



Plenary sitting

A10-0255/2026

30.9.2026

REPORT

on the request for the waiver of the immunity of Matteo Ricci
(2026/2077(IMM))

Committee on Legal Affairs

Rapporteur: Pascale Piera

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PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION

on the request for the waiver of the immunity of Matteo Ricci (2026/2077(IMM))

The European Parliament,

- having regard to the request for the waiver of the immunity of Matteo Ricci, forwarded on 8 June 2026 by the Public Prosecutor's Office at the Court of Pesaro, Italy, in the context of ongoing criminal proceedings, and announced in plenary on 15 June 2026,
 - having regard to the fact that Matteo Ricci renounced his right to be heard and having regard to the documents submitted by him, in accordance with Rule 9(6) of its Rules of Procedure,
 - 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 and 19 December 2019¹,
 - having regard to Article 68 of the Constitution of Italy,
 - 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 (A10-0255/2026),
- A. whereas, by letter of 8 June 2026, the Public Prosecutor's Office at the Court of Pesaro submitted a request for the waiver of the immunity of Matteo Ricci, Member of the European Parliament elected in Italy, in connection with ongoing criminal proceedings concerning alleged offences relating to the period from 30 May 2019 to 18 June 2024 during which Matteo Ricci held the office of Mayor of the municipality of Pesaro;
- B. whereas, according to the request, the criminal proceedings against Matteo Ricci, which concern, in addition to Matteo Ricci, 26 other persons, were initiated for alleged corruption and for acts contrary to official duties laid down in Articles 319, 320 and 321 of the Italian Criminal Code, committed under Article 314 of that Criminal Code, as well as for other alleged offences also attributed to other individuals in their capacity as civil servants and/or persons entrusted with the exercise of public authority and entrepreneurs; whereas, according to the request, the waiver of Matteo Ricci's immunity is being sought with a view to the seizure, reading and possible use of correspondence

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.

(online conversations, emails, related documents) between Matteo Ricci and one of his collaborators, found on the telephone used by Matteo Ricci;

- C. whereas the purpose of 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;
- D. whereas, in accordance with Rule 5(2) of the Rules of Procedure, parliamentary immunity is not a Member's personal privilege but a guarantee of the independence of Parliament as a whole and of its Members;
- E. whereas Matteo Ricci was elected to the European Parliament in the June 2024 European elections and was, therefore, not a Member of the European Parliament at the time of the alleged offences;
- F. 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;
- G. whereas the alleged offences do not constitute, and the subsequent request for the waiver of the immunity of Matteo Ricci is not related to, an opinion expressed or a vote cast by him in the performance of his duties within the meaning of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union;
- H. whereas Article 9, first paragraph, point (a), 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 their own state, the immunities accorded to members of their parliament;
- I. whereas Article 68 of the Italian Constitution provides as follows:

‘Members of Parliament shall not be called to answer for opinions expressed or votes cast in the exercise of their function.

Without the authorization of his House, no Member of Parliament may be subjected to a personal or home search, nor may he be arrested or otherwise deprived of personal freedom, or held in detention, except to enforce a final court judgment, or if caught in the act of committing a crime for which arrest is mandatory.

Such an authorisation shall be required in order to subject Members of Parliament to any form of interception of their conversations or communications or to seize their correspondence.’;
- J. whereas it would therefore appear that, in this instance, *fumus persecutionis*, i.e. that the intention underlying the legal proceedings is to damage Matteo Ricci's political activity as a Member of the European Parliament and thus Parliament's independence, cannot be assumed;
- K. whereas Parliament cannot assume the role of a court and, in a waiver of immunity

procedure, a Member cannot be regarded as a defendant²;

1. Decides to waive the immunity of Matteo Ricci;
2. Instructs its President to forward this decision immediately to the competent authority of Italy and to Matteo Ricci.

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

**INFORMATION ON ADOPTION
BY THE COMMITTEE RESPONSIBLE**

Date adopted	28.9.2026	
Result of final vote	+: 16	
	–: 0	
	0: 0	