Mr Matej TONIN, M. Sc.
Member of the European Parliament

Roberta Metsola, President
European Parliament

Strasbourg, 16 September 2026

Subject: Request for urgent procedural examination and referral to the Committee on Constitutional Affairs pursuant to Rule 242(1) concerning the interpretation of Rule 200 following the vote on the waiver of parliamentary immunity

Dear President, Dear Roberta

I am writing to you concerning the plenary vote held yesterday, on 15.09.2026, on the request for the waiver of my parliamentary immunity (Request for the waiver of the immunity of Matej Tonin, Report: Ilhan Kyuchyuk (A10-0217/2026))

The announced result was **306 votes in favour of lifting my immunity and 304 votes against**, representing a difference of only two votes.

Following the vote, several Members whose votes were decisive for the outcome informed me, a few hours later, that the votes they had cast did not correspond to their actual voting intentions. I understand that **at least two** Members inserted into the electronic voting system their intention to change their vote. The vote was conducted by show of hands, with the result subsequently verified through the electronic voting system, therefore its result was verified electronically.

There was, moreover, a specific source of potential confusion during the vote itself. While the proposition being put to the vote was formally identified, the relationship between the proposition and the underlying question of immunity was not necessarily intuitive: Members wishing to oppose the waiver of my immunity had to vote in favour of the JURI Committee's proposal. This appears to have caused genuine confusion among some Members and may help explain why they subsequently indicated that the votes they had cast did not correspond to their actual voting intentions.

On the basis of the information currently available to me, there are indications that the corrected voting intentions may have resulted in an exactly the opposite outcome of **306 votes in favour of preserving my immunity and 304 votes in favour of lifting it**.

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I fully recognise that, as a general principle, individual votes cannot simply be altered after the vote has been closed and the result announced. I also recognise the importance of legal certainty and the need to preserve the integrity and finality of parliamentary voting procedures.

Nevertheless, the exceptional circumstances of this case raise a genuine question concerning the validity of the announced result and the interpretation and application of Rule 200 of the Rules of Procedure.

Rule 200(1) expressly provides that points of order concerning the validity of a vote may be raised after the President has declared that vote to be closed. Under Rule 200(3), the President decides whether the result announced is valid.

The Rules do not, however, appear to expressly clarify whether, or under what circumstances, a voting result may be reconsidered where Members subsequently establish that they voted contrary to their actual intentions and where the votes concerned may have been decisive for the outcome.

This question is especially significant in the present case, where the difference between the announced result and the potentially corrected result may be sufficient to reverse the outcome of the vote concerning my parliamentary immunity.

Relevant parliamentary precedent

There is also a relevant precedent from 25 October 2006, when President Borrell suspended the sitting after Members indicated that they had voted contrary to their intentions due to confusion concerning the proposition being voted on.

Following consultation with Parliament's services, the President concluded that there had probably been genuine confusion and ordered the votes to be repeated, stating that this was necessary in order to **truly reflect Parliament's democratic will**.

I fully acknowledge that the circumstances of that case are not identical to those of the present situation. In particular, the timing of the objections and the nature of the confusion must be carefully examined. However, the present case similarly raises the question whether genuine confusion concerning the proposition being voted on and its effect may have caused Members to cast votes contrary to their actual intentions.

Nevertheless, this precedent demonstrates that, in exceptional circumstances, the issue of votes cast contrary to Members' actual intentions has been addressed through a reconsideration of the voting procedure, rather than solely through the subsequent correction of individual voting records.

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It therefore appears appropriate to examine whether the existing Rules of Procedure provide an adequate procedural response to the exceptional circumstances currently at issue.

Request for interpretation pursuant to Rule 242(1)

In view of the foregoing, I would respectfully request that you consider referring the following question to the Committee on Constitutional Affairs, pursuant to Rule 242(1) of the Rules of Procedure:

Whether, and under what circumstances, Rule 200 permits the validity of an announced voting result to be reconsidered where Members subsequently establish that the votes they cast did not correspond to their actual voting intentions, particularly where those votes were decisive for the outcome, and whether, in such circumstances, the President may order the vote to be repeated.

In addition, I would respectfully ask that the relevant parliamentary services be requested to:

1. Verify the circumstances of the reported changes to the electronic voting records, including the number of Members concerned and the timing and nature of the changes.
2. Clarify the procedural status of such changes following the announcement of the result.
3. Examine the applicability of Rule 200 and the relevant parliamentary precedents.
4. Advise on whether the circumstances justify a reconsideration or repetition of the vote.

I am not asking you to prejudge the outcome of this examination or to alter individual voting records. Rather, I am requesting that the competent parliamentary authorities assess whether the announced result reliably reflects the actual voting intentions of Members and whether the Rules of Procedure provide an appropriate remedy in these exceptional circumstances.

Given the extremely narrow margin, the reported changes to the voting records, and the direct consequences of the decision for my parliamentary immunity, I would be very grateful if this matter could be examined **as a matter of urgency**.

I remain fully committed to respecting the Rules of Procedure and the institutional authority of the European Parliament. My request is intended to ensure that the applicable procedural safeguards are properly examined and that Parliament's decision is based on a voting result that accurately reflects its democratic will.

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Thank you very much for your attention to this matter. I remain at your disposal should any further information or documentation be required.

Yours sincerely,

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