

(English version)

**Priority question for written answer P-002848/25
to the Commission
Jacek Ozdoba (ECR)
(11 July 2025)**

Subject: Criminal liability of the President of the European Commission and the European Commissioners

1. Which country has jurisdiction to bring criminal proceedings against the Commission President and the Commissioners in connection with the performance of their duties and for decisions taken in their capacity as Commissioners?
2. Who pays the costs of defending Commissioners if criminal proceedings are brought against them?

Submitted: 11.7.2025

**Answer given by President von der Leyen on behalf of the European Commission
(3 September 2025)**

Member States have the power to deal with criminal procedures according to their respective national legislative frameworks.

The Honourable Member's attention is drawn to the fact that, pursuant to Articles 11 and 19 of the Protocol (No7) on privilege and immunities (PPI), the President and the Members of the Commission benefit of the immunity from legal proceedings in respect of acts performed by them in their official capacity, including after they have ceased to hold office.

Pursuant to Articles 17 and 19 PPI, this immunity is granted in the interests of the EU and may be waived by the Commission when it considers that such a waiver is not contrary to the interests of the EU.

As regards costs in possible criminal proceedings, the principles set out in Article 24 of the Staff Regulations of Officials and the Conditions of Employment of Other Servants apply.
