

Request for the defence of parliamentary immunity of Luigi de Magistris

2011/2098(IMM) - 29/03/2012 - Text adopted by Parliament, single reading

The European Parliament adopted a decision in which it decides **not to defend the immunity of Luigi de Magistris (ALDE, IT)**.

The request for immunity of Luigi de Magistris relates to proceedings before an Italian court.

To recall, the request by Luigi de Magistris relates to a writ of summons filed against him before the Court of Milan on behalf of Mr Giancarlo Pittelli in connection with statements made by Luigi de Magistris in his book *Assalto al PM, storia di un cattivo magistrato* ('Attack on the public prosecutor – the story of a bad magistrate'), which was published in April 2010.

According to the writ of summons, statements made in that book constitute libel, resulting in a claim for damages the book was published at a time when Luigi de Magistris was a Member of the European Parliament, following his election at the 2009 European Parliament elections.

However, the facts of the case indicate that the statements made do not have a direct, obvious connection with Luigi de Magistris's performance of his duties as a Member of the European Parliament. Luigi de Magistris, in publishing the book in question, was therefore not acting in the performance of his duties as a Member of the European Parliament.

The statements therefore appear to be rather far removed from the duties of a Member of the European Parliament and hardly capable, therefore, of presenting a direct link with a general interest of concern to citizens.

Against this background, **the European Parliament decides not to defend the parliamentary immunity of Luigi De Magistris.**