Basic information

2018/2269(IMM) IMM - Members' immunity	Procedure completed
Request for the waiver of the immunity of Lampros Fountoulis **Subject** 8.40.01.03 Members' immunity	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	JURI Legal Affairs	DZHAMBAZKI Angel (ECR)	06/12/2018

Key events

Date	Event	Reference	Summary
01/04/2019	Vote in committee		
02/04/2019	Committee report tabled for plenary	A8-0183/2019	Summary
04/04/2019	Decision by Parliament	T8-0334/2019	Summary
04/04/2019	Results of vote in Parliament		
04/04/2019	End of procedure in Parliament		

Technical information

Procedure reference	2018/2269(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/8/15009

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary

Committee report tabled for plenary, single reading		A8-0183/2019	02/04/2019	Summary
Text adopted by Parliament, single reading		T8-0334/2019	04/04/2019	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Request for the waiver of the immunity of Lampros Fountoulis

2018/2269(IMM) - 02/04/2019 - 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 Lampros FOUNTOULIS (NI, EL).

As a reminder, the Deputy Prosecutor of the Hellenic Supreme Court requested the waiver of the immunity of Lampros Fountoulis, Member of the European Parliament, in connection with a possible legal action concerning an alleged offence.

Lampros Fountoulis is accused of failing to comply with the interim ruling No 3603/2015 of the Athens single-judge court of instance ordering the removal of all cameras from the ground floor and entrance of the building located at 73, Odos Grammou, Maroussi (Attica) and the payment of a fine of EUR 600 for each future infringement of the ruling of 25 May 2015.

Members recalled that the purpose of parliamentary immunity is 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.

However, the prosecution does not concern opinions or votes cast by him in the performance of his duties as a Member of the European Parliament. Moreover, there is no reason to suspect that the intention underlying criminal proceedings is to damage a Member's political activity or reputation and thus the independence of Parliament (*fumus persecutionis*).

On the basis of these elements, the committee responsible recommended that the European Parliament decide to waive the immunity of Lampros Fountoulis.

Request for the waiver of the immunity of Lampros Fountoulis

2018/2269(IMM) - 04/04/2019 - Text adopted by Parliament, single reading

The European Parliament decided to waive the immunity of Lampros FOUNTOULIS (NI, EL).

As a reminder, the Deputy Prosecutor of the Hellenic Supreme Court requested the waiver of the immunity of Lampros Fountoulis, Member of the European Parliament, in connection with a possible legal action concerning an alleged offence.

The request of the Deputy Public Prosecutor of the Supreme Court of Greece relates to proceedings concerning alleged breach of Article 45 and Article 232A of the Greek Criminal Code, which concern joint violation of a court ruling.

Lampros Fountoulis is accused of failing to comply with the interim ruling No 3603/2015 of the Athens single-judge court of instance ordering the removal of all cameras from the ground floor and entrance of the building located at 73, Odos Grammou, Maroussi (Attica) and the payment of a fine of EUR 600 for each future infringement of the ruling of 25 May 2015.

In support of its decision to waive parliamentary immunity, Parliament recalled that it was not its responsibility to take a stance on the guilt or otherwise of the Member and that the purpose of parliamentary immunity was to protect Parliament and its Members from legal proceedings relating to activities carried out in the performance of parliamentary duties and which cannot be separated from those duties.

However, the prosecution does not concern opinions or votes cast by him in the performance of his duties as a Member of the European Parliament. Moreover, there is no reason to suspect that the intention underlying criminal proceedings is to damage a Member's political activity or reputation and thus the independence of Parliament (*fumus persecutionis*).