



# The Investigation and Disciplinary Office of the Commission

*Integrity is doing the  
right thing even when no  
one is watching.*

# 2023 ACTIVITY REPORT



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## I - INTRODUCTION

*The Mission Statement of the Investigation and Disciplinary Office of the Commission (IDOC): By conducting administrative inquiries and disciplinary procedures into alleged breaches of statutory obligations, as well as by carrying out prevention activities, IDOC seeks to ensure that staff members of the European Commission comply with high standards of ethics and integrity.*

Meeting the highest standards of professional ethics and integrity is of paramount importance with respect to the accomplishment of the Commission's tasks and its credibility and reputation. Therefore, Commission staff members are expected to display, at all times, an irreproachable behaviour and to comply always with their statutory obligations. This is the case for the large majority of Commission staff. However, when allegations of breaches of these obligations arise, IDOC conducts, in a fair, transparent and timely manner and upon mandate by the competent Authority, administrative inquiries, disciplinary proceedings, suspension proceedings and proceedings related to waivers of immunity of staff, as applicable.

IDOC also plays an important role in prevention, notably through awareness-raising events and training on the importance of respecting the high standards of ethics and on the role of IDOC in disciplinary affairs. IDOC's Annual Activity Reports form part of these outreach activities.

The report for year 2023 gives a statistical overview of all activities of IDOC and a summary of cases in which a disciplinary penalty was taken over the year. The cases are presented with a view to illustrating the broad scope of the cases that IDOC manages, as well as to inform staff members about the consequences that can result from breaches of statutory provisions.

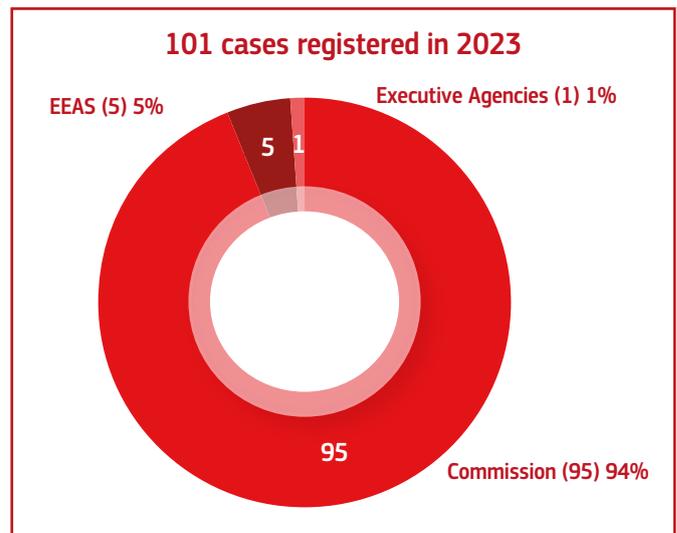
## II - CASES REGISTERED IN 2023 – OVERVIEW

Information about potential statutory breaches comes from a variety of sources, including other Commission services, the European Anti-Fraud Office (OLAF), the European External Action Service (EEAS), executive agencies, requests for assistance filed under Article 24 of the Staff Regulations, as well as external sources such as complaints and media reports.

