Basic information

2023/2038(IMM) IMM - Members' immunity	Procedure completed
Request for the defence of the immunity of Stefano Maullu **Subject** 8.40.01.03 Members' immunity	

Key players

	Committee responsible	Rapporteur	Appointed
European Parliament	JURI Legal Affairs	GARCÍA DEL BLANCO Ibán (S&D)	26/06/2023

Key events

Date	Event	Reference	Summary
24/10/2023	Vote in committee		
30/10/2023	Committee report tabled for plenary	A9-0318/2023	
09/11/2023	Decision by Parliament	T9-0377/2023	Summary
09/11/2023	Results of vote in Parliament		

Technical information

Procedure reference	2023/2038(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Defence of immunity
Legal basis	Rules of Procedure EP 9-p14
Stage reached in procedure	Procedure completed
Committee dossier	JURI/9/11719

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A9-0318/2023	30/10/2023	
Text adopted by Parliament, single reading		T9-0377/2023	09/11/2023	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Request for the defence of the immunity of Stefano Maullu

2023/2038(IMM) - 09/11/2023 - Text adopted by Parliament, single reading

The European Parliament decided not to defend the privileges and immunities of Stefano Maullu (former Member, IT).

Stefano Maullu, Member of the European Parliament from 13 July 2015 until 1 July 2019, elected in Italy, has requested the defence of his parliamentary immunity in connection with criminal proceedings against him pending before the Ordinary Court of Venice for having offended the honour and prestige of the Chief Public Prosecutor at the Court of Appeal of Brescia.

These proceedings are based on declarations made by Stefano Maullu and published in an Italian newspaper on 5 April 2018. The declarations contained a comment concerning an interview on the topic of firearms that the Chief Public Prosecutor at the Court of Appeal of Brescia had given to another Italian newspaper. The comment included allegations perceived by the targeted person as insulting.

In accordance with Rule 5(2) of its Rules of Procedure, parliamentary immunity is not a Member’s personal privilege but a guarantee of the independence of Parliament as a whole and of its Members and whereas 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.

A statement made by a Member outside the European Parliament may constitute an opinion expressed in the performance of their duties, within the meaning of Article 8 of Protocol No 7, only if its nature and content has a direct and obvious connection with the performance of that Member’s duties in the European Parliament.

In this case, the alleged offence does not concern opinions expressed or votes cast in the performance of the duties of Stefano Maullu in his capacity as Member of the European Parliament within the meaning of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union.

Article 9 of Protocol No 7 on the Privileges and Immunities of the European Union is applicable only to Members of the European Parliament. Stefano Maullu was a Member of the European Parliament until 1 July 2019 therefore ceasing to be a Member of the European Parliament consequently entails the loss of the related immunity, the duration of which is limited to that mandate.

Therefore, following the recommendation of its Legal Affairs Committee, the European Parliament decided not to defend the privileges and immunities of Stefano Maullu.