Request for the waiver of the immunity of Andrea COZZOLINO

2023/2006(IMM) - 02/02/2023 - Text adopted by Parliament, single reading

The European Parliament decided to **waive the immunity** of Andrea COZZOLINO (NA, IT).

As a reminder, the Federal Prosecutor at the Belgian Federal Public Prosecutor's Office requested the waiver of the immunity of Andrea Cozzolino, a Member of the European Parliament elected for Italy, in connection with an ongoing investigation into criminal offences.

The ongoing investigation showed that Andrea Cozzolino may have been involved in acts of corruption arising from interference by one or more third countries aimed at influencing the debates and decisions taken in the European Parliament.

Moreover, it has emerged from the ongoing investigation that Andrea Cozzolino is suspected of having, from 2019 onwards, participated in an agreement with other persons to cooperate in protecting the interests of third countries in the European Parliament, not least by impeding the adoption of parliamentary resolutions that might damage the interests of those countries, in exchange for sums of money.

The acts allegedly committed by Andrea Cozzolino constitute the criminal offences of public corruption under Articles 246 and 247 of the Belgian Criminal Code, of participation in a criminal organisation under Articles 324a and 324b of the Belgian Criminal Code, and of money laundering under Article 505 of the Belgian Criminal Code.

The alleged offences do not constitute opinions expressed or votes cast by Andrea Cozzolino in the performance of his duties as a Member of the European Parliament within the meaning of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union.

In this case, Parliament has found no evidence of *fumus persecutionis*, or in other words factual elements indicating that the intention underlying the judicial investigation in question may be to damage a Member's political activity and thus the European Parliament.

At his hearing, Andrea Cozzolino stated that he did not object to his parliamentary immunity being waived.

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