

(English version)

**Question for written answer E-001366/25
to the Commission**

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(2 April 2025)**

Subject: Protection of EU staff's freedom of speech and conscientious objection in the workplace

We have become aware of deeply concerning reports that EU institution staff members are facing or risking disciplinary procedures, as well as other measures, for publicly or professionally expressing their opinions on certain current affairs topics (such as the ongoing genocide in Gaza) that do not align with the official position of the institutions' leadership. The right to freedom of expression should always be secured, even in the workplace. This was confirmed, among other instances, in the judgment of the European Court of Human Rights of 5 February 2020 on Application No 11608/15.

Even more concerning are reports that EU staff members risk discrimination or disciplinary measures for invoking conscientious objection when dealing with official business or instructions from management on similar topics that conflict with their beliefs, values and human dignity.

We therefore ask the Commission:

1. Have any disciplinary measures been taken against any staff members in this regard?
2. How does the Commission ensure an environment where freedom of speech is protected and guaranteed, regardless of the Commission's and the EU leadership's official stance?
3. What mechanisms are in place to ensure that staff can, irrespective of the type of contract they have, express conscientious objection without facing discrimination or disciplinary procedures of any kind in their workplace?

Submitted: 2.4.2025

**Answer given by Mr Serafin on behalf of the European Commission
(13 October 2025)**

Commission staff, as every European citizen, have the right to freedom of expression which is a fundamental right enshrined in the EU Charter of Fundamental Rights⁽¹⁾ and the European Convention of Human Rights, and embedded in the Staff Regulations⁽²⁾ (Article 17a).

Yet, this right is not absolute, and according to the EU Courts, a fair balance must be struck between staff members' fundamental right to freedom of expression and their statutory duties as civil servants, such as those of loyalty, impartiality and confidentiality⁽³⁾. The latter are fundamental principles of, and ensure public trust in, the civil service.

In case of breach of the statutory obligations set out in the Staff Regulations, staff members can be subjected to disciplinary proceedings and penalties.

The competent disciplinary authority imposed in the past penalties for the breach of the duty of loyalty, related to the non-respect of the rules set out in Article 17a of the Staff Regulations.

When a staff member is acting in their professional capacity (i.e., not in a private capacity as member of the general public) they are advised to seek internal means of expressions, e.g. express their personal views to the responsible hierarchy; approach the staff committee or a trade union; use the Commission internal online discussion forum, etc.

⁽¹⁾ https://eur-lex.europa.eu/eli/treaty/char_2012/oj/eng.

⁽²⁾ Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community.

⁽³⁾ See for example judgment of the Court of 6 March 2001, *Connolly v Commission*, Case C-274/99, paragraph 48: 'In exercising their power of review, the Community Courts must decide, having regard to all the circumstances of the case, whether a fair balance has been struck between the individual's fundamental right to freedom of expression and the legitimate concern of the institution to ensure that its officials and agents observe the duties and responsibilities implicit in the performance of their tasks.'

However, staff members must avoid actions which may adversely reflect upon their position as a staff member ⁽⁴⁾, i.e. refrain from any conduct that is detrimental to the dignity and respect due to the institution and its authorities and that may breach the relationship of trust between the staff and their institution ⁽⁵⁾.

⁽⁴⁾ Article 12 of the Staff Regulations.

⁽⁵⁾ Judgment of the General Court (Second Chamber) of 15 September 2017, *Skareby v EEAS*, Case T-585/16.