Basic information

2021/2073(IMM) IMM - Members' immunity	Procedure completed
Request for the waiver of the immunity of Harald Vilimsky **Subject** 8.40.01.03 Members' immunity	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs	HALICKI Andrzej (EPP)	14/06/2021

Key events

Date	Event	Reference	Summary
28/10/2021	Vote in committee		
03/11/2021	Committee report tabled for plenary	A9-0303/2021	
11/11/2021	Decision by Parliament	T9-0444/2021	Summary

Technical information

Procedure reference	2021/2073(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/9/06146

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A9-0303/2021	03/11/2021	
Text adopted by Parliament, single reading		T9-0444/2021	11/11/2021	Summary

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

Request for the waiver of the immunity of Harald Vilimsky

2021/2073(IMM) - 11/11/2021 - Text adopted by Parliament, single reading

The European Parliament decided to **waive the immunity** of Harald VILIMSKY (AT, ID).

As a reminder, the Vienna Prosecutor's Office requested the waiver of the immunity of Harald Vilimsky, Member of the European Parliament, in order to initiate criminal prosecution proceedings in connection with the offence of embezzlement, the offence of involvement in misappropriation of funds and misuse of funds under the Austrian Criminal Code.

From 1 October 2011 to 13 August 2019, Harald Vilimsky allegedly abused his authority to avail himself of bank accounts belonging to the parliamentary group of the FPÖ in the Austrian National Assembly, by arranging for the payment of bills by means of regular transfers from the FPÖ National Assembly group’s account for mobile phone services used for entirely private ends by a third party, resulting in a financial loss to the FPÖ National Assembly group. He allegedly used the funds granted to the FPÖ parliamentary group in the Austrian National Council in full knowledge that the services paid for were not related to the functioning of the party.

Parliament noted that the alleged offence does not concern opinions expressed or votes cast in the performance of the duties of the Member of the European Parliament. Moreover, in this case, Parliament was unable to establish that there was *fumus persecutionis*, i.e. facts which suggest that the intention underlying the legal proceedings in question is to undermine the Member’s political activity as a Member of the European Parliament.

Therefore, following the recommendation of its Legal Affairs Committee, Parliament considered that Harald Vilimsky's parliamentary immunity should be waived.