Request for the waiver of the immunity of Gianluca Buonanno

2016/2003(IMM) - 23/05/2016 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs unanimously adopted the report by Evelyn REGNIER (S&D, AT) in which it recommended the European Parliament to waive the immunity of **Gianluca BUONANNO (ENF, IT)**.

The report stated that the Deputy Public Prosecutor of the Ordinary Court of Vercelli forwarded a request for authorisation to acquire data from telephone companies relating to telephone records for a number used by a Member of the European Parliament elected with respect to Italy, Gianluca Buonanno, in connection with criminal proceedings initiated before the Ordinary Court of Vercelli on behalf of that Member in relation to telephone threats he claims to have received from an unknown caller on his mobile telephone number on 14 April 2015.

The request for waiver of the immunity of Gianluca Buonanno concerns the access by the investigating authority to the phone call records of the Member’s mobile telephone number on the date on which he claims to have received threatening telephone calls.

Members recalled that the objective of Article 9 of Protocol No 7 on the Privileges and Immunities of the European Union is primarily to safeguard the independence of Members by ensuring that pressure, in the form of threats of arrest or legal proceedings, is not brought to bear on them during the sessions of the European Parliament. In the present case it incontestably appears that no pressure has been brought to bear on the Member concerned, since the proceedings relate to alleged threats reported by the Member himself as the victim of threats made by telephone.

According to Members, in the light of the above it would appear that it should not have been necessary for the Deputy Public Prosecutor of the Ordinary Court of Vercelli to request authorisation from the European Parliament to order the acquisition of the data concerning Gianluca Buonanno’s telephone traffic of 14 April 2015. However, it seems appropriate for the sake of legal certainty to accede as a precaution to the request for authorisation forwarded by the Deputy Public Prosecutor of the Ordinary Court of Vercelli.

Therefore, they called on the European Parliament to waive the parliamentary immunity of the Member concerned.