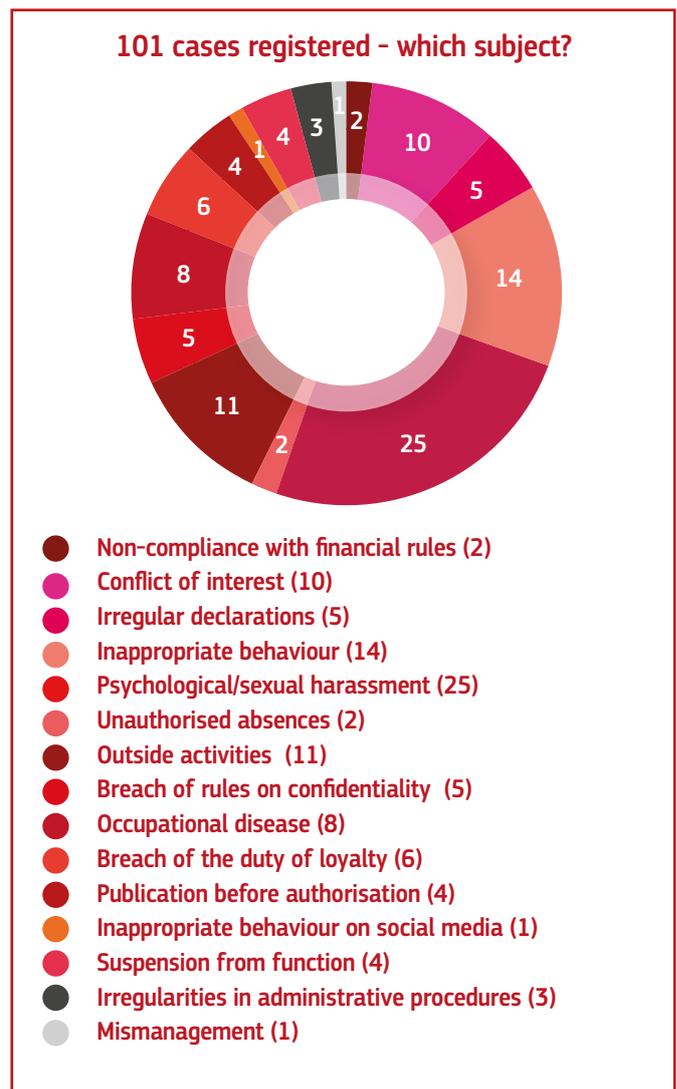
IDOC has Service Level Agreements (SLAs) with the EEAS, the executive agencies, the European Data Protection Supervisor and the European Economic and Social Committee. Under the terms of the SLAs, IDOC carries out an equivalent service as for the Commission, including administrative inquiries and disciplinary proceedings based on mandates provided by the respective Appointing Authorities of these institutions and agencies.

101 new cases were registered in IDOC in 2023, representing a stable number in comparison to 2022. In addition, IDOC continued to deal with on-going cases registered in previous years.

Out of the 101 new cases, 5 cases concerned the EEAS<sup>1</sup> and 1 case an executive agency<sup>2</sup>.

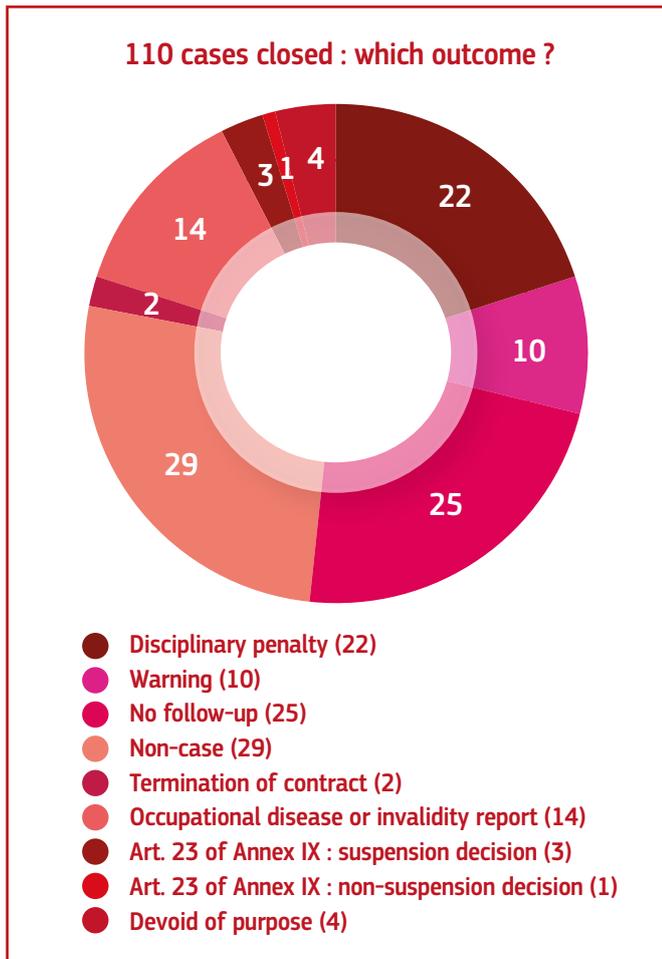


For the decentralised agencies and some joint undertakings, IDOC provides a helpdesk service. As for the conduct of administrative inquiries, IDOC recommends them to regularly update and make use of the existing inter-agency network of investigators.



<sup>1</sup> On the following subjects: harassment (3 cases), inappropriate behaviour (1 case), breach of the duty of loyalty (1 case).

<sup>2</sup> On the subject of conflict of interest.



