# Request for the waiver of parliamentary immunity of Ewald Stadler

2012/2239(IMM) - 16/04/2013 - Text adopted by Parliament, single reading

The European Parliament **decided to waive the parliamentary immunity of Ewald STADLER (NI, AT).**

The request for waiver of immunity comes from the Vienna Public Prosecutor's Office, in order to enable the Austrian authorities to conduct the necessary investigations and to take legal action against Ewald STADLER. The request concerns alleged offences of attempted aggravated coercion under Sections 15, 105(1) and 106(1)(1) of the Austrian Criminal Code, and the offence of perjury under Section 288(1) of the Criminal Code.

Under Article 9 of the Protocol on the Privileges and Immunities of the European Union, Members of the European Parliament enjoy in the territory of their own State the immunities accorded to members of their parliament. It is appropriate, in this case, to refer to Article 57 of the Austrian Bundesverfassungsgesetz (Federal Constitutional Law). This Article (and more particularly Art 57(2) stipulates that Members of the National Council (Nationalrat) may only be arrested on the grounds of a criminal offence with the consent of the National Council – except where they are caught in the act of committing a crime – and searches of the houses of members of the National Council likewise requires the consent of the National Council. It is, accordingly, necessary to waive Ewald STADLER's immunity.

In order to enable the Austrian authorities to conduct the necessary investigations and to take legal action against Ewald STADLER, Parliament has therefore decided to waive his immunity.