



TEXTS ADOPTED

P10_TA(2025)0317

Request for the waiver of the immunity of Alessandra Moretti

European Parliament decision of 16 December 2025 on the request for the waiver of the immunity of Alessandra Moretti (2025/2064(IMM))

The European Parliament,

- having regard to the request for the waiver of the immunity of Alessandra Moretti, received by letter dated 27 February 2025 from the Protocol Service of the Belgian Federal Public Service Foreign Affairs, Foreign Trade and Development Cooperation, transmitting a request from the Belgian Federal Prosecutor's Office in connection with criminal proceedings to be instituted against her, and announced in Parliament on 10 March 2025,
- having heard Alessandra Moretti on 4 June 2025 and having regard to the documents submitted by her in accordance with Rule 9(6) of its Rules of Procedure,
- having regard to additional information provided by the Belgian Federal Prosecutor by letter dated 27 June 2025,
- having regard to Articles 8 and 9 of Protocol No 7 on the Privileges and Immunities of the European Union, and Article 6(2) of the Act of 20 September 1976 concerning the election of the members of the European Parliament by direct universal suffrage,
- having regard to the judgments of the Court of Justice of the European Union of 21 October 2008, 19 March 2010, 6 September

2011, 17 January 2013, 19 December 2019 and 5 July 2023¹,

- having regard to Rule 5(2), Rule 6(1) and Rule 9 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs (A10-0264/2025),
- A. whereas, on 27 February 2025, the Belgian Federal Prosecutor issued a request for the waiver of the immunity of Alessandra Moretti, a Member of the European Parliament elected in Italy, in connection with criminal proceedings to be instituted against her;
- B. whereas an ongoing investigation in the context of the so-called Qatar-gate affair has allegedly revealed the existence of a criminal organisation within the Union institutions, in particular at the European Parliament, the purpose of which was to bribe Members with the aim of influencing Parliament's decision-making process in favour of the geopolitical interests of certain third countries;
- C. whereas that investigation would appear to show that a number of specific advantages were allegedly offered, accepted and even requested by Alessandra Moretti; whereas, according to information provided by the Belgian Federal Prosecutor, a range of different types of evidence was allegedly collected from the co-accused and other suspects under judicial investigation concerning a number of specific advantages which Alessandra Moretti allegedly sought and/or obtained; whereas that evidence was allegedly corroborated by multiple findings of the police services; whereas, in exchange for those specific advantages, Alessandra Moretti allegedly attended events or meetings where she spoke in favour of Qatar after having, allegedly, not only passively received instructions but actively sought advice as to what actions to take and what to say in her speeches, and where and when; whereas she allegedly also proactively contacted other Members, offering to replace them during certain votes relating to Qatar;
- D. whereas Alessandra Moretti is thus suspected of having allegedly committed, between 1 July 2019 and 10 December 2022, unlawful

¹ Judgment of the Court of Justice of 21 October 2008, *Marra v De Gregorio and Clemente*, C-200/07 and C-201/07, ECLI:EU:C:2008:579; judgment of the General Court of 19 March 2010, *Gollnisch v Parliament*, T-42/06, ECLI:EU:T:2010:102; judgment of the Court of Justice of 6 September 2011, *Patriciello*, C-163/10, ECLI:EU:C:2011:543; judgment of the General Court of 17 January 2013, *Gollnisch v Parliament*, T-346/11 and T-347/11, ECLI:EU:T:2013:23; judgment of the Court of Justice of 19 December 2019, *Junqueras Vies*, C-502/19, ECLI:EU:C:2019:1115; judgment of the General Court of 5 July 2023, *Puigdemont i Casamajó and Others v Parliament*, T-272/21, ECLI:EU:T:2023:373.

acts which may be classified under Belgian law as participation in the activity of a criminal organisation and as passive bribery, criminal offences under, respectively, Articles 324bis and 324ter and Articles 246 to 250 of the Belgian Criminal Code;

- E. whereas Parliament cannot assume the role of a court, and whereas, in a waiver of immunity procedure, a Member cannot be regarded as a defendant²;
- F. whereas the purpose of the parliamentary immunity provided for in Protocol No 7 on the Privileges and Immunities of the European Union is to protect Parliament and its Members from legal proceedings in relation to activities carried out in the performance of parliamentary duties and which cannot be separated from those duties;
- G. whereas Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union provides that Members of the European Parliament are not to be subject to any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties; whereas Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union constitutes a special provision intended to protect the freedom of expression and the independence of Members of the European Parliament³; whereas the allegations concern conduct that constitutes the offences of alleged participation in the activity of a criminal organisation and alleged passive bribery, which cannot be considered as Alessandra Moretti's opinions expressed or votes cast in the performance of her duties in light of the objective and the wording of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union;
- H. whereas the alleged offences do not constitute, and the subsequent request for the waiver of the immunity of Alessandra Moretti is therefore not related to, an opinion expressed or a vote cast by her in the performance of her duties within the meaning of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union;
- I. whereas Article 9, first paragraph, point (b), of Protocol No 7 on the Privileges and Immunities of the European Union provides that, during the sessions of the European Parliament, its Members are to enjoy, in the territory of any Member State other than their own, immunity from any measure of detention and from legal proceedings;

² Judgment of the General Court of 30 April 2019, *Briois v Parliament*, T-214/18, ECLI:EU:T:2019:266.

³ Judgment of the Court of Justice of 6 September 2011, *Patriciello*, C-163/10, ECLI:EU:C:2011:543, point 26.

- J. whereas, in accordance with Rule 5(2) of its Rules of Procedure, parliamentary immunity is not a personal privilege of the Member, but a guarantee of the independence of the European Parliament as a whole and of its Members;
 - K. whereas, according to the request for the waiver of the immunity of Alessandra Moretti, an in-depth, complex and time-consuming judicial investigation was carried out involving, *inter alia*, a large number of people and investigative duties carried out beyond Belgium, including outside of the Union, and a considerable amount of computer equipment was seized and its content analysed; whereas the ongoing investigation has concerned several individuals, including Members of the European Parliament, not only Alessandra Moretti; whereas it therefore appears that the request for the waiver of the immunity of Alessandra Moretti is not rooted in an attempt to harm her political activity but is, rather, a result of the above-mentioned in-depth and complex judicial investigation;
 - L. whereas in this case, Parliament has found no evidence of *fumus persecutionis*, in other words it does not appear that the intention underlying the proceedings at hand is to undermine Alessandra Moretti's political activity as a Member of the European Parliament;
1. Decides to waive the immunity of Alessandra Moretti;
 2. Instructs its President to forward this decision and the report of its committee responsible immediately to the competent authority of the Kingdom of Belgium and to Alessandra Moretti.