Request for the waiver of the immunity of Fulvio Martusciello

2021/2049(IMM) - 11/11/2021 - Text adopted by Parliament, single reading

The European Parliament decided to **waive the immunity** of Fulvio MARTUSCIELLO (EPP, IT).

As a reminder, the Prosecutor General at the Brussels Court of Appeal requested the waiver of the immunity of Fulvio Martusciello, Members elected for Italy, in relation to a speeding offence.

On 25 November 2020, as part of an anti-speeding campaign, the traffic police intercepted a vehicle on the E411 motorway that was recorded at as travelling at 179 km/h in a 120 km/h zone. In response to a copy of the report sent to him on 15 December 2020 by the Walloon-Brabant public prosecutor asking him to comment, Fulvio Martusciello did not contest the speeding offence.

Parliament noted that the alleged offence had no direct or obvious bearing on the performance by Fulvio Martusciello of his duties as a Member of the European Parliament. Furthermore, in this case, Parliament was unable to establish that there was *fumus persecutionis*, i.e. facts which suggest that the intention underlying the legal proceedings in question is to undermine the Member’s political activity as a Member of the European Parliament.

Therefore, following the recommendation of its Legal Affairs Committee, Parliament considered that Fulvio Martusciello's parliamentary immunity should be waived.