

WRITTEN QUESTION E-5212/07
by Edite Estrela (PSE)
to the Commission

Subject: Illegal acts committed by the Commission Medical Service

Various Commission officials have been the victims of illegal, compulsory removal from their posts by the Commission Medical Service. The situation of one Portuguese official is striking; in 2004 he was relieved of his duties, as a result of a certificate drawn up by a Commission doctor, stating him to be unable to work for psychiatric reasons. The Portuguese official challenged the legality of this by lodging a complaint with the Court of First Instance of the European Communities, which found in his favour, condemning the illegal steps taken by the Commission Medical Service. Various Portuguese and other officials have been victims of similar proceedings on the part of the same Medical Service, under circumstances which frequently follow the statement of embarrassing opinions on the part of the official concerned.

Given the great frequency with which illegal and abusive steps are taken by the Commission Medical Service, on the basis of false statements with the deliberate intention of prejudicing the careers of Commission officials,

and given that such discriminatory action constitutes a clear violation of human rights, the EC Staff Regulations and the Treaties, a situation unworthy of and unacceptable in a European institution,

what does the Commission intend to do to put an end to the illegal deployment of the Commission Medical Service, and to guarantee the objectivity of the medical criteria justifying decisions to place officials on medical leave?