Basic information

2013/2014(IMM) IMM - Members' immunity	Procedure completed
Request for the waiver of parliamentary immunity of Spyros Danellis **Subject** 8.40.01.03 Members' immunity	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs	LICHTENBERGER Eva (Verts/ALE)	22/01/2013

Key events

Date	Event	Reference	Summary
24/04/2013	Vote in committee		
30/04/2013	Committee report tabled for plenary	A7-0159/2013	Summary
21/05/2013	Decision by Parliament	T7-0196/2013	Summary
21/05/2013	Results of vote in Parliament		
21/05/2013	End of procedure in Parliament		

Technical information

Procedure reference	2013/2014(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Waiver of immunity
Legal basis	Rules of Procedure EP 6
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	JURI/7/11733

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary

Committee report tabled for plenary, single reading		A7-0159/2013	30/04/2013	Summary
Text adopted by Parliament, single reading		T7-0196/2013	21/05/2013	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Request for the waiver of parliamentary immunity of Spyros Danellis

2013/2014(IMM) - 30/04/2013 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs adopted the report by Eva Lichtenberger (ADLE, AT) in which it recommends the European Parliament to waive the immunity of **Spyros DANELLIS (S&D, EL)** who is accused of dereliction of duty for having, allegedly, in his former position as Mayor of Hersonissos (Prefecture of Iraklion), omitted to take steps to close an establishment operating in his municipality despite the existence of a decision by the sanitary authorities which required such steps to be taken.

The committee considers that the alleged actions **do not constitute opinions expressed or votes cast in the performance of the duties of the Member of the European Parliament** for the purposes of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union.

According to Article 9 of Protocol No 7, Members shall enjoy, in the territory of their own State, the immunities accorded to members of the Parliament of that State. Article 62 of the Constitution of the Hellenic Republic provides that, during the parliamentary term, Members of Parliament may not be prosecuted, arrested, imprisoned or otherwise confined without prior leave granted by Parliament.

However, the accusation relates to actions by Mr Danellis in his former capacity as Mayor of Hersonissos, and has no connection with his office of Member of the European Parliament.

Mr Danellis has been heard, and there is no reason to suspect the existence of a *fumus persecutionis*.

On the basis of these considerations, after considering the reasons for and against waiving the Member's immunity, the committee recommends that the **European Parliament should waive the parliamentary immunity of Spyros Danellis**.

Request for the waiver of parliamentary immunity of Spyros Danellis

2013/2014(IMM) - 21/05/2013 - Text adopted by Parliament, single reading

The European Parliament decided to **waive the immunity of Spyros DANELLIS (S&D, EL)**.

To recall, Spyros Danellis is accused of dereliction of duty, as he is alleged to have omitted, as Mayor of Hersonissos in the Prefecture of Iraklion, to take steps to close an establishment operating in his municipality despite the existence of a decision by the sanitary authorities which required such steps to be taken.

Parliament considers that the alleged actions do not constitute opinions expressed or votes cast in the performance of the duties of the Member of the European Parliament for the purposes of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union and that the accusation manifestly bears no relation to Spyros Danellis' position as Member of the European Parliament.

Consequently, **Parliament decided to waive the immunity of Spyros Danellis**.