

Request for the waiver of the immunity of Daniel Attard

2025/2097(IMM) - 16/06/2026 - Text adopted by Parliament, single reading

The decision sets out the European Parliament's position on a request from the Belgian authorities to waive the parliamentary immunity of Daniel Attard, Member of the European Parliament elected in Malta, in connection with envisaged criminal proceedings relating to alleged passive public bribery. The Parliament decides not to waive his immunity.

BACKGROUND

On 6 May 2025, the Belgian Federal Public Service for Foreign Affairs, Foreign Trade and Development Cooperation transmitted to Parliament a request from the Federal Prosecutor, dated 16 April 2025, seeking the waiver of Daniel Attard's immunity in view of criminal proceedings to be instituted against him. The request is linked to a broader investigation into the company Huawei, which allegedly revealed serious evidence of a criminal organisation aiming to influence decisions of Union institutions by corrupting Members of the European Parliament, including through invitations to Huawei-sponsored events and excessive gifts such as travel, hospitality and football match tickets.

In this context, it is alleged that on 25 September 2024 Daniel Attard attended a football match in Brussels in a box rented by Huawei via an intermediary company, and that the costs incurred were not declared to the European Parliament. Additional information later indicated that the alleged conduct could constitute passive public bribery under Article 246(1) of the Belgian Criminal Code. Daniel Attard was elected to the European Parliament in the June 2024 European elections and was therefore a Member at the time of the alleged offence.

CONTENT

Parliament recalls that parliamentary immunity under Protocol No 7 on the Privileges and Immunities of the European Union protects Parliament and its Members in relation to activities carried out in the performance of parliamentary duties and inseparable from those duties, and that it is not a personal privilege but a guarantee of Parliament's independence. Members are not liable to legal proceedings for opinions expressed or votes cast in the performance of their duties (Article 8 of Protocol No 7), and enjoy immunity from detention and legal proceedings in other Member States during sessions (Article 9(1)(b)). Parliament notes that the alleged offence does not concern opinions or votes expressed in the exercise of parliamentary functions.

Parliament also stresses that it cannot assume the role of a court and that, in a waiver of immunity procedure, a Member cannot be regarded as a defendant. It finds that the request for waiver of immunity and subsequent exchanges with the Federal Prosecutor suffer from a "flagrant scarcity" of concrete elements and considerable uncertainty regarding key aspects of the case. Erroneous allegations initially communicated in the reply of 18 September 2025 were later corrected in a letter of 5 March 2026, revealing mistaken identity, which further increased serious doubts about the reasoning underlying the request.

On this basis, Parliament concludes that the information provided does not allow it to reach a sufficiently informed and confident decision to waive immunity and that the considerable uncertainty surrounding the case could indicate the existence of *fumus persecutionis*.

Parliament therefore decides not to waive the immunity of Daniel Attard and instructs its President to forward this decision and the report of the Committee on Legal Affairs to the competent Belgian authority and to Daniel Attard.

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