



European Parliament

Parliamentary questions

13 March 2014


E-002960-14

Question for written answer
to the Commission

Rule 117

Amelia Andersdotter (Verts/ALE)

▶ Subject: Staff representative contract mismanagement

 Answer(s)

Article 149a of Regulation (EC, Euratom) No 2342/2002 (as amended by Regulation (EC, Euratom) No 478/2007) and the almost identical Article 162 of Regulation (EU) No 1268/2012 state: 'Implementation of a contract may not start before the contract is signed.' Paragraph 26 of the General Court Case T-498/09 P-DEP seems to indicate that at least in one case the Legal Service of the Commission has violated this principle by signing a contract with an external lawyer only after the latter had already finished providing remunerated services requested by the Commission in representing it in a staff case. The Court did not find the delayed signing to be relevant for this specific case. The following questions aim to find out what follow-up action was taken by the Commission and whether there is a systematic problem.

1. Would the Commission classify the behaviour as described in paragraph 26 of Case T-498/09 P-DEP as a breach of the abovementioned laws?
2. Has this case led to actions or investigations by the European Anti-Fraud Office, the Investigation and Disciplinary Office of the Commission or other Commission bodies? If so, what was the outcome of these actions in relation to:
 - (a) the responsible acting officials?
 - (b) the external partner of the concerned contract (external lawyer)?
 - (c) follow-up measures to avoid and deal with similar situations in the future?
3. Was the situation described in Case T-498/09 P-DEP a one-off event or is the Commission aware of other similar cases and/or circumstances?

Last updated: 27 March 2014

Legal notice