

Procedure file

Basic information	
IMM - Members' immunity	2008/2147(IMM)
Request for defence of parliamentary immunity of Renato Brunetta	Procedure completed
Subject	
8.40.01.03 Members' immunity	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs		25/06/2008
		PSE SAKALAS Aloyzas	

Key events			
31/03/2009	Vote in committee		Summary
01/04/2009	Committee report tabled for plenary	A6-0195/2009	
22/04/2009	Results of vote in Parliament		
22/04/2009	Decision by Parliament	T6-0234/2009	Summary
22/04/2009	End of procedure in Parliament		

Technical information	
Procedure reference	2008/2147(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Waiver of immunity
Legal basis	Rules of Procedure EP 7
Stage reached in procedure	Procedure completed
Committee dossier	JURI/6/64077

Documentation gateway					
Committee report tabled for plenary, single reading		A6-0195/2009	01/04/2009	EP	
Text adopted by Parliament, single reading		T6-0234/2009	22/04/2009	EP	Summary

The Committee on Legal Affairs adopted the report drawn up by Aloyzas SAKALAS (PES, LT) on the request for defence of the immunity and privileges of Renato BRUNETTA (a former Italian MEP). The committee believes that the immunity of Renato Brunetta should be defended, for the following reasons:

At the sitting of 4 June, the President of Parliament announced that he had received a request for the defence of the parliamentary immunity of Renato Brunetta. The request relates to criminal proceedings brought by Giuseppe De Michelis Di Slonghelo, a former Italian diplomat, against Mr. Brunetta and others, in response to material published in a book entitled "Le Mani rosse sull'Italia" [The Red Hands on Italy], which was sold with the daily newspaper "Libero" in August 2006. Renato Brunetta is the co-editor of the book in question. Mr De Michelis Di Slonghelo complains that he is described in Chapter four of the book as being a former spy of the KGB according to the so-called "Mitrokhin Archive", which he claims is defamatory and injurious to his reputation.

Mr Brunetta argues that there is a nexus between his political activity and his function of editor, and calls for the application of the first paragraph of Article 68(1) of the Italian Constitution, which provides that: "Members of Parliament cannot be held accountable for the opinions expressed or votes cast in the performance of their functions". Since the request for defence of immunity is made by a (former) member of the European Parliament, it should be construed as calling for the application of Article 9 of the Protocol.

On the basis of the above considerations, the Committee on Legal Affairs, having examined the reasons for and against defending immunity, recommends that the immunity of Mr Renato Brunetta be defended.

Request for defence of parliamentary immunity of Renato Brunetta

The European Parliament decided by 652 votes to 7, with 11 abstentions, to defend the immunity and the privileges of Renato BRUNETTA (a former Italian MEP).

He is pursued in Italy for allegations of slander. Following the opinion of the Legal Affairs Committee, the European Parliament considers that Renato Brunetta's immunity should be defended given that he was defending his opinions expressed in the performance of his duties as an MEP.