Basic information

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

Key players

	Committee responsible	Rapporteur	Appointed
European Parliament	JURI Legal Affairs	REGNER Evelyn (S&D)	24/02/2015

Key events

Date	Event	Reference	Summary
09/03/2015	Vote in committee		
09/03/2015	Committee report tabled for plenary	A8-0044/2015	Summary
11/03/2015	Decision by Parliament	T8-0059/2015	Summary
11/03/2015	Results of vote in Parliament		
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 165
Stage reached in procedure	Procedure completed
Committee dossier	JURI/8/02833

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary

Committee report tabled for plenary, single reading		A8-0044/2015	09/03/2015	Summary
Text adopted by Parliament, single reading		T8-0059/2015	11/03/2015	Summary

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Request for the waiver of the immunity of Theodoros Zagorakis

2015/2048(IMM) - 09/03/2015 - Committee report tabled for plenary, single reading

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 Parliament’s 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 Member’s 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

2015/2048(IMM) - 11/03/2015 - Text adopted by Parliament, single reading

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 Member’s 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**.