

Wednesday 5 May 2010

II

(Information)

INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

EUROPEAN PARLIAMENT

Immunity of Miroslav Ransdorf

P7_TA(2010)0093

European Parliament decision of 5 May 2010 on the request for waiver of the immunity of Miloslav Ransdorf (2009/2208(IMM))

(2011/C 81 E/25)

The European Parliament,

- having regard to the request for waiver of the immunity of Miloslav Ransdorf, forwarded by the competent authority of the Czech Republic on 16 September 2009, and announced in plenary sitting on 23 November 2009,
- having heard Miloslav Ransdorf in accordance with Rule 7(3) of its Rules of Procedure,
- having regard to Article 9 of the Protocol of 8 April 1965 on the Privileges and Immunities of the European Communities, and Article 6(2) of the Act of 20 September 1976 concerning the election of the members of the European Parliament by direct universal suffrage,
- having regard to the judgments of 12 May 1964 and 10 July 1986 ⁽¹⁾ of the Court of Justice of the European Communities,
- having regard to Rules 6(2) and 7 of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs (A7-0107/2010),

A. whereas Miroslav Ransdorf is a Member of the European Parliament,

B. whereas, according to Article 9 of the Protocol on the Privileges and Immunities of the European Communities of 8 April 1965, during the sessions of the European Parliament its Members enjoy in the territory of their own State the immunities accorded to members of their parliament; whereas immunity cannot be claimed when a Member is caught in the act of committing an offence; and whereas this does not prevent the European Parliament from exercising its right to waive the immunity of one of its Members,

⁽¹⁾ Case 101/63 *Wagner v Fohrmann and Krier* [1964] ECR 195 and Case 149/85 *Wybot v Faure and others* [1986] ECR 2391.

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C. whereas, according to Article 27(4) of the Czech Constitution, no Member of Parliament or Senator may be criminally prosecuted without the consent of the chamber of which he or she is member and, if the respective chamber denies its consent, criminal prosecution shall be excluded forever,

1. Decides to waive the immunity of Miloslav Ransdorf;
 2. Instructs its President to forward this decision, and the report of its committee responsible, immediately to the appropriate authorities of the Czech Republic.
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