### III - HOW IDOC WORKS

#### 3.1. Preliminary assessments

All cases registered, which have not been subject of an OLAF investigation, undergo a preliminary assessment, which can then lead either to the opening of an administrative inquiry or to the case being closed as a non-case. During 2023, 29 cases were closed as non-cases.

#### 3.2. Administrative inquiries

Where there is a *prima facie* evidence that a breach of the Staff Regulations may have occurred, the Appointing Authority gives IDOC a mandate to open an administrative inquiry. Inquiries aim to establish the facts related to a situation that may involve a breach of statutory obligations. Inquiries allow the Appointing Authority to take a decision on whether to launch a pre-disciplinary proceeding based on established facts and the degree of responsibility of the staff member(s) concerned ('person concerned'). At the end of the inquiry, before the finalisation of the inquiry report, the person concerned is given the opportunity to

comment on the facts established by the inquiry. These comments are duly assessed and taken into account in the final administrative inquiry report.

In 2023, IDOC received 56 mandates from the Appointing Authority to open administrative inquiries. They concerned allegations of harassment and inappropriate behaviour, irregular declarations, outside activities, conflicts of interest, unauthorised absences, breach of the rules on confidentiality, mismanagement, breach of the duty of loyalty and publication of articles.

Out of the 56 mandates received, 8 related to administrative inquiries under the procedure for the recognition of an occupational disease pursuant to Article 73 of the Staff Regulations. There were no mandates related to administrative inquiries pursuant to Article 78 of the Staff Regulations under the procedure for an invalidity allowance. The procedures under Articles 73 and 78 of the Staff Regulations are not of a disciplinary nature, IDOC carries them out at the specific request of and based on the mandate issued by the competent Appointing Authority.

In order to establish the facts, the IDOC case-handlers make use of a range of measures, including obtaining documents and information, and conducting hearings of the persons concerned, of the alleged victims and of witnesses, which are an essential part of the administrative inquiry.

65 administrative inquiries were closed during 2023. In 20 of these cases, the Appointing Authority decided to close the case without disciplinary follow-up. In 2 cases, the Appointing Authority decided to terminate the contract of the persons concerned in accordance with Article 47 of the Conditions of Employment of Other Servants (CEOS). One case was closed with no further action, following the passing away of the person concerned. 14 administrative inquiries related to requests for recognition of occupational disease (11) and invalidity allowance (3)<sup>3</sup> were closed with a report to the relevant Appointing Authority. In the other cases, the Appointing Authority decided to open pre-disciplinary proceedings.

#### 3.3. Pre-disciplinary proceedings

In case the Appointing Authority decides, based on the findings of the administrative inquiry, to pursue the case further, the person concerned is heard and given the opportunity to comment on all the evidence and facts of the case. Following the pre-disciplinary hearing of the person concerned, the Appointing Authority can decide: (1) to close the case without follow-up; (2) to issue a non-disciplinary measure in the form of a

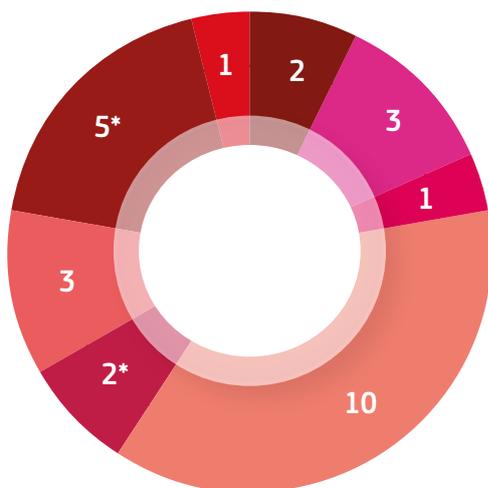
<sup>3</sup> The administrative inquiries related to requests for invalidity allowance were carried out based on mandates received in 2022.

warning (*mise en garde*)<sup>4</sup>; or (3) to open disciplinary proceedings.

In 2023, the Appointing Authority gave IDOC a mandate to open pre-disciplinary proceedings in 39 cases, while 41 pre-disciplinary proceedings were closed, as follows:

- in 27 cases the Appointing Authority opened the disciplinary procedure;
- in 9 cases, which concerned less serious shortcomings with no budgetary impact or harm to the institution's image and reputation, the Appointing Authority decided to issue a non-disciplinary measure in the form of a warning (*mise en garde*), reminding the persons concerned to pay more attention to their statutory obligations in the future;
- in 5 cases, the pre-disciplinary proceeding was closed with no follow-up.

