Request for the waiver of the immunity of Viktor Uspaskich

2014/2203(IMM) - 11/05/2015 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs adopted the report by Laura FERRARA (EFDD, IT) and recommended that **Parliament waive the immunity of Viktor USPASKICH (ALDE, LT).**

Members recalled that the Prosecutor General of Lithuania has requested the waiver of the parliamentary immunity of Viktor Uspaskich, Member of the European Parliament, in connection with a pre-trial investigation concerning an alleged criminal offence.

To recall, on 28 July 2013, Viktor Uspaskich was answering questions by journalists at the Vilnius Airport, when he allegedly described as being cowards, criminals, and puppets the judges who handed down on 12 July 2013 a verdict of guilty in a criminal case against him.

Consequently, the Prosecutor-General's Office opened a preliminary investigation on the basis of indications that a punishable offence had been committed within the meaning of Article 232 of the Lithuanian Criminal Code: under this article, a person who publicly, in an abusive manner by an action, word of mouth or in writing, humiliates a court or a judge executing justice by reason of their activities shall be punished by a fine or by arrest or by imprisonment for a term of up to two years.

Given that at the time of the alleged offence, Mr. Uspaskich served as a member of the Lithuanian parliament (Seimas) and that there is no evidence of *fumus persecutionis*, that is to say a well-founded suspicion that the legal proceedings have been instituted with the intention of causing political damage to the Member, the committee on Legal Affairs recommended that **Parliament waive the immunity of Victor Uspaskich**.