

WRITTEN QUESTION P-4450/09
by Miguel Angel Martínez Martínez (S-D)
to the Commission

Subject: Greek Government Law 3758/2009

The Greek Government has recently passed a law (3758/2009), under Article 18(1) of which it is established that all Greek citizens with a net annual income of more than EUR 60 000 are subject to an 'extraordinary levy'.

The Greek Government did not build in an exception for the personnel of the European Institutions, although Article 13, indent 2, of Protocol N° 36 (1965) to the Treaties, on Privileges and Immunities, stipulates that the revenues of such officials are subject to Community taxes and exempt from national taxes.

In so doing, the Greek Government may have violated the Treaties and a Court of Justice ruling (in Case 6/60 Humblet v Belgium [1960] ECR 559).

The Commission's Secretariat has offered legal assistance with opposing this arbitrary decision to those of its officials who are affected, as stipulated in Articles 23-24 of the Staff Regulations. A similar reaction has been recorded by the Council Secretariat with regard to Greek members of its staff. Greek members of the staff of the European Parliament and of all other Community Institutions are also directly concerned by what we regard as an unlawful measure adopted by their national authorities.

The Commission, watchdog of the Treaties, has recently asked the Greek Permanent Representation for more information in order to 'study' what is already a crystal-clear situation.

Could the Commission therefore give a clear answer on the steps the current Commission intends to take, together with a precise timetable of practical actions, including the referral of the Greek Government to the Court of Justice?

If a clear answer is not provided, the use of Rules 123 and 120 (Chapter 5) of the European Parliament's Rules of Procedures may prove unavoidable.