Request for the waiver of the immunity of Sotirios Zarianopoulos

2015/2015(IMM) - 18/06/2015 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs adopted the report by Laura FERRARA (EFDD, IT) in which it recommended the European Parliament to waive the immunity of **Sotirios ZARIANOPOULOS (NI, EL).**

Members recalled that the deputy public prosecutor of the Supreme Court of Greece requested the waiver of the immunity of Sotirios Zarianopoulos, Member of the European Parliament, as part of an investigation concerning an alleged crime.

Sotirios Zarianopoulos is accused of having threatened physical violence and illegally entered the premises of Greek public television channel ERT-3 on 4 March 2010 to interrupt the midday news bulletin and read out a statement.

The alleged crime clearly has no connection with the position of Sotirios Zarianopoulos as a Member of the European Parliament, given that it relates to action carried out by the Greek trade union PAME and that Sotirios Zarianopoulos was not a Member of the European Parliament at the time the offence was committed. The criminal proceedings do not concern any opinion expressed or vote cast in the performance of the duties of a Member of the European Parliament for the purposes of Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union.

In accordance with the case law of the Court of Justice of the European Union, an opinion expressed by a Member of the European Parliament in the performance of his or her duties is defined as being a subjective appraisal having a direct, obvious connection with the performance of those parliamentary duties, but the alleged actions of Sotirios Zarianopoulos cannot be included in that definition.

There is no reason to assume that the intention underlying the criminal proceedings is to damage a Member’s political activity (*fumus persecutionis*), given that the prosecution was initiated a number of years before the Member took up his post.

Therefore, the committee recommended the European Parliament to waive the parliamentary immunity of **Sotirios Zarianopoulos**.