



Emily O'Reilly
European Ombudsman

Mr David O'Sullivan
Chief Operating Officer of the
European External Action Service
Rue de la Loi 170
CHAR 15/167
1046 BRUSSELS
BELGIQUE

Strasbourg, 21/01/2014

Complaint 2006/2013/(JF)AN
Complaints 1309/2013/(RT)AN, 1351/2013/AN, 1356/2013/AN and 1399/2013/AN

Dear Mr O'Sullivan,

On 21 August 2013 and 15 November 2013, my predecessor and I informed you of the opening of a joint inquiry into complaints 1309/2013/(RT)AN, 1351/2013/AN, 1356/2013/AN, 1399/2013/AN and 2006/2013/(JF)AN containing the following allegation and claim:

Allegation:

EULEX Kosovo wrongly refused to renew the complainants' work contracts.

Claim:

EULEX Kosovo should re-instate the complainants as employees.

As a first step of the joint inquiry, on 25 November 2013 my services inspected the EEAS files concerning the above complaints.

In the course of the inspection, the EEAS informed my services that, on 6 August 2013, the five complainants and other colleagues in a similar situation lodged an action for annulment before the General Court of the European Union against the decision not to renew their employment contracts.

The Treaty on the Functioning of the European Union and the Statute of the European Ombudsman set certain conditions as to the opening of an inquiry by the Ombudsman. Article 2(7) of the Ombudsman's Statute provides that

"[w]hen the Ombudsman, because of legal proceedings in progