Basic information

2016/2000(IMM) IMM - Members' immunity	Procedure completed
Request for the waiver of the immunity of Hermann Winkler **Subject** 8.40.01.03 Members' immunity	

Key players

	Committee responsible	Rapporteur	Appointed
European Parliament	JURI Legal Affairs	DZHAMBAZKI Angel (ECR)	18/01/2016

Key events

Date	Event	Reference	Summary
15/03/2016	Vote in committee		
18/03/2016	Committee report tabled for plenary	A8-0062/2016	Summary
12/04/2016	Decision by Parliament	T8-0099/2016	Summary
12/04/2016	Results of vote in Parliament		
12/04/2016	End of procedure in Parliament		

Technical information

Procedure reference	2016/2000(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/8/05449

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary

Committee report tabled for plenary, single reading		A8-0062/2016	18/03/2016	Summary
Text adopted by Parliament, single reading		T8-0099/2016	12/04/2016	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Request for the waiver of the immunity of Hermann Winkler

2016/2000(IMM) - 12/04/2016 - Text adopted by Parliament, single reading

The European Parliament decided to **waive the immunity** of Hermann WINKLER (EPP, DE).

To recall, the public prosecutor's office in Leipzig (Germany) requested the waiver of the parliamentary immunity of Hermann Winkler, Member of the European Parliament, in connection with launching investigative proceedings concerning an alleged road traffic offence on 23 September 2015.

The criminal proceedings do not concern any opinion expressed or vote cast in the performance of the duties of a Member of the European Parliament for the purposes of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union.

In the light of the information acquired by the committee, there is no reason to assume that the intention underlying the criminal proceedings is to damage a Member's political activity (*fumus persecutionis*).

Given that the alleged offence thus clearly has no connection with the position of Hermann Winkler as a Member of the European Parliament, Parliament decided to waive parliamentary immunity in the case in question.

Request for the waiver of the immunity of Hermann Winkler

2016/2000(IMM) - 18/03/2016 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs unanimously adopted the report by Angel DZHAMBAZKI (ECR, BG) in which it recommended the European Parliament to waive the immunity of Hermann WINKLER (EPP, DE).

Members stated that the public prosecutor's office in Leipzig (Germany) requested the waiver of the parliamentary immunity of Hermann Winkler, Member of the European Parliament, in connection with launching investigative proceedings concerning an alleged road traffic offence.

Members recalled that under Article 46(2) of the German Basic Law (Grundgesetz), a Member may not be called to account for a punishable offence without the permission of Parliament unless apprehended while committing the offence or in the course of the following day.

They noted that the request relates to preliminary investigations into a serious road traffic accident in which Hermann Winkler was involved and that the alleged offence clearly has no connection with the position of Hermann Winkler as a Member of the European Parliament.

In this regard, Members called on the European Parliament to waive his parliamentary immunity in the case in question.