

Ombudsman welcomes OLAF's new evaluation of financing of European Parliament building

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The European Ombudsman, **P. Nikiforos Diamandouros**, has commended the European Anti-Fraud Office (OLAF) and the European Parliament (EP) for accepting the recommendations he made in his inquiries concerning the financing of EP buildings. A journalist initially complained that the external financing of the Altiero Spinelli building in Brussels should have been subject to a public tender procedure. According to him, OLAF failed to examine properly whether a call for tender should have been published. The journalist further complained that the EP wrongly refused access to documents concerning the external financing of the Willy Brandt and the József Antall buildings in Brussels. OLAF accepted the Ombudsman's recommendation and agreed to launch a new evaluation of the case, while the EP agreed to release the requested documents. Furthermore, it clarified the legal framework for the financing of these buildings.

OLAF's new evaluation of EP building financing case

In 2002, the journalist alerted the European Commission to certain alleged irregularities related to the financing of Parliament's Altiero Spinelli building in Brussels. The EP had agreed to pay a company for services relating to the financing of the building's acquisition, without publishing a call for tender. OLAF opened an investigation and closed the case in 2006, without recommending any further follow up.

In May 2007, the complainant turned to the Ombudsman, alleging that OLAF failed to examine properly whether a call for tender should have been published. OLAF stated that no clear-cut irregularity capable of giving rise to disciplinary or criminal proceedings had been established. There was, therefore, no need for an in-depth investigation. The Ombudsman was not convinced. Such a narrow understanding of OLAF's mandate, he argued, could effectively limit its ability fully to live up to its task of fighting fraud, corruption and any other illegal activity affecting the EU's financial interests. OLAF accepted to launch a new evaluation procedure and is currently assessing all available information. On the basis of this evaluation, OLAF will determine if an investigation will need to be opened.

EP releases documents on financing of EP buildings

In November 2006, the same journalist asked the EP for access to a number of documents



relating to the financing of the Willy Brandt and József Antall buildings in Brussels. The EP refused access, arguing that some of the documents requested were held by the private developer of the buildings and that the other documents contained confidential commercial information. In turning to the Ombudsman about this matter, the complainant additionally alleged that the EP had made incorrect and misleading statements concerning the applicability of the EU directives for the award of public contracts.

The EP accepted the Ombudsman's recommendation to reconsider its position and decided to grant access to the requested documents. Furthermore, it clarified its statements concerning the legal framework for the financing of the two buildings.

The Ombudsman's decisions are available at:

(OLAF) <http://www.ombudsman.europa.eu/cases/decision.faces/en/5311/html.bookmark> [Link]

(EP) <http://www.ombudsman.europa.eu/cases/decision.faces/en/5310/html.bookmark> [Link]