Basic information

2010/2122(IMM) IMM - Members' immunity	Procedure completed
Request for the defence of parliamentary immunity of Luigi de Magistris **Subject** 8.40.01.03 Members' immunity	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs	RAPKAY Bernhard (S&D)	20/09/2010

Key events

Date	Event	Reference	Summary
11/04/2011	Vote in committee		Summary
15/04/2011	Committee report tabled for plenary	A7-0152/2011	
10/05/2011	Decision by Parliament	T7-0188/2011	Summary
10/05/2011	Results of vote in Parliament		
10/05/2011	End of procedure in Parliament		

Technical information

Procedure reference	2010/2122(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Defence of immunity
Legal basis	Rules of Procedure EP 7
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	JURI/7/03457

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary

Committee report tabled for plenary, single reading		A7-0152/2011	15/04/2011	
Text adopted by Parliament, single reading		T7-0188/2011	10/05/2011	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Request for the defence of parliamentary immunity of Luigi de Magistris

2010/2122(IMM) - 10/05/2011 - Text adopted by Parliament, single reading

The European Parliament has decided to **defend the immunity and privileges of Luigi DE MAGISTRIS** (ADLE, IT).

Mr De Magistris requests the defence of his parliamentary immunity following his summons before the Court of Benevento (IT) by Clemente Mario MASTELLA (EPP, IT) in connection with an interview he gave to an Italian newspaper which was published on 31 October 2009.

During the interview remarks were made that could be considered to constitute libel and were the object of Mr Mastella's claim for damages and interest amounting to EUR 1 million.

Parliament considers that, in giving the interview in question, Luigi de Magistris was acting in the performance of his duties as Member of the European Parliament and carrying out political activities by expressing his opinion on a matter of public interest to his constituents. To seek to prevent Members of Parliament from expressing their opinions on matters of legitimate public interest and concern and from criticising their political opponents by bringing legal proceedings is unacceptable in a democratic society and in breach of Article 8 of the Protocol, which is intended to protect Members' freedom of expression in the performance of their duties in the interests of Parliament as an institution of the European Union.

As a consequence, Parliament recommends that the European Parliament should defend the parliamentary immunity of Luigi De Magistris.