# Request for the waiver of the immunity of Janusz Korwin-Mikke

2015/2102(IMM) - 16/07/2015 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs adopted the report by Evelyn REGNER (S&D, AT) in which it recommended the **European Parliament to waive the immunity of Janusz KORWIN-MIKKE (NI, PL).**

Members recalled that the Prosecutor-General of Poland forwarded a request made by the Municipal Police Chief in Piotrków Trybunalski for action to be taken against a Member of the European Parliament, Mr Janusz Korwin-Mikke, in connection with an alleged road traffic offence. The Municipal Police claimed that on 6 September 2014, when driving his car in a built-up area in Piotrków Trybunalski, Mr Korwin-Mikke exceeded the permitted speed limit of 50 km/h by 32 km/h according to speed camera evidence.

This conduct constitutes an offence under the Polish Road Traffic Act. However, the alleged offence does not have a direct or obvious connection with Mr Korwin-Mikke's performance of his duties as a Member of the European Parliament. Members also stated that it does not constitute an opinion expressed or a vote cast in the performance of his duties as a Member of the European Parliament within the meaning of Article 9 of Protocol No 7 on the Privileges and Immunities of the European Union.

In this instance, Parliament found no evidence of *fumus persecutionis*, that is to say, a sufficiently serious and precise suspicion that the case has been brought with the intention of causing political damage to the Member concerned.

Therefore, the committee recommended the European Parliament to **waive the immunity of Janusz Korwin-Mikke**.