


Procedure file

Basic information	
IMM - Members' immunity	2023/2006(IMM)
Request for the waiver of the immunity of Andrea COZZOLINO	Procedure completed
Subject	8.40.01.03 Members' immunity

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs	 AUBRY Manon	16/01/2023

Key events			
31/01/2023	Vote in committee		
31/01/2023	Committee report tabled for plenary	A9-0016/2023	
02/02/2023	Results of vote in Parliament		
02/02/2023	Decision by Parliament	T9-0023/2023	Summary

Technical information	
Procedure reference	2023/2006(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/9/11110

Documentation gateway					
Committee report tabled for plenary, single reading		A9-0016/2023	31/01/2023	EP	
Text adopted by Parliament, single reading		T9-0023/2023	02/02/2023	EP	Summary

Request for the waiver of the immunity of Andrea COZZOLINO

The European Parliament decided to waive the immunity of Andrea COZZOLINO (NA, IT).

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

The ongoing investigation showed that Andrea Cozzolino may have been involved in acts of corruption arising from interference by one or more third countries aimed at influencing the debates and decisions taken in the European Parliament.

Moreover, it has emerged from the ongoing investigation that Andrea Cozzolino is suspected of having, from 2019 onwards, participated in an agreement with other persons to cooperate in protecting the interests of third countries in the European Parliament, not least by impeding the adoption of parliamentary resolutions that might damage the interests of those countries, in exchange for sums of money.

The acts allegedly committed by Andrea Cozzolino 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 Andrea Cozzolino 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*, or in other words factual elements indicating that the intention underlying the judicial investigation in question may be to damage a Members political activity and thus the European Parliament.

At his hearing, Andrea Cozzolino stated that he did not object to his parliamentary immunity being waived.

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