may be initiated or pursued and coercive measures under criminal procedure may be applied against a Member only with prior consent of the National Assembly;
- K. whereas at the time of the facts that gave rise to the request for the waiver of her immunity, Klára Dobrev was regarded as a prominent and outspoken critic of the former Hungarian Government, consistently denouncing its policies and actions, including, most notably, the high-profile paedophilia scandal that implicated figures related to the ruling political authorities; whereas the private prosecuting party was part of Hungary's former government; whereas it appears that, under Hungarian law, defamation claims can be pursued on the basis of both criminal and civil law with significant differences in the possible corresponding legal consequences, including imprisonment; whereas, consequently, in the present case the decision to bring a criminal action raises doubts as to the objective of redressing actual reputational harm and suggests that the aim of the proceedings exceeds that legitimate objective, aiming instead to damage Klára Dobrev's reputation as a Member of the European Parliament; whereas, therefore, the timing, context and nature of the prosecution, including the political affiliation of the private prosecuting party and his role as a Minister, and the selective use of criminal over civil law, together raise serious doubts with regard to the political motivation of the proceedings on which the request was based;
- L. whereas it would therefore appear that, in this instance, *fumus*

persecutionis, i.e., that the intention underlying the legal proceedings is to damage Klára Dobrev's political activity as a Member of the European Parliament and thus Parliament's independence, can be assumed;

M. 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 not to waive the immunity of Klára Dobrev;
2. Instructs its President to forward this decision and the report of its committee responsible immediately to the competent authority in Hungary and to Klára Dobrev.

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