

## **Ombudsman calls on Commission to examine possible breaches of security rules in the handling of radioactive material**

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The European Ombudsman, **P. Nikiforos Diamandouros**, has called on the European Commission to carry out a proper and thorough examination of possible breaches of security rules in the handling of radioactive material in the Institute for Transuranium Elements (ITU) (1) in Karlsruhe. This follows a complaint from an official who claimed that the Commission had failed properly to investigate and follow up on her allegations, in particular of a manifestly illegal transport and export of radioactive materials. The Commission should respond to the Ombudsman by 28 February 2005.

### **The Ombudsman's inquiry**

The complainant worked as a scientific assistant in the ITU's Nuclear Chemistry unit. She asked the Commission to open an inquiry into instances of maladministration in the field of protection against radiation and as regards transports of radioactive materials. She said that the maladministration was due to "a completely inadequate management and control system and deficiencies as regards the training of staff". She enclosed a table in which she listed the nine most serious incidents or aspects of ITU's activity which in her view needed to be examined.

The Commission heard the complainant and subsequently passed her complaint on to the European Anti-Fraud Office (OLAF) (2). OLAF informed the Ministry for Environment and Transport (UVM) of the Land Baden-Württemberg (3) and the German authorities investigated the complaint.

The Commission argued that since both OLAF and the German authorities had taken a view on the issue, no further internal inquiries were warranted. It added that, independently of the complainant's allegations, the JRC Internal Audit unit had also carried out an audit on radiation protection at the ITU. This additional element proved the Commission's vigilance regarding the work of its services and its determination to take measures to improve this work, it said.

After examining all the evidence, the Ombudsman concluded that the Commission had failed to carry out an examination of the allegations that was as proper and thorough as could be expected in the light of their seriousness. He underlined that the allegations had been declared by a competent authority (the UVM) to be credible on the whole. The fact that in one of the cases the UVM itself came to the conclusion that a transport had been carried out that was not in conformity with the rules should have induced the Commission to even greater prudence, he



said. The draft recommendation also makes clear the Ombudsman's view that breaches of security rules should be dealt with in a way that would inspire confidence among citizens.

The Ombudsman's draft recommendation is available on his website at:

<http://www.ombudsman.europa.eu/recommen/en/040101.htm> [Link]

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(1) The ITU is part of the Joint Research Centre (JRC), a Directorate-General of the Commission.

(2) As regards the Commission, OLAF's mission is not limited to fighting fraud but also includes "other irregularities".

(3) Karlsruhe, the seat of the ITU, is situated in Baden-Württemberg.