**In 27 cases, the Appointing Authority opened a disciplinary procedure, following the pre-disciplinary stage: which potential breaches?**



- Non-compliance with financial rules (2)
- Conflict of interest (3)
- Irregular declarations (1)
- Inappropriate behaviour (10)
- Harassment (2) \*
- Outside activities (3)
- Breach of the duty of loyalty (5) \*
- Inappropriate behaviour on social media (1)

\* 1 EEAS case

### 3.4. Suspension

A person concerned who is accused of serious misconduct may be suspended from active service, for a specific or indefinite period, pending the outcome of disciplinary or criminal proceedings.

In 2023, IDOC dealt with 4 suspension files, 3 of which resulted in the suspension of the person concerned. In the remaining file, considering the facts and circumstances of the case, the Appointing Authority decided not to suspend the person concerned.

### 3.5. Disciplinary proceedings

When the Appointing Authority decides to open disciplinary proceedings, it can refer the case before the Disciplinary Board or proceed without doing so.

When the Appointing Authority considers that the established facts do not merit a penalty more severe than a written warning or a reprimand, the case is not referred to the Disciplinary Board. In these cases, a disciplinary report, setting out the facts and an assessment of the misconduct in the case, is sent to the person concerned. After hearing the person concerned, the Appointing Authority decides on the penalty to be imposed.

When the Appointing Authority considers that the established wrongdoing is sufficiently serious to warrant a financial penalty, it refers the case to the Disciplinary Board. A disciplinary report, setting out the facts and an assessment of the misconduct, is sent to the Disciplinary Board and to the person concerned. The Disciplinary Board then hears the person concerned. The Disciplinary Board acts as a 'fresh pair of eyes' on both the facts and the assessment of the case and makes a recommendation for a penalty. Taking into due account the opinion of the Disciplinary Board, the final decision on the penalty to be imposed is taken by a tripartite Appointing Authority, after hearing the person concerned again.

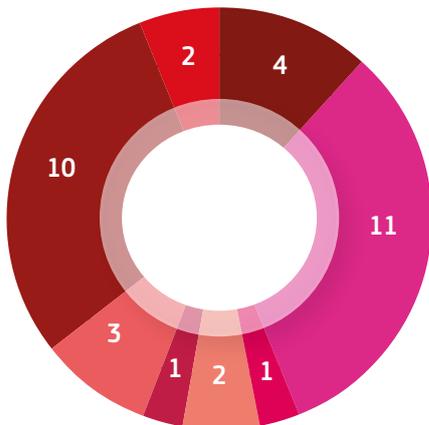
In 2023, 27 disciplinary proceedings were opened, of which 13 were without referral to the Disciplinary Board and 14 with referral to the Disciplinary Board.

### 3.6. Different types of non-disciplinary and disciplinary measures

Cases where statutory breaches are established may be sanctioned in several ways.

<sup>4</sup> The Staff Regulations make a distinction between this non-disciplinary warning (*mise en garde*) and a written warning (*avertissement par écrit*), which does constitute a disciplinary penalty.

### 34 disciplinary and non-disciplinary measures imposed: which type?



#### DISCIPLINARY (22)

- Written warning (4)
- Reprimand (11)
- Deferment of advancement to a higher step (1)
- Temporary downgrading (2) \*
- Downgrading in the same function group (1)
- Withholding from pension or invalidity allowance (3)

#### NON-DISCIPLINARY (12)

- Warning (10)
- Termination of contract (2)

\* 1 EEAS case

Less serious breaches may give rise to a warning (*'mise en garde'*). This is not a disciplinary measure, but a formal reminder about the requirement to observe ethical standards. It is placed in the staff member's personal file for 18 months.

More serious breaches can lead to the opening of disciplinary proceedings. The severity of a penalty imposed can range from a written warning to removal from post. Retired staff members can be sanctioned through a reduction in their pensions for a specific period of time. The same approach applies to staff members in receipt of an invalidity allowance. The disciplinary penalty is kept in the personal file of the person concerned for a period of three or six years depending on the type of sanction.

Staff members subject to the CEOS who are found to be in breach of their statutory obligations can have their contract terminated either following disciplinary proceedings or after a specific procedure in which the person concerned is invited to explain his or her actions before the competent authority.

