

**Question for written answer P-001066/2011
to the Commission**

Rule 117

Nadezhda Neynsky (PPE)

Subject: VP/HR - Diplomats in the European Diplomatic Service

Without questioning the right of every individual to hold their own opinions and values, we should emphasise that, in some Eastern European countries, there are still career diplomats in office who belonged to the secret security services of the Communist regimes (the machinery of repression). The past history of those people has nothing to do with EU values, and were they to be recruited to the European diplomatic service, the idea of a united Europe would risk being compromised.

From the standpoint of the general interest, that risk justifies a derogation from the principle of equality of treatment enshrined in Article 27 of the Charter of Fundamental Rights of the European Union and Article 14 of the Convention for the Protection of Human Rights and Fundamental Freedoms. By definition, the legal entitlement to equality is not an absolute one, but is subject to justifiable limitations, in the public interest, that are by nature proportional to the public interests concerned. The European Court of Human Rights and the Court of Justice of the European Union have found on more than one occasion that applying different treatment to people in different situations does not constitute discrimination (*Thlimmenos v. Greece* [GC], No 34369/97, p 44, ECHR 2000-IV; *Kjeldsen, Busk Madsen and Pedersen v. Denmark*, judgment of 7 December 1976, Series A, No 23, p 56; *Kafkaris v. Cyprus* [GC], No 21906/04, p 161, ECHR 2008).

From the standpoint of the general interest, ethics and European law, it is therefore acceptable for restrictions to be applied when selecting civil servants from former Community secret services for consular posts in the European diplomatic service.

Does the Commission intend to take steps to limit the probability of officials from the secret services of former Communist countries being appointed to consular posts in the European diplomatic service?