Basic information

2015/2102(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

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	JURI Legal Affairs	REGNER Evelyn (S&D)	06/05/2015

Key events

Date	Event	Reference	Summary
14/07/2015	Vote in committee		
16/07/2015	Committee report tabled for plenary	A8-0229/2015	Summary
08/09/2015	Decision by Parliament	T8-0282/2015	Summary
08/09/2015	Results of vote in Parliament		
08/09/2015	End of procedure in Parliament		

Technical information

Procedure reference	2015/2102(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/8/03435

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary

Committee report tabled for plenary, single reading		A8-0229/2015	16/07/2015	Summary
Text adopted by Parliament, single reading		T8-0282/2015	08/09/2015	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

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

2015/2102(IMM) - 08/09/2015 - 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 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 (speeding).

Given that this conduct constitutes an offence under the Polish Road Traffic Act and that 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, Parliament 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.

Therefore, it decided to **waive the immunity of Janusz Korwin-Mikke**.

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**.