

WRITTEN QUESTION P-3999/03
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to the Commission

Subject: Internal control standard 5 - 'Sensitive functions': Modalities relating to the implementation of compulsory mobility

According to the note of 8 May 2003 from the European Commission's Secretary-General, Director-General for Personnel and Administration and Director-General for the Budget, which followed the guidelines set out in the Commission Communication from Mrs Schreyer and Vice-President Kinnock (SEC (2000)2203), mobility for persons in 'sensitive' posts will enter into effect as from 1 January 2006.

If the aim of this measure is to prevent 'clientelisation' as well as offering a change of post, it must be ensured that the transferee does not, in his new position (if this is also sensitive), deal with companies, private individuals or organisations with whom he has had working relations in his previous position. Since clientelism has its basis in personal preference relationships and is not limited to specific professional fields, will this be taken into account?

If the persons concerned have preference in appointments to new posts, this status could impact on the career of other officials who not only have been planning a change in career for longer but also have priority in terms of qualifications, merit, knowledge and experience and have chosen the same post. Would this not be a form of discrimination that could be contested before the European Court of Justice?

What are the arguments leading to the belief that the unproven efficacy of this measure can offset the proven loss that arises whenever anyone with specialised experience relinquishes their duties?

Will this measure affect those officials who, despite not being responsible for payments, are still responsible for providing payment authorising officers with advice and assessments as regards the awarding of contracts and grants? If the objective is to prevent fraud, why is the same measure not envisaged for those posts where forms of internal preferential treatment can be granted (promotions, competitions) from which profit can also be derived?

Has the possibility of two officials alternating between the same two posts with fraudulent intent been taken into account?