In deciding on the disciplinary penalty to be imposed in any case, the Appointing Authority takes into account a

number of factors, as set out in the Staff Regulations: the nature and circumstances of the misconduct; the extent to which the misconduct has an impact on the institution; whether the misconduct involves intent or negligence; the motives for the misconduct; the grade and seniority of the staff member concerned; the degree of the staff member's personal responsibility; the level of the staff member's duties and responsibilities; whether the misconduct involved repeated action or behaviour, and the staff member's conduct throughout the course of his career.

There is no tariff for breaches of statutory obligations: each case must be assessed on its merits and any disciplinary measure imposed must be commensurate with the seriousness of the misconduct.

In 2023, 22 cases were closed with a disciplinary penalty. The penalties imposed by the Appointing Authority included written warnings, reprimands, deferment of advancement to a higher step, temporary downgrading, downgrading in the same function group and withholding from pension or from invalidity allowance.

In 10 cases the Appointing Authority addressed the non-disciplinary measure of a 'warning' and in 2 cases the contract of the person concerned was terminated.

## IV - SUMMARY OF CASES CLOSED WITH A DISCIPLINARY PENALTY <sup>5</sup>

In line with Article 45 of Decision C(2019) 4231, this report provides a summary of the cases in which the Appointing Authority<sup>6</sup> and the Authority Authorised to Conclude Contracts of Employment<sup>7</sup> imposed a disciplinary penalty in 2023. For the sake of simplicity, the term Authority is used throughout.

### Duty of loyalty

*In line with Article 11 of the Staff Regulations, the duty of loyalty requires staff members to carry out their duties and conduct themselves solely with the interests of the Union in mind. It also requires that staff members carry out the duties assigned to them objectively and impartially.*

The Authority imposed on a retired contract agent the penalty of withholding EUR 200 per month from the retirement pension, for a period of six months, for not having declared a conflict-of-interest situation in the context of a tender procedure he was in charge of. He provided advice to a tenderer during a

<sup>5</sup> One of these cases concerned the EEAS.

<sup>6</sup> As determined on the basis of Article 2 of the Staff Regulations of Officials of the European Union.

<sup>7</sup> As determined on the basis of Article 6 of the Conditions of Employment of Other Servants of the European Union.

negotiated procedure, used his private email address to communicate with the tenderer and disclosed non-public information of the Commission.

The Authority concluded that the contract agent breached Articles 11, 11a, 12 and 17 of the Staff Regulations.

The Authority considered the facts as established and, contrary to the Disciplinary Board, it also considered that the high grade and long experience of the contract agent, and the fact that his misconduct involved a repeated pattern of behaviour, justified a financial penalty. The Authority however retained as extenuating circumstance the absence of any previous disciplinary penalty against this person.

The Authority imposed a reprimand on a contract agent who accessed, without authorisation and abusing her professional access rights to a specific Commission database, the medical file of 37 colleagues.

The Authority concluded that the contract agent breached Articles 11, 12 and 21 of the Staff Regulations as well as Article 30 of Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

When considering the proportionality of the penalty, the Authority retained as aggravating circumstance the long duration during which the facts took place and the high number of files the contract agent accessed. It took, however, into consideration as an extenuating circumstance her lack of knowledge of the applicable rules, that could have been better explained to her when she joined the service.

The Authority imposed a reprimand on an official who forged seven of his payslips before submitting them as evidence in the context of a judicial procedure of divorce in order to reduce the monthly contribution he should pay to his ex-spouse for their child.

The Authority concluded that the official breached Articles 11 and 12 of the Staff Regulations.

When considering the proportionality of the penalty, the Authority retained as aggravating circumstance the fact that the forged documents were used in the

context of a national judicial procedure as well as the reputational damage caused to the institution. It retained as extenuating circumstance the official's excellent working performance.

The Authority imposed a temporary downgrading by one grade for one year on an official who falsified several medical invoices, in the framework of her requests for reimbursement of medical expenses.

The Authority concluded that the official breached Articles 11 and 12 of the Staff Regulations.

Contrary to the Disciplinary Board, the Authority considered that the repetition of the misconduct for almost three years justified a financial penalty.

It also retained as extenuating circumstances: (i) the fact that the case did not affect adversely the reputation of the institution, (ii) the damage of the established misconduct to the financial interest of the EU was relatively low, (iii) the undue amounts were recovered and (iv) the official's health at the time of the facts.

The Authority imposed the penalty of downgrading by one grade on an official who favoured one economic operator in the selection procedure of projects he was in charge of.

Both the Disciplinary Board and the Authority considered the facts as established and concluded that the official had breached Articles 11, 11a, 12, 17 and 21 of the Staff Regulations.

