Request for the defence of the privileges and immunities of Rosario Crocetta

2016/2015(IMM) - 15/07/2016 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs adopted the report by Heidi HAUTALA (Greens/EFA, FI) on the request for defence of the privileges and immunities of Rosario CROCETTA (former MEP, S&D, IT).

Members recalled that he requested the defence of his parliamentary immunity in connection with criminal proceedings pending before the third Criminal Chamber of the Court of Palermo. He is alleged to have made defamatory statements during a political debate (statements concerning fake public procurement and links to the mafia).

According to Article 8 of Protocol No 7, Members of the European Parliament may not be subject to any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties. Such immunity must, to the extent that it seeks to protect the freedom of expression and independence of Members of the European Parliament, be considered as an **absolute immunity** barring any judicial proceedings in respect of an opinion expressed or a vote cast in the exercise of parliamentary duties.

Rosario Crocetta was a Member of the European Parliament when he made the statements in question.

It is uncontested that, when he was a Member of the European Parliament and, in particular at the time of the statements in question, Mr Crocetta was very much involved, at a political level, in the fight against organised crime and its influence on politics and economy. He has always warned against the covert, but dangerous ramifications of organised crime, as witness his contribution to parliamentary work. Having regard to content of the statements, Mr Crocetta’s allegations are, therefore, capable of presenting a direct and obvious link with his activities as a Member of the European Parliament.

Therefore, the committee recommends **the European Parliament to defend the privileges and immunities of Rosario Crocetta.**