Procedure file

Basic information

IMM - Members' immunity	2009/2021(IMM)	Procedure completed
Request for the defence of parliamentary immunity of Aldo Patriciello Subject 8.40.01.03 Members' immunity		

Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs		16/03/2009
		PSE SAKALAS Aloyzas	

Key events

30/04/2009	Vote in committee		Summary
30/04/2009	Committee report tabled for plenary	A6-0286/2009	
05/05/2009	Results of vote in Parliament		
05/05/2009	Decision by Parliament	T6-0337/2009	Summary
05/05/2009	End of procedure in Parliament		

Technical information

Procedure reference	2009/2021(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/6/74276

Documentation gateway

Committee report tabled for plenary, single reading		A6-0286/2009	30/04/2009	EP	
Text adopted by Parliament, single reading		T6-0337/2009	05/05/2009	EP	Summary

Request for the defence of parliamentary immunity of Aldo Patriciello

The Committee on Legal Affairs unanimously adopted the report by Aloyzas SAKALAS (PES, LT) on the request for defence of the immunity and privileges of Aldo PATRICIELLO (EPP-ED, IT) recommending that the immunity of Mr Aldo Patriciello be defended for the following reasons:

At the sitting of 9 March 2009, the President of Parliament announced that he had received a request for the defence of the parliamentary immunity of Italian MEP Aldo Patriciello. The request relates to the investigation concerning Mr Aldo Patriciello in connection with an indictable offence pursuant the Italian Criminal Code, which is pending before the Isernia District Court's Public Prosecutor's Office (IT).

According to the charges brought against him, Mr Patriciello is accused of making false allegations concerning a matter of forgery of public documents (Highway Code violation report) by a municipal police officer. The report concerned violations carried out by a number of motorists who had parked their vehicles near the ?Neuromed? (Istituto Neurologico Mediterraneo) facility. Mr Patriciello stated that the police officer had forged the times on the said report while in fact no forgery had legally occurred, thereby accusing her of the offence of forging public documents even though he knew she was innocent.

The Committee on Legal Affairs considers that Mr Patriciello merely commented on facts in the public domain, the rights of the citizens to have an easy access to a Hospital and to the healthcares, which had an important impact on the daily life of his constituents.

Mr Aldo Patriciello did not act for his own interest, he did not want insult the public official but he act for general interest of his electorate in the framework of his political activity.

In so doing he was carrying out his duty as a Member of Parliament in expressing his opinion on a matter of public interest to his constituents.

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 Aldo Patriciello be defended.

Request for the defence of parliamentary immunity of Aldo Patriciello

The European Parliament decided by 561 votes to 20, with 12 abstentions, to defend the immunity and privileges of Aldo Patriciello (Italian Member of the European Parliament) for the following reasons: the request relates to the investigation concerning Mr Aldo Patriciello in connection with an indictable offence (false allegations) pursuant the Italian Criminal Code, which is pending before the Isernia District Court's Public Prosecutor's Office (IT).

Given that the accused allegations may be considered as having been expressed as an ?opinon?, the Parliament decides to defend the immunity and privileges of Aldo Patriciello.