

Request for the waiver of the immunity of Nils Ušakovs

2020/2239(IMM) - 11/11/2021 - Text adopted by Parliament, single reading

The European Parliament decided to **waive the immunity** of Nils UŠAKOVŠ (S&D, LV).

As a reminder, the Prosecutor at the Division for Investigation of Especially Serious Cases in the Criminal Justice Department of the General Prosecutor's Office in Riga requested the waiver of the immunity of Nils Ušakovs, Member of the European Parliament, in order to initiate criminal proceedings against him in connection with the infringement of the prohibition on the circulation of devices modified for special clandestine operations.

On 30 January 2019, during an authorised search of the office of Nils Ušakovs as Chairman of Riga City Council, in connection with other criminal proceedings, a device primarily intended for use as a means of clandestine video and audio recording, especially designed and used for special clandestine operations, was found. By keeping the device in his office at the Riga City Council premises, Mr Ušakovs allegedly infringed the prohibition laid down in the Law on the circulation of goods of strategic importance and allegedly committed a crime under the Latvian Criminal Code.

Parliament noted that the alleged offence does not concern opinions expressed or votes cast in the performance of the duties of the Member of the European Parliament. Moreover, 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 the parliamentary immunity of Nils Ušakovs should be waived.