The Authority took into account, as extenuating circumstances, the official's positive appraisal reports after the period covered by the facts, his cooperation during the procedure and the fact that he did not retain any significant gain from his behaviour.

The Authority also considered the following elements as aggravating circumstances: (i) the long period during which the facts took place, (ii) the official's good knowledge of the selection rules, (iii) his prominent role in the selection of projects, (iv) the fact that he favoured one economic operator and (v) the reputational damage caused to the Commission.

The Authority<sup>8</sup> imposed the penalty of temporary downgrading by one grade for a period of six months on an official who, in his capacity of head of administration in a delegation, failed to properly check invoices before paying them. Moreover, he submitted, for more than ten years, misleading information to the administration regarding his marital status to receive the household allowance he was no longer entitled to.

Both the Disciplinary Board and the Authority of the EEAS considered the facts as established and concluded that the official had breached Articles 11, 12 and 21 of the Staff Regulations.

The Authority took into account, as extenuating circumstances, the difficult living conditions in the official's country of assignment and the lack of staff in the delegation, as well as the health problems he encountered at the time of the facts.

The Authority also considered the following elements as aggravating circumstances: the official's high grade and function as head of administration for a large part of the period covered by the facts, as well as the fact that he neither expressed any regrets nor started to reimburse the unduly perceived amounts during the procedure.

### **Inappropriate behaviour likely to reflect adversely on the official's position**

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*Article 12 of the Staff Regulations prohibits any action or behaviour – whether inside or outside of the institution – which might reflect adversely upon the position of the staff member.*

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The Authority imposed a written warning on an official who did not wear a facemask and/or did not wear it properly while at the Commission premises.

The Authority concluded that the official breached Article 12 of the Staff Regulations, as well as Article 2 of Commission Decision C(2020) 5973 on Specific Health and Safety Rules for the Commission Sites of Brussels and Luxembourg.

When considering the proportionality of the penalty, the Authority retained as aggravating circumstance the fact that the official was repeatedly given explanations, clarifications and/or instructions, both orally and in writing, by different persons on the matter. The Authority also noted that the official started to act and behave in line with his statutory obligations after the last established incident and cooperated well along the disciplinary procedure.

The Authority imposed on a retired official the penalty of withholding EUR 500 per month from the retirement pension for a period of 24 months for unauthorised absences, as well as for having sent inappropriate emails to his former head of unit and for having refused to attend meetings and perform tasks assigned to him by his hierarchy.

The Authority concluded that the official breached Articles 12, 21, 55 and 60 of the Staff Regulations.

When considering the proportionality of the penalty, the Authority retained the official's high grade and seniority as an aggravating circumstance.

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The Authority imposed a reprimand on a contract agent who published insulting and offending messages concerning colleagues on a WhatsApp professional discussion group. He refrained from informing his hierarchy about the insulting nature of the messages exchanged in this discussion group and he also verbally abused two of his colleagues.

The Authority concluded that the contract agent breached Articles 11, 12 and 21 of the Staff Regulations.

When considering the proportionality of the penalty, the Authority retained as aggravating circumstance the fact that the contract agent used a Commission mobile phone put at his disposal for the interest of the service. It also retained as extenuating circumstance the regrets that he formulated concerning the facts as well as the difficulties he was faced with in his private life at that time.

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The Authority imposed a reprimand on a contract agent who, without authorisation and by abusing his own access rights to a specific Commission database, accessed personal data of some of his colleagues and then, for purely private purposes, used that data to contact colleagues via SMS or phone calls and to send repeated, insisting and sometimes offending and threatening messages.

The Authority concluded that the contract agent breached Articles 11 and 12 of the Staff Regulations.

When considering the proportionality of the penalty, the Authority retained as aggravating circumstance the fact that the contract agent accessed the personal data by making use of his professional access rights

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<sup>8</sup> The Authority was the EEAS.

which he should have used only for professional purposes. It also retained as extenuating circumstance the fact that (i) the contract agent stopped contacting the colleagues after they asked him to do so and (ii) it happened during the period of confinement due to the COVID-19 crisis.

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The Authority imposed the penalty of deferment of advancement to a higher step for a period of 12 months on an official who sent unsolicited emails, containing inappropriate terms, to an external person.

The Authority concluded that the official breached Article 12 of the Staff Regulations.

Unlike the Disciplinary Board, the Authority considered that the official's seniority, his long professional experience as well as his attitude during the disciplinary procedure justified a financial penalty.

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The Authority imposed a reprimand on an official who sent from her Commission email address unsolicited emails related to the coronavirus and the vaccination campaign to several Commission staff members as well as to two Members of the European Parliament.

The Authority concluded that the official breached Articles 11, 12 and 17a of the Staff Regulations.

When considering the proportionality of the penalty, the Authority retained as extenuating circumstances the specific context of the pandemic in which the facts occurred, and the official's appraisal reports that attested of her excellent performance during the period covered by the facts. The Authority also retained two aggravating circumstances: (i) the fact that the official constantly refuted the allegations, claiming that she was entitled to send the disputed messages and (ii) her long experience within the EU institutions, which should have enabled her to know her statutory obligations.

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The Authority imposed a reprimand on a retired official who, when he was in active service, behaved in an inappropriate manner towards his staff by adopting an authoritarian management style. *Inter alia*, he reprimanded his staff in public events in front of external contractors and used ironic and inappropriate oral and written communication.

The Authority concluded that the official breached Article 12 of the Staff Regulations.

The Authority retained as aggravating circumstance the fact that the official was a manager and that he did not acknowledge his misbehaviour and its consequences on the staff.

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The Authority imposed on a retired official the penalty of withholding EUR 100 per month from the retirement pension for a period of six months for having used inappropriate language in his written communication with colleagues from a Commission service.

Both the Disciplinary Board and the Authority concluded that the official had breached Article 12 of the Staff Regulations. However, unlike the Disciplinary Board, the Authority considered that the official's high seniority, the absence of excuse and regrets, as well as his persistence to use similar terms in his communication, justified a financial penalty. The Authority retained as extenuating circumstance his personal family situation.

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The Authority imposed a reprimand on an official who behaved in an inappropriate manner towards his colleagues, thus breaching Article 12 of the Staff Regulations.

The Authority took into account the working environment in the service and the fact that the official strived to cope with sometimes difficult situations, but also retained as aggravating circumstances the fact that the official had a long experience in the Commission and that he did not acknowledge his misbehaviour and the consequences on the staff.

### Harassment

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*Article 12a of the Staff Regulations prohibits any form of psychological or sexual harassment.*

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The Authority imposed a reprimand on an official who, as a team leader, showed a hegemonic attitude in the coordination of the teamwork, which put his colleagues in a lasting state of unease. He also verbally abused a female colleague, belittled her during meetings and contradicted and criticized her in public in an inappropriate manner by using an aggressive and rude tone.

The Authority concluded that the official breached Article 12a of the Staff Regulations, as well as Article 12a with regard to his behaviour towards the female colleague.

When considering the proportionality of the penalty, the Authority retained as an aggravating circumstance the official's level of responsibilities as team leader. It also retained as extenuating circumstances (i) the difficult professional context in which the facts took place, characterized by a heavy workload and the absence of proper managerial steer of the team, (ii) the official's state of health and (iii) the regrets he expressed and his full cooperation during the disciplinary procedure.

The Authority imposed a reprimand on a retired official who sexually harassed a colleague by creating an intimidating and disturbing environment during a conversation, thus breaching Article 12a of the Staff Regulations.

The Authority took as an aggravating circumstance the official's long seniority as compared to the fact that the victim was a new staff member with an unstable job position of 'intérimaire'.

However, both the Disciplinary Board and the Authority considered that imposing a financial penalty would be illegal because the official's retirement pension was lower than the minimum subsistence figure laid down in the Staff Regulations.

### Unauthorised outside activities

*Article 12b requires staff to seek authorisation from the Appointing Authority before engaging in an outside activity.*

The Authority imposed a reprimand on a contract agent who, while in active service, performed an outside activity without having requested or obtained prior authorisation and then failed to declare it as a paid activity.

The Authority concluded that the contract agent breached Articles 11 and 12b of the Staff Regulations.

When considering the proportionality of the penalty, the Authority took into consideration the long period during which the agent did not declare his outside activity, but also the fact that his invalidity allowance is below the minimum subsistence figure, so that the most severe penalty that could be imposed was a reprimand.

The Authority imposed a reprimand on an official who had submitted a request for an outside activity but did not wait for the prior permission before engaging in the activity.

The Authority concluded that the official breached Articles 11 and 12b of the Staff Regulations.

The Authority retained as aggravating circumstance the official's repeated behaviour, since she had already been sanctioned for similar facts in 2022.

### Failure to comply with rules on publications

*According to Article 17a, second paragraph of the Staff Regulations, without prejudice to Articles 12 and 17, an official who intends to publish or cause to be published, whether alone or with others, any matter dealing with the work of the Union shall inform the Appointing Authority in advance.*

The Authority imposed a written warning on a temporary agent who did not inform the Authority in advance before publishing unpaid articles dealing with the work of the Union and did not request prior authorisation for an outside activity to write paid articles as a freelancer.

The Authority concluded that the temporary agent breached Articles 12b and 17a (2) of the Staff Regulations, as well as Article 3 of Commission Decision C(2018)4048 on outside activities.

When considering the proportionality of the penalty, the Authority took as extenuating circumstances the fact that (i) the agent misunderstood the rules and the procedures applicable to publications, (ii) acknowledged her wrongdoings and (iii) cooperated fully with the procedure, committing to be more cautious in the future.

### Inappropriate behaviour on social media

*According to Article 17a, first paragraph of the Staff Regulations, an official has the right to freedom of expression, with due respect to the principles of loyalty and impartiality. Furthermore, the Commission's Social Media Guidelines for staff require that staff members show caution and moderation and refrain from expressing personal opinions that are not loyal to the institution.*

The Authority imposed a written warning on an official who published on her Facebook account a publicly available post disclosing her EU official capacity and criticising a judicial authority of a Member State in very strong and offensive terms.

The Authority therefore concluded that the official breached Article 12 (read in conjunction with Article 17a) of the Staff Regulations.

When considering the proportionality of the penalty, the Authority took into account that the official had already been reminded about her statutory obligations in the context of expressing views on social media platforms shortly before the facts occurred.

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The Authority imposed a written warning on a temporary agent who, being identifiable as a staff member of the Commission, posted inappropriate contents on his Twitter profile in the context of a discussion with two persons external to the institutions.

The Authority concluded that the official breached Articles 11 and 12 and 17a of the Staff Regulations as well as points 1 and 2 of the Commission's Social Media Guidelines for Staff.

When considering the proportionality of the penalty, the Authority took into consideration that the temporary agent deleted the inappropriate tweets in question, regretted his actions and committed to respect his statutory obligations in the future.

## V - POLICY AND COMPLIANCE

### 5.1. Proceedings on waiving the immunity of staff

IDOC deals with requests for waiving the immunity from judicial proceedings, received from the judicial authority of a Member State.

In 2023, IDOC received no such request.

### 5.2. Participation in the Inter-service Working Group on cooperation with the European Public Prosecutor's Office

In 2023, IDOC continued to be a member of the working group set up by the Secretariat-General coordinating the cooperation between the European Public Prosecutor's Office (EPPO), the European Commission and OLAF. In this context, the working group also assessed the implementation of the Agreement, adopted on 18 June 2021, on the modalities of cooperation between the European Commission and the EPPO, and its possible review.

### 5.3. Renewed anti-harassment policy

During the reference period, IDOC was involved in the activities related to the adoption of the renewed anti-harassment package, including a Commission Decision, a user-friendly guide for staff with easy-to-understand information and an Action Plan with a comprehensive set of preventive measures. The package was adopted on 12 December 2023.

With this newly launched policy package, the Commission aims to further prevent and combat psychological and sexual harassment, ensuring a safe and respectful world of work for all, which is a key element of the HR Strategy. It provides a comprehensive approach to anti-harassment, based on early prevention, wide-ranging support measures, and redress mechanisms for victims of harassment.

The Chief Confidential Counsellor - a newly created senior position - will act as a first point of contact for colleagues wishing to report harassment, and as the main go-to person for colleagues, including managers, seeking advice on how to combat harassment.

### 5.4. Outreach to staff

While being first and foremost a service geared towards enforcing ethical rules, IDOC has also carried out activities in the area of prevention, namely awareness-raising events and training initiatives.

IDOC's outreach activities in 2023 included 7 interactive training sessions on ethics and disciplinary matters, titled "Say no to temptations, they might have disciplinary consequences!", available to EU staff from the Commission, the executive agencies and other institutions via EU Learn. These regular training sessions, with case studies based on anonymised IDOC cases, are given to raise awareness on what is appropriate or forbidden to pursue as EU staff members.

IDOC also gave 10 specific, tailor-made presentations to newcomers in DG HR, to the newly appointed Heads of Unit and to the EEAS Heads of Administration preparing to be posted to EU Delegations, as well as to other Commission DGs upon request.

