Basic information

2009/2067(IMM) IMM - Members' immunity	Procedure completed
Request for the waiver of parliamentary immunity of Marek Siwiec **Subject** 8.40.01.03 Members' immunity	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs	WALLIS Diana (ALDE)	02/09/2009
	Shadow rapporteur ZWIEFKA Tadeusz (PPE)	

Key events

Date	Event	Reference	Summary
05/10/2009	Vote in committee		Summary
08/10/2009	Committee report tabled for plenary	A7-0030/2009	
20/10/2009	Decision by Parliament	T7-0050/2009	Summary
20/10/2009	Results of vote in Parliament		
20/10/2009	End of procedure in Parliament		

Technical information

Procedure reference	2009/2067(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Waiver of immunity
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	JURI/7/00481

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A7-0030/2009	08/10/2009	
Text adopted by Parliament, single reading		T7-0050/2009	20/10/2009	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Request for the waiver of parliamentary immunity of Marek Siwiec

2009/2067(IMM) - 20/10/2009 - Text adopted by Parliament, single reading

The European Parliament adopted by 639 votes to 17, with 15 abstentions, a resolution on the request for waiver of the immunity of Marek SIWIEC (S&D, PL) and decides not to waive the immunity of Marek SIWIEC.

It recalls that a private prosecution has been brought against Marek Siwiec. Parliament 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, Parliament does not waive the immunity of Marek Siwiec.