



Press and Information

General Court of the European Union
PRESS RELEASE No 87/18
Luxembourg, 19 June 2018

Judgment in Case T-86/17
Marion Le Pen v European Parliament

The General Court confirms the decision of the European Parliament to recover from Marine Le Pen MEP almost €300 000 for the employment of a parliamentary assistant, on the ground that she did not prove the effectiveness of that assistant's work

Ms Marion 'Marine' Le Pen was a Member of the European Parliament (MEP) from 2009 to 2017. By decision of 5 December 2016, the Parliament decided that, for the period between December 2010 and February 2016, an amount of €298 497.87 had been unduly paid to Ms Le Pen in respect of parliamentary assistance and had to be recovered from her. That amount corresponds to the payments made by the Parliament for a staff member engaged by Ms Le Pen as a local parliamentary assistant from 2010 to 2016. The Parliament complains that Ms Le Pen did not provide evidence of the existence of an activity of the local assistant linked actually, directly and exclusively to her mandate.

Ms Le Pen requests the General Court to annul the decision taken by the Parliament in respect of her.

By today's judgment, the Court dismisses Ms Le Pen's action and confirms the Parliament's recovery decision.

The Court rejects the entirety of Ms Le Pen's arguments. In particular, it takes the view:

- that the Secretary-General of the Parliament is competent to adopt decisions to recover sums unduly paid pursuant to the Implementing Measures for the Statute of the MEPs;
- that the possibility for the Parliament to decide to recover sums unduly paid under the parliamentary assistance allowance does not undermine the independence of MEPs;
- that Ms Le Pen was validly put in a position to argue her point of view, such that her rights of defence were not breached;
- that it is indeed for MEPs and not for the Parliament to prove that amounts received have been used to cover expenses actually incurred and arising wholly and exclusively from the employment of their assistants;
- that Ms Le Pen has not been able to prove that her assistant performed actual work for her. She has not provided evidence of any activity whatsoever on the part of the parliamentary assistant that comes under parliamentary assistance, which she moreover acknowledged during the hearing. In particular, Ms Le Pen provided nothing proving that direct assistance was provided to her on the premises of the Parliament by her parliamentary assistant, whose mere presence – claimed but not proved – on Parliament premises is not sufficient to that end (the Parliament moreover having indicated during the hearing that it was not possible for a parliamentary assistant to enter its premises via the passage reserved for MEPs). In addition, while Ms Le Pen asserts that her parliamentary assistant had an official and actual residence at the residence of

one of her friends in Brussels, it is a pure assertion as she produces no evidence capable of supporting her claims;

- that Ms Le Pen was not the subject of discriminatory treatment or mistreatment, in view of the fact that she provided no evidence establishing that only MEPs of the Front National have, in the past or at present, been the subject of similar proceedings initiated by the Parliament.

NOTE: An appeal, limited to points of law only, may be brought before the Court of Justice against the decision of the General Court within two months of notification of the decision.

NOTE: An action for annulment seeks the annulment of acts of the institutions of the European Union that are contrary to European Union law. The Member States, the European institutions and individuals may, under certain conditions, bring an action for annulment before the Court of Justice or the General Court. If the action is well founded, the act is annulled. The institution concerned must fill any legal vacuum created by the annulment of the act.

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The [full text](#) of the judgment is published on the CURIA website on the day of delivery

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