



## PRESS RELEASE No 9/24

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Order of the General Court in Case T-46/23 | Kaili v Parliament and the European Public Prosecutor's Office

### **Lifting of parliamentary immunity: Eva Kaili's action against the request of the European Chief Prosecutor and the decision of the President of the European Parliament is dismissed**

On the basis of an investigation concerning the management of parliamentary allowances, the European Chief Prosecutor, Laura Kövesi, made a request on 15 December 2022 to the President of the European Parliament, Roberta Metsola, to lift the parliamentary immunity of Eva Kaili, former Vice-President of the European Parliament. Ms Metsola decided to announce that request in the Parliament's plenary session and to refer it to the Committee of Legal Affairs.

Ms Kaili asks the General Court of the European Union to annul both the request of the European Chief Prosecutor and the decision of the President of the European Parliament.

**By its order, the General Court dismisses the action brought by Ms Kaili as inadmissible in its entirety because the acts in question are not open to challenge.** The request for the lifting of immunity is a preliminary and necessary measure to ensure the effectiveness of the investigations where the immunity from which a person benefits is an obstacle to an investigation relating to him or her. It does not entail, in itself, the lifting of Ms Kaili's immunity and is not capable of having any impact on her rights or obligations.

The General Court concludes that those acts do not contain any definitive position either of the EPPO regarding the investigation opened in respect of Ms Kaili or of the Parliament regarding her legal situation. Furthermore, they do not produce binding legal effects that may affect her interests by bringing about a distinct change to her legal situation.

**The General Court observes that, until the final decision of the Parliament is taken, Ms Kaili continues to benefit from the protection of the privileges and immunities granted by EU law.**

**NOTE:** An action for annulment seeks the annulment of acts of the institutions of the European Union that are contrary to EU law. The Member States, the European institutions and individuals may, under certain conditions, bring an action for annulment before the Court of Justice or the General Court. If the action is well founded, the act is annulled. The institution concerned must fill any legal vacuum created by the annulment of the act.

**NOTE:** An appeal, limited to points of law only, may be brought before the Court of Justice against the decision of the General Court within two months and ten days of notification of the decision.

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The [full text](#) of the order is published on the CURIA website.

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