Basic information

2016/2070(IMM) IMM - Members' immunity	Procedure completed
Request for the waiver of the immunity of Rolandas Paksas **Subject** 8.40.01.03 Members' immunity	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	JURI Legal Affairs	DZHAMBAZKI Angel (ECR)	20/04/2016

Key events

Date	Event	Reference	Summary
12/06/2017	Vote in committee		
12/06/2017	Committee report tabled for plenary	A8-0219/2017	Summary
14/06/2017	Decision by Parliament	T8-0257/2017	Summary
14/06/2017	Results of vote in Parliament		
14/06/2017	End of procedure in Parliament		

Technical information

Procedure reference	2016/2070(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Waiver of immunity
Legal basis	Rules of Procedure EP 6
Stage reached in procedure	Procedure completed
Committee dossier	JURI/8/06347

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A8-0219/2017	12/06/2017	Summary

Text adopted by Parliament, single reading		T8-0257/2017	14/06/2017	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Request for the waiver of the immunity of Rolandas Paksas

2016/2070(IMM) - 12/06/2017 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs adopted the report by Angel DZHAMBAZKI (ECR, BG) on the request for waiver of the immunity of **Rolandas PAKSAS** (EFDD, LT).

As a reminder, the Prosecutor General of the Republic of Lithuania requested the waiver of the parliamentary immunity of a Member of the European Parliament, Rolandas Paksas, in connection with criminal investigations.

The request by the Prosecutor General relates to suspicions against Rolandas Paksas of having agreed to accept a bribe on 31 August 2015 in exchange for influencing public authorities and state officials to exercise their powers, which would constitute an offence under the Lithuanian Criminal Code.

Members recalled that pursuant to Article 4 of the Law on the status and working conditions of the Members of the European Parliament elected in the Republic of Lithuania, Members of the European Parliament shall enjoy the same personal immunity in the territory of the Republic of Lithuania as a Member of the Seimas of the Republic of Lithuania, unless otherwise provided for in the EU legislation.

The purpose of the Prosecutor-General's request to the European Parliament to waive the parliamentary immunity of Rolandas Paksas is to make it possible to notify him of the allegations made against him, to interview him as a suspect, to take other measures restricting his freedom under Lithuanian law, and to continue the criminal proceedings brought against him with a view to obtaining a final judgment in this case in accordance with national law.

Members recalled that **parliamentary immunity is not a Member's personal privilege** but a **guarantee of the independence of Parliament as a whole** and of its Members. The purpose being to protect Parliament and its Members from legal proceedings in relation to activities carried out in the performance of parliamentary duties and which cannot be separated from those duties.

Therefore, where such proceedings do not concern the performance of a Member's duties, immunity should be waived unless it appears that the intention underlying the legal proceedings may be to damage a Member's political activity and thus Parliament's independence (*fumus persecutionis*).

Based on the extensive and detailed information provided in this case, there is **no reason** to suspect that the proceedings relating to Rolandas Paksas are motivated by an intent to damage his political activity as a Member of the European Parliament. Therefore, the committee on legal affairs recommended the **European Parliament to waive the immunity of Rolandas Paksas**.

Request for the waiver of the immunity of Rolandas Paksas

2016/2070(IMM) - 14/06/2017 - Text adopted by Parliament, single reading

The European Parliament decided to waive the immunity of **Rolandas PAKSAS**(EFDD, LT).

As a reminder, the Prosecutor General of the Republic of Lithuania requested the waiver of the parliamentary immunity of a Member of the European Parliament, Rolandas Paksas, in connection with criminal investigations.

The request relates to suspicions against Rolandas Paksas of having agreed to accept a bribe.

The purpose of the Prosecutor-General's request to the European Parliament to waive the parliamentary immunity of Rolandas Paksas is to make it possible to notify him of the allegations made against him, to interview him as a suspect, to take other measures restricting his freedom under Lithuanian law, and to continue the criminal proceedings brought against him with a view to obtaining a final judgment in this case in accordance with national law.

Parliament recalled that **parliamentary immunity is not a Member's personal privilege** but a **guarantee of the independence of Parliament as a whole** and of its Members. The purpose being to protect Parliament and its Members from legal proceedings in relation to activities carried out in the performance of parliamentary duties and which cannot be separated from those duties by avoiding damaging a Member's political activity and thus Parliament's independence (*fumus persecutionis*).

Given that there is **no reason** to suspect that the proceedings relating to Rolandas Paksas are motivated by an intent to damage his political activity as a Member of the European Parliament, **Parliament decided to waive the immunity of Rolandas Paksas**.