

# Procedure file

Basic information	
IMM - Members' immunity	2015/2048(IMM)
Request for the waiver of the immunity of Theodoros Zagorakis	Procedure completed
Subject	8.40.01.03 Members' immunity

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI <a href="#">Legal Affairs</a>	 <a href="#">REGNER Evelyn</a>	24/02/2015

Key events			
09/03/2015	Vote in committee		
09/03/2015	Committee report tabled for plenary	<a href="#">A8-0044/2015</a>	Summary
11/03/2015	Results of vote in Parliament		
11/03/2015	Decision by Parliament	<a href="#">T8-0059/2015</a>	Summary
11/03/2015	End of procedure in Parliament		

Technical information	
Procedure reference	2015/2048(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 159
Stage reached in procedure	Procedure completed
Committee dossier	JURI/8/02833

Documentation gateway					
Committee report tabled for plenary, single reading		<a href="#">A8-0044/2015</a>	09/03/2015	EP	Summary
Text adopted by Parliament, single reading		<a href="#">T8-0059/2015</a>	11/03/2015	EP	Summary

## Request for the waiver of the immunity of Theodoros Zagorakis

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The Committee on Legal Affairs adopted the report by Evelyn REGNER (S&D, AT) and recommended that the European Parliament waive the immunity of Theodoros ZAGORAKIS (EPP, EL).

Members recalled that the Deputy Public Prosecutor at the Supreme Court of Greece had requested the waiver of immunity of Theodoros Zagorakis, who was accused of causing bodily harm by negligence and failing to comply with workplace safety regulations.

The prosecution concerned a workplace accident suffered on 13 May 2010 by an employee of the PAOK football club at the club's stadium in Thessaloniki, and is pursued against Theodoros Zagorakis in his capacity as chair and legal representative of the club.

Members recalled that Article 9 of Protocol No 7 on the Privileges and Immunities of the European Union stated that Members of the European Parliament shall enjoy, in the territory of their own state, the immunities accorded to members of the Parliament of that state. Furthermore, Article 62 of the Constitution of the Hellenic Republic provided that, during the parliamentary term, Members of Parliament may not be prosecuted, arrested, imprisoned or otherwise confined without Parliaments prior consent.

However, the alleged offence clearly had nothing to do with the office of Member of the European Parliament held by Theodoros Zagorakis, but was instead linked to his position as chair of the PAOK football club. There was no reason to suspect that the intention underlying the criminal proceedings was to damage a Members political activity (*fumus persecutionis*), given that the prosecution was initiated a number of years before the Member took office.

Accordingly, the Committee on Legal Affairs recommended that the European Parliament should waive the parliamentary immunity of Mr ZAGORAKIS.

## Request for the waiver of the immunity of Theodoros Zagorakis

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The European Parliament decided to waive the immunity of Theodoros ZAGORAKIS (EPP, EL).

Parliament recalled that the Deputy Public Prosecutor at the Supreme Court of Greece had requested the waiver of immunity of Theodoros Zagorakis, in relation to a workplace accident suffered on 13 May 2010 by an employee of the PAOK football club at the club's stadium in Thessaloniki, where Mr Zagorakis was chairman.

It recalled that Article 9 of Protocol No 7 on the Privileges and Immunities of the European Union stated that Members of the European Parliament shall enjoy, in the territory of their own state, the immunities accorded to members of the Parliament of that state.

However, the alleged offence clearly had nothing to do with the office of Member of the European Parliament held by Theodoros Zagorakis, but was instead linked to his position as chair of the PAOK football club. There was no reason to suspect that the intention underlying the criminal proceedings was to damage a Members political activity (*fumus persecutionis*), given that the prosecution was initiated a number of years before the Member took office.

Accordingly, Parliament decided to waive the immunity of Mr. Zagorakis.