Special report by the European Ombudsman following the complaint 1391/2002/JMA against the European schools

2005/2216(INI) - 06/04/2006 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report drafted by Proinsias **DE ROSSA** (PES, IE) following a complaint against the European Schools. (Please see the summary of 21/03 /2006.) Complaint No 1391/2002/JMA concerned the fact that the European Schools did not provide for the special educational needs of the complainant's daughter and that the Commission was not willing to cover the full cost of the child's special education in the chosen alternative education system available to her (the fee-paying 'International School' of Brussels), resulting in considerable costs being incurred by the family. The Ombudsman also conducted inquiries into a significant number of additional complaints against the European Schools involving similar facts and raising identical allegations. Parliament endorsed the Ombudsman’s conclusions and called on the Commission to take the necessary steps to reimburse to parents of children with special educational needs who are excluded from the European Schools because of their degree of disability the full cost of special educational provision for their children. The Ombudsman's recommendation should also apply to the other complaints which he received in the course of his inquiry involving similar facts and identical allegations.

Parliament underlined that the principle of non-discrimination and equal treatment and the prohibition of any type of discrimination based on grounds of disability constitute the principles and foundations of the EU legal order.

It noted that, whilst the Commission had repeatedly referred to the existence of financial and budgetary limitations which prevent it from covering the full educational costs of children with special educational needs who are excluded from the European Schools, the institution had made no effort to produce an estimate of the financial resources required to meet the obligations imposed by the EC Treaty.

Parliament noted that the Commission provides a doubled dependent child allowance to assist officials with the non-educational costs arising from caring for a child with disabilities. It condemned the Commission’s unilateral withholding of that allowance for the purpose of reducing the Commission's costs in meeting its obligations to the complainant's child.

Finally, Parliament called on the Commission to clarify the extent to which it takes responsibility for ensuring that children of officials have access to appropriate free compulsory education.