Basic information

2021/2049(IMM) IMM - Members' immunity	Procedure completed
Request for the waiver of the immunity of Fulvio Martusciello **Subject** 8.40.01.03 Members' immunity	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	JURI Legal Affairs	AUBRY Manon (The Left)	14/06/2021

Key events

Date	Event	Reference	Summary
28/10/2021	Vote in committee		
03/11/2021	Committee report tabled for plenary	A9-0302/2021	
11/11/2021	Decision by Parliament	T9-0443/2021	Summary

Technical information

Procedure reference	2021/2049(IMM)
Procedure type	IMM - Members' immunity
Procedure subtype	Waiver of immunity
Legal basis	Rules of Procedure EP 6
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	JURI/9/05949

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A9-0302/2021	03/11/2021	
Text adopted by Parliament, single reading		T9-0443/2021	11/11/2021	Summary

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

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.