

## PANEL SESSION PARLIAMENTARY IMMUNITY: BENEFIT OR BURDEN?

Freedom of expression is the working tool of members of parliament. It enables them to do their job as representatives of the people and to speak out, criticize the government and investigate and denounce abuses. Parliamentary immunity is designed to ensure that parliamentarians can freely express themselves without obstruction and fear of prosecution.

Citizens generally perceive immunity as a negative concept: they tend to see it as a way for politicians to place themselves above the law. This is particularly true in countries where parliamentary immunity offers protection to MPs against legal proceedings for acts they carry out outside the confines of their parliamentary duties.

The public's reasoning may be partly due to a lack of understanding of the purpose of parliamentary immunity. It may also reflect a more widely held belief that parliamentary immunity offers protection to those who should be prosecuted and, inversely, fails to protect those who have done nothing wrong.

The panel discussion will look at the rationale and effectiveness of parliamentary immunity in today's world, in particular in the light of the public's insistence on ever greater accountability. It will do so by focusing on the following questions:

- Should MPs enjoy parliamentary immunity, including against legal proceedings for acts unrelated to their parliamentary duties, in order to effectively do their work? Should such immunity exist everywhere as a matter of principle or only in fragile democracies?
- How can one ensure that the application of parliamentary immunity indeed protects those subjected to politically motivated charges – often members from the opposition – and that, inversely, the majority in parliament cannot block, for purely political reasons, the prosecution of one of theirs? Are there other ways of protecting MPs and their work which are more effective and more acceptable to the public?