



ELDH European Association of Lawyers for Democracy & World Human Rights

EJDM Europäische Vereinigung von Juristinnen & Juristen für Demokratie und Menschenrechte in der Welt

EJDH Asociacion Europea de los Juristas por la Democracia y los Derechos Humanos en el Mundo

EJDH Association Européenne des Juristes pour la Démocratie & les Droits de l'Homme

EGDU Associazione Europea delle Giuriste e dei Giuristi per la Democrazia e i diritti dell'Uomo nel Mondo

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Bologna, Donostia, Düsseldorf, Vienna, 22/09/2025

To the Members of the Committee on Legal Affairs (JURI) and the European Parliament

The European Association of Lawyers for Democracy and World Human Rights (ELDH) expresses its deep concern regarding the request to waive the parliamentary immunity of MEP Ilaria Salis.

Parliamentary immunity, enshrined in Articles 8 and 9 of Protocol No. 7 of the Treaty on the Functioning of the European Union, is not a personal privilege but an essential democratic safeguard. It protects the free exercise of parliamentary mandates entrusted by European citizens, ensures the independence of the European Parliament, and shields it from undue political or judicial pressure by Member States.

The case of Ilaria Salis is emblematic of such undue pressure. Arrested in February 2023 in Budapest during an antifascist demonstration, Ms. Salis endured more than 15 months of pre-trial detention under conditions that violated fundamental human rights standards. Her election to the European Parliament in June 2024, supported by 176,000 citizens, restored her freedom through parliamentary immunity.

The current request to strip her of this immunity is manifestly political. The disproportionate charges she faces—punishable by up to 24 years of imprisonment for alleged minor injuries—further demonstrate the retaliatory nature of the proceedings.

Revoking her immunity would not only expose Ms. Salis to renewed detention and the risk of inhuman treatment, but would also set a dangerous precedent: allowing illiberal regimes to instrumentalize judicial proceedings against elected representatives. Such a decision would weaken the autonomy of the European Parliament, undermine the rule of law, and erode the Union's credibility in defending democracy and human rights.

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The human rights violations inherent in the extradition of MEP Ilaria Salis to Hungary are also confirmed by three parallel proceedings in Germany, France and Italy. In the three cases, Hungary had requested the extradition of activists from the same group. In all cases, the highest courts ruled that the extradition was inadmissible: In Germany the case of Maja T., the Federal Constitutional Court

<https://www.bundesverfassungsgericht.de/SharedDocs/Pressemitteilungen/EN/2025/bvq25-013.html> . In France the case of Gino Abazaj, la chambre des extraditions de la cour d'appel de Paris, https://www.lemonde.fr/societe/article/2025/04/09/la-justice-francaise-s-oppose-a-l-extradition-d-un-militant-antifasciste-albanais-vers-la-hongrie_6593368_3224.html . In Italy the Gabriele Marchesi case the Milan appeal court

https://www.ansa.it/amp/english/news/2024/02/13/marchesi-to-stay-under-house-arrest-in-italy-says-court_1cedc6fc-1e50-47fc-8809-88cf1df13feb.html

These court rulings must not be disregarded.

We therefore call on the Committee on Legal Affairs and on all Members of the European Parliament to firmly reject the request to waive the immunity of Ilaria Salis. To do otherwise would embolden authoritarian tendencies within the EU, normalize political persecution, and betray the Union's founding values of democracy, freedom, and respect for human dignity.

ELDH stands in solidarity with MEP Ilaria Salis and reaffirms its commitment to protecting the rights of all those who face political trials, harassment, or unjust detention in Europe and beyond.