

(2000/C 280 E/079)

**WRITTEN QUESTION P-2581/99****by Maurizio Turco (TDI) to the Commission**

(16 December 1999)

*Subject:* Disciplinary inquiries concerning Community officials since 1 January 1998

With reference to Title VI and Annex IX of the Staff Regulations, can the Commission say how many disciplinary procedures have been initiated against officials of the European institutions since 1 January 1998 and specify, for each of them:

- the grade, responsibilities and duties of the official concerned;
- the type of charges brought;
- whether provisional measures were taken, and if so, what kind;
- if the charges were well-founded, what sanctions were adopted;
- if the official turned out to be innocent, whether the legal fees were paid in accordance with Article 10 of Annex IX to the Staff Regulations and, if so, how much they were?

Can the Commission also say how many requests have been submitted in accordance with Article 89, how many received a positive response and, in each case, what the penalty was and what the official's grade, responsibilities and duties were at the time the charges were brought?

**Answer given by Mr Kinnock on behalf of the Commission**

(3 February 2000)

The Commission is forwarding directly to the Honourable Member and to the Secretariat General of the Parliament the details of the disciplinary proceedings for which a disciplinary measure has been adopted by the appointing authority for the period January 1998 to November 1999 included.

Concerning the temporary measures taken against officials involved in disciplinary proceedings, the Staff Regulations provide for the possible suspension of an official in cases where allegations of serious misconduct have been made. Since January 1998, four officials have been suspended. On 30 November 1999, only one official remained suspended.

The Disciplinary Board has not been consulted in 11 of these disciplinary proceedings.

Legal fees reimbursed in 1998 and in 1999 by the Commission in relation with disciplinary proceedings (Article 10 Annex IX of the Statute) were nil in 1998 and totalled € 141 342 in 1999.

For the period January 1998-November 1999, one official submitted a request for deletion from his personal file of all reference to a disciplinary measure (relegation in step) as foreseen by Article 89 of the Staff Regulations. The request was accepted by the Appointing Authority.

(2000/C 280 E/080)

**WRITTEN QUESTION E-2593/99****by Daniel Hannan (PPE-DE) to the Council**

(3 January 2000)

*Subject:* Code of Conduct on arms sales

Operative Provision 4 of the EU Code of Conduct on Arms Exports states that 'Member States will keep ... consultations [under the code] confidential'.

The British Government interprets this as including the results of such consultations (Official Report, 25 October 1999, column 738).

Does the Council as a whole agree, or do individual Member States have different practices as concerns the openness of the results of these consultations? If so, what are they?

Does a list exist of what arms were exported by a second Member State after the first had declined an export licence?

### **Reply**

(13 March 2000)

It is for Member States to decide how to interpret the confidentiality provisions of the Code of Conduct, bearing in mind that, in case of refusal, notifications communicated under the Code must remain confidential and that the fundamentally bilateral nature of the consultation process must be preserved.

It is not for the Council to comment on Member States' practices in this area.

(2000/C 280 E/081)

### **WRITTEN QUESTION E-2596/99**

**by Daniel Hannan (PPE-DE) to the Commission**

(11 January 2000)

*Subject:* Authors of Corpus Juris

Corpus Juris was a 'Green Paper' which did not, ostensibly, reflect the official view of the Commission.

Do any of the document's authors hold official positions in the European Communities?

Do any have an influence on policy development?

### **Answer given by Mrs Schreyer on behalf of the Commission**

(7 February 2000)

The Corpus juris <sup>(1)</sup> is neither a green paper nor indeed a Commission document. However, it was drawn up at Parliament's request under the aegis of the Commission. The follow-up report on the Corpus Juris of September 1999 has been informally transmitted to Parliament's Committee on Budgetary Control <sup>(2)</sup>.

Drawing up the Corpus juris was entrusted to a committee of eight independent experts, none of whom were performing official duties within the Communities at the time.

On the basis of the ideas formulated in the Corpus juris and the follow-up report, the Commission intends, as does Parliament itself, to push forward the institutions' deliberations on the institutional arrangements which might be proposed, including to the Intergovernmental Conference.

<sup>(1)</sup> Corpus Juris introducing penal provisions for the purpose of the financial interests of the European Union (Ed. Economica 1997).

<sup>(2)</sup> 'Nécessité, légitimité et faisabilité de Corpus juris'.