Request for the waiver of parliamentary immunity of Marek Siwiec

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The Committee on Legal Affairs adopted unanimously the report drawn up by Diana WALLIS (ALDE, UK) on the request for waiver of the immunity of Marek SIWIEC (S&D, PL). It considers that his immunity should not be waived.

The committee recalls that a private prosecution has been brought against Marek Siwiec. The committee draws attention, however, to the timing of the prosecution during an electoral campaign three years after the alleged offences were committed, and to the overtly political aims of the private individual bringing the prosecution. This is evidenced by documents presented by that individual himself to the President of Parliament and by the fact that he claims to be acting on behalf of citizens who object in general terms to Mr Siwiec's carrying out a public activity. It appears, therefore, that the bringing of the criminal proceedings in question constitutes a fumus persecutionis, inasmuch as there are serious reasons to believe that the charges against Mr Siwiec have been brought by a political opponent with the principal aim of undermining his activity as a Member of the European Parliament.

Accordingly, with regard to the to the request for waiver of the immunity of Marek Siwiec, forwarded by the Polish Prosecutor-General on 27 September 2006 and announced in plenary sitting on 10 April 2008, the committee calls on the European Parliament not waive the immunity of Marek Siwiec.