

Request for the waiver of the immunity of Ana Gomes

2017/2096(IMM) - 23/11/2017 - Committee report tabled for plenary, single reading

The Committee on Legal Affairs adopted the report by Laura FERRARA (EFDD, IT) on the request for waiver of the immunity of Ana GOMES (S&D, PT).

As a reminder, a prosecutor of the Vila Real Public Prosecution Service attached to the *Peso de Régua* District Court has requested waiver of the parliamentary immunity of Ana Gomes in connection with statements made by her in an interview with the *Diário de Notícias*, published by that newspaper on the Internet on 29 April 2016.

The newspaper article indicated that investigations were under way in relation to the Viana shipyards and that Ana Gomes was concerned about the sale of the *Atlântida* ferry.

The acts allegedly committed by Ana Gomes constitute three offences, that is to say affront to an organisation, service or legal person and against two parties.

After recalling Article 8 of Protocol No 7 on the Privileges and Immunities of the European Union, Rule 5 of the European Parliament's Rules of Procedure and case law by the **Court of Justice of the European Union**, Members considered that **Ana Gomes' statements during the interview were made in the performance of her duties as a Member of the European Parliament** and within her remit as Vice-Chair of the Committee of Inquiry to investigate alleged contraventions and maladministration in the implementation of Union law in relation to money laundering, tax avoidance and tax evasion.

In addition, the comments made by Ana Gomes are directly related to her observations during the '*TV124-Cara a Cara*' televised debate between her and Carlos Abreu Amorim that was broadcast on 29 November 2013, concerning which the European Parliament upheld her immunity.

Believing that Ana Gomes' statements fall within the sphere of activities of the European Parliament, the Committee on Legal Affairs recommended that **Members do not lift the immunity of Ana Gomes**.