



# Procedure file

Basic information	
IMM - Members' immunity	2023/2005(IMM)
Request for the waiver of the immunity of Marc TARABELLA	Procedure completed
Subject	
8.40.01.03 Members' immunity	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 <a href="#">Legal Affairs</a>	 <a href="#">AUBRY Manon</a>	16/01/2023

Key events			
31/01/2023	Vote in committee		
31/01/2023	Committee report tabled for plenary	<a href="#">A9-0017/2023</a>	
02/02/2023	Results of vote in Parliament		
02/02/2023	Decision by Parliament	<a href="#">T9-0024/2023</a>	Summary

Technical information	
Procedure reference	2023/2005(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Waiver of immunity
Legal basis	Rules of Procedure EP 6
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	JURI/9/11109

Documentation gateway					
Committee report tabled for plenary, single reading		<a href="#">A9-0017/2023</a>	31/01/2023	EP	
Text adopted by Parliament, single reading		<a href="#">T9-0024/2023</a>	02/02/2023	EP	Summary

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The European Parliament decided to waive the parliamentary immunity of Marc TARABELLA (NA, BE).

As a reminder, the Federal Prosecutor at the Belgian Federal Public Prosecutors Office requested the waiver of the immunity of Marc Tarabella, a Member of the European Parliament elected for Belgium, in connection with an ongoing investigation into criminal offences.

The ongoing investigation showed that Marc Tarabella may have been involved in acts of corruption connected with interference by one or more foreign states aimed at influencing the debates and decisions taken in the European Parliament.

Moreover, it has emerged from the ongoing investigation that Marc Tarabella is suspected of having, over the past two years, supported certain positions within the European Parliament in favour of a third country in return for cash payments. Testimony against him suggests that such payments were made to him on several occasions, amounting to a total of between EUR 120 000 and EUR 140 000.

The acts allegedly committed by Marc Tarabella constitute the criminal offences of public corruption under Articles 246 and 247 of the Belgian Criminal Code, of participation in a criminal organisation under Articles 324a and 324b of the Belgian Criminal Code, and of money laundering under Article 505 of the Belgian Criminal Code.

The alleged offences do not constitute opinions expressed or votes cast by Marc Tarabella in the performance of his duties as a Member of the European Parliament within the meaning of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union.

In this case, Parliament has found no evidence of *fumus persecutionis*, i.e. factual elements which indicate that the intention underlying the legal proceeding may be to damage a Members political activity and thus the European Parliament.

Marc Tarabella stated that he has no objection to the waiver of his parliamentary immunity.

Therefore, following the recommendation of its Legal Affairs Committee, Parliament considered that Marc Tarabellas immunity should be waived.