Basic information

2015/2049(IMM) IMM - Members' immunity	Procedure completed
Request for the waiver of the immunity of Janusz Korwin-Mikke **Subject** 8.40.01.03 Members' immunity	

Key players

	Committee responsible	Rapporteur	Appointed
European Parliament	JURI Legal Affairs	CHRYSOGONOS Kostas (GUE/NGL)	24/02/2015

Key events

Date	Event	Reference	Summary
06/05/2015	Vote in committee		
11/05/2015	Committee report tabled for plenary	A8-0150/2015	Summary
19/05/2015	Decision by Parliament	T8-0193/2015	Summary
19/05/2015	Results of vote in Parliament		
19/05/2015	End of procedure in Parliament		

Technical information

Procedure reference	2015/2049(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/8/02834

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary

Committee report tabled for plenary, single reading		A8-0150/2015	11/05/2015	Summary
Text adopted by Parliament, single reading		T8-0193/2015	19/05/2015	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

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

2015/2049(IMM) - 11/05/2015 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs adopted the report by Kostas CHRYSOGONOS (GUE/NGL, EL) and recommended the European Parliament to waive the immunity of **Janusz KORWIN-MIKKE (NI, PL)**.

Members recalled that the Prosecutor-General of the Republic of Poland has forwarded a request from the District Prosecutor's Office in Warsaw for authorisation to bring criminal proceedings against a Member of the European Parliament, Janusz Korwin-Mikke, with regard to an offence under Article 222(1) of the Polish Criminal Code. The proceedings concern the alleged infringement of the physical integrity of a public official (the Member struck the official in the face with his hand at an event in Warsaw – a meeting of the newly elected Polish Members of the European Parliament organised by the Polish Ministry of Foreign Affairs).

Noting that the alleged offence did not have a direct or obvious connection with Mr Korwin-Mikke's performance of his duties as a Member of the European Parliament, nor did it 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 8 of Protocol No 7 on the Privileges and Immunities of the European Union, and that Parliament has 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. Indeed, although the above-mentioned facts occurred when Mr Korwin-Mikke was already a Member of the European Parliament and in an explicitly political context, the alleged offence and the ensuing prosecution clearly have nothing to do with the position of Mr Korwin-Mikke as a Member of the European Parliament.

Consequently, the Legal Affairs Committee recommended that Parliament **waive the immunity of Janusz Korwin-Mikke**.

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

2015/2049(IMM) - 19/05/2015 - Text adopted by Parliament, single reading

The European Parliament decided to waive the immunity of Janusz **KORWIN-MIKKE (NI, PL).**

Parliament recalled that the Prosecutor-General of the Republic of Poland had forwarded a request from the District Prosecutor's Office in Warsaw for authorisation to bring criminal proceedings against a Member of the European Parliament, Janusz Korwin-Mikke, with regard to an offence under Article 222(1) of the Polish Criminal Code. The proceedings concern the alleged infringement of the physical integrity of a public official.

Noting that the alleged offence did not have a direct or obvious connection with Mr Korwin-Mikke's performance of his duties as a Member of the European Parliament, nor did it 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 8 of Protocol No 7 on the Privileges and Immunities of the European Union, the European Parliament decided to waive the immunity of Janusz Korwin-Mikke.