European Parliament
2024-2029

TEXTS ADOPTED

P10_TA(2026)0369

Request for the waiver of the immunity of Afroditi Latinopoulou

European Parliament decision of 12 November 2026 on the request for the waiver of the immunity of Afroditi Latinopoulou (2026/2049(IMM))

The European Parliament,

– having regard to the request for the waiver of the immunity of Afroditi Latinopoulou, received by letter dated 17 March 2026 from the Deputy Prosecutor at the Supreme Court of the Hellenic Republic, transmitting a request from the Prosecutor at the Athens Court of Appeals, in connection with criminal proceedings brought against Afroditi Latinopoulou and announced in Parliament on 27 April 2026,

– having regard to the fact that Afroditi Latinopoulou is deemed to have renounced her right to be heard and having regard to the documents submitted by her , 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 2019[1],

– having regard to Article 62 of the Constitution of the Hellenic Republic,

– 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 (A10-0284/2026),

A. whereas on 17 March 2026, the Deputy Prosecutor at the Supreme Court of the Hellenic Republic transmitted a request from the Prosecutor at the Athens Court of Appeals for the waiver of the immunity of Afroditi Latinopoulou, a Member of the European Parliament elected in Greece, in connection with criminal proceedings concerning an alleged offence committed on 13 June 2020;

B. whereas, according to the request, and to the complaint made on 9 July 2020 on which the request is based, Afroditi Latinopoulou is alleged to have published, on 13 June 2020, a post on the social media platform Twitter (now X) alleging that the complainant, alongside other political figures, entered politics with little or no wealth but subsequently accumulated a substantial fortune; whereas the complainant alleges that the post falsely implied that he had acquired his wealth improperly and associated him with politicians convicted of serious financial offences, and that this post was subsequently republished by other social media users and disseminated through television, radio, blogs and online news websites; whereas, according to the request, the alleged action might constitute an offence of defamation under Articles 26, 27, 362, 363, 366 and 367 of the Greek Criminal Code;

C. 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;

D. whereas, in accordance with Rule 5(2) of its Rules of Procedure,

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[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.

parliamentary immunity is not a Member's personal privilege but a guarantee of the independence of Parliament as a whole and of its Members;

E. whereas Afroditi Latinopoulou was elected to the European Parliament in the June 2024 European elections and was, therefore, not a Member of the European Parliament at the time of the alleged offence;

F. 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;

G. whereas the alleged offence does not constitute, and the subsequent request for the waiver of the immunity of Afroditi Latinopoulou 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;

H. 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 Member State, the immunities accorded to members of the parliament of their Member State;

I. whereas, under Article 62 of the Constitution of the Hellenic Republic, a member of parliament shall not during the parliamentary term be prosecuted, arrested, imprisoned or otherwise confined without prior leave granted by parliament;

J. whereas it would therefore appear that, in this instance, *fumus persecutionis*, i.e. that the intention underlying the legal proceedings is to damage Afroditi Latinopoulou's political activity as a Member of the European Parliament and thus Parliament's independence, cannot be assumed;

K. whereas Parliament cannot assume the role of a court and, in a waiver of immunity procedure, a Member cannot be regarded as a defendant[2];

1. Decides to waive the immunity of Afroditi Latinopoulou;

2. Instructs its President to forward this decision immediately to the competent authority of the Hellenic Republic and to Afroditi Latinopoulou.

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