

[emphasis added]

Opinion for the Bureau of the Parliamentary Assembly, AS/Pro (2015) 04 def

5. These provisions **set out a specific European system of immunity which is independent of any national immunities which members of parliament may also enjoy on the territory of their state** (which is not the case for Ms Savchenko who, because of her detention in a foreign country, cannot lay claim to any national immunity protection system).

16. Senator Raffaele Iannuzzi was convicted on two occasions for defamation (2002 and 2004) while a member of the Parliamentary Assembly (2001-2006) but in respect of matters that had occurred prior to his parliamentary term of office. He was given a first prison sentence and was subject to an arrest warrant. In December 2002, his immunity was defended by the President of the Assembly. In June 2004 he was given a second prison sentence and once again the President of the Assembly intervened with the Italian authorities in defence of his immunity. His sentence was commuted to house arrest. Senator Iannuzzi was authorised, subject to certain conditions, to attend the Assembly's 2004 October part-session, and to attend the meetings of the Assembly committees of which he was a member. Finally, he was pardoned.

17. Mr Paolo Caccia, member of the Italian delegation (1987-1994), had been arrested following the dissolution of the Italian Parliament, but while he was still a member of the Italian delegation to the Parliamentary Assembly. Following the intervention of the President of the Assembly with the Italian authorities in April 1994, reminding them that Mr Caccia continued to benefit from the immunities set forth in Article 15 of the General Agreement, he was released by judicial order in May 1994.