

**Question for written answer E-009644/2012  
to the Commission**  
Rule 117  
**Adrian Severin (NI)**

Subject: Resignation of Commissioner John Dalli

In a press release issued on 16 October 2012 the European Commission announced that John Dalli, Commissioner for Health, had tendered his resignation to Commission president José Manuel Barroso, effective immediately.

The press release fails to provide two key elements: (a) which specific legal provisions has Mr Dalli contravened; and (b) what is the Commission's opinion regarding Mr Dalli's guilt?

If Mr Dalli has not contravened any law, it follows that he is innocent. If he is innocent, he has no need to resign and the Commission should support him. If, however, Mr Dalli is guilty, the Commission has a duty to punish him.

Mr Dalli's resignation casts the Commission in a very poor light. If he is innocent, the Commission is guilty of sacrificing an innocent commissioner. If he is guilty, the Commission is guilty of failing to prevent, uncover and penalise illegal behaviour.

The notion that resignation was necessary in order to enable Mr Dalli to defend his name is unacceptable because if an innocent person leaves his/her post, it is difficult to understand what a guilty person can do. Furthermore, it is not for the accused to prove his innocence, but for the accuser to prove his guilt - proof of which has not been presented by anyone so far, including OLAF.

In light of the above, will the Commission say:

1. Why did Mr Dalli resign if he was innocent and why did the Commission not support him?
2. Why was Mr Dalli not dismissed from his post if he was guilty and how does the Commission intend to answer for the fact that it failed to take the necessary steps to prevent such illegal behaviour?
3. What laws did Mr Dalli break and what is the Commission's understanding of the presumption of innocence and the obligation for the accuser to prove the guilt of the accused?
4. Given this resignation, what is the realistic date for the Commission to adopt the directive on tobacco products proposed by Mr Dalli?