



Procedure file

Basic information	
IMM - Members' immunity	2022/2052(IMM)
Request for the defence of immunity of Helmut Geuking	Procedure completed
Subject	8.40.01.03 Members' immunity

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs	 Ibán GARCÍA DEL BLANCO	13/06/2022

Key events			
23/01/2023	Vote in committee		
30/01/2023	Committee report tabled for plenary	A9-0013/2023	Summary
02/02/2023	Results of vote in Parliament		
02/02/2023	Decision by Parliament	T9-0021/2023	Summary

Technical information	
Procedure reference	2022/2052(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Defence of immunity
Legal basis	Rules of Procedure EP 9-p14
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	JURI/9/09246

Documentation gateway					
Committee report tabled for plenary, single reading		A9-0013/2023	30/01/2023	EP	Summary
Text adopted by Parliament, single reading		T9-0021/2023	02/02/2023	EP	Summary

Request for the defence of immunity of Helmut Geuking

The Committee on Legal Affairs adopted the report by Ibán GARCÍA DEL BLANCO (S&D, ES) on the request for defence of the privileges and immunities of Helmut Geuking.

Helmut Geuking, Member of the European Parliament, requested the defence of his parliamentary immunity in civil proceedings pending before the Hamburg Regional Court.

Members recalled that a German company, one of its subsidiaries and an expert in company reorganisations hired by the latter are suing Helmut Geuking for injunctive relief, monetary compensation and damages in connection with statements he made against the complainants from the European Parliament premises in Brussels and in a video published on YouTube and in a local German newspaper in May and June 2020 respectively.

The video statement was promptly deleted by Helmut Geuking.

According to Members, the statements made by Helmut Geuking were clearly made in his capacity as a full member of the European Parliament's Committee on Employment and Social Affairs, which is responsible for employment policy and all aspects of social policy. It therefore appeared that those statements were made in the context of the exercise of his mandate as a Member of the European Parliament.

Furthermore, in this case the amount of damages claimed by the complainants, including prohibitory injunction, damages and monetary compensation, amount to EUR 620 000 and appeared to resemble punitive damages, i.e. the amount asked is to be primarily intended as a deterrent against a repetition of the statement by Helmut Geuking and to prevent potential imitators from making similar statements.

It pointed out that, at the time the statements were made by Helmut Geuking, a public debate was already taking its course through various media reports, with the applicants in the civil proceedings leaving those reports seemingly without a response.

In the light of these considerations, the committee responsible recommended that the European Parliament should decide to defend the privileges and immunities of Helmut Geuking.

Request for the defence of immunity of Helmut Geuking

The European Parliament decided to defend the privileges and immunities of Helmut GEUKING (EPP, DE).

As a reminder, Helmut GEUKING, Member of the European Parliament, requested the defence of his parliamentary immunity in civil proceedings pending before the Hamburg Regional Court.

Parliament recalled that a German company, one of its subsidiaries and an expert in company reorganisations hired by the latter are suing Helmut Geuking for injunctive relief, monetary compensation and damages in connection with statements he made against the complainants from the European Parliament premises in Brussels and in a video published on YouTube and in a local German newspaper in May and June 2020 respectively.

Parliament considered that the statements made by Helmut Geuking were clearly made in his capacity as a full member of the European Parliament's Committee on Employment and Social Affairs, which is responsible for employment policy and all aspects of social policy. It therefore appeared that those statements were made in the context of the exercise of his mandate as a Member of the European Parliament.

Furthermore, in this case the amount of damages claimed by the complainants, including prohibitory injunction, damages and monetary compensation, amount to EUR 620 000 and appeared to resemble punitive damages, i.e. the amount asked is to be primarily intended as a deterrent against a repetition of the statement by Helmut Geuking and to prevent potential imitators from making similar statements.

Therefore, following the recommendation of its Legal Affairs Committee, Parliament considered that Helmut Geukings privileges and immunities should be defended.