

## INTERPARENTS

**ALICANTE BERGEN BRUSSELS I, II, III & IV CULHAM FRANKFURT  
KARLSRUHE LUXEMBOURG MOL MÜNCHEN VARESE**

*- THE ASSOCIATION OF THE PARENTS' ASSOCIATIONS OF THE EUROPEAN SCHOOLS -*

Strasbourg, 26 January 2011

Mr. Daniel Jacob  
Deputy Director-General  
European Commission  
Directorate-General  
Human Resources and Security

Dear Mr. Jacob,

Thank you for taking the time to meet Karin van Vrede and myself on the 2<sup>nd</sup> December 2010 in response to our letter to President Barroso, 20 October 2010, in which Interparents raised the question regarding the legality of the European Commission's actions to recover costs contrary to the Board of Governors' April 2010 decisions.

In your letter, 22 November 2010, and during the meeting, you referred to the double role of the Commission:

*"The Commission has a double role within the ESS, as a member of the Board of Governors and also as a provider of a subsidy representing about 60% of the budget of the ESS.*

*In this latter respect, the Institution is obliged to comply with the rules provided for in the financial regulation applicable to the general budget of the European Communities. It is in this capacity that the Authorising officer by sub-delegation issued the pre-information letters you quote in your letter."*

We are grateful for your explanations during our meeting.

Interparents has however always understood the European Schools are governed under the rules stemming from a specific intergovernmental Convention. The third recital in the preamble to that Convention reads indeed '... the European School system is "*sui generis*"; ... it constitutes a form of cooperation between the Member States and the European Communities ...'.».

Accordingly, for our members, the signatories of that Convention cannot refuse, based on national laws, complying with rules, obligations or commitments adopted at the European Schools level.

This issue about the European Schools system of governance calls for clarification concerning the responsibilities of the Members of the Board of Governors of the European Schools as well as the necessary level of legal certainty allowing the good functioning of the European Schools' system and consequently, the well-being of families of the European institutions staff and all the children of the European Schools.

This clarification is all the more necessary in the light of recent developments, of which we are only partially informed. I understand from Mr Moricca's letter to the President of the Culham European School Parents' Association, 17 January 2011, to which I was in copy, that:

*"Regarding the question of the recovery by the Commission of expenses related to L1 classes created only for Category 3 pupils, I confirm that these classes were not organised according to the applicable rules. Nevertheless, taking into account the efforts made by the school to settle the situation and the measures described before, the recovery procedure will not be pursued further."*

Interparents would highly appreciate your point of view on these concerns, particularly with regard to the reasons why organisation of L1 classes in the circumstances referred to in Mr Moricca's letter is not compliance with decisions adopted by the Board of Governors or other bodies of the European Schools for the purpose of applying point (e) of Article 47 of the General Rules.

I look forward to hearing from you.

Yours sincerely,



Ana Gorey  
President  
Interparents

cc. Maroš Šefčovič, Vice-President of the European Commission  
Renee Christmann, Secretary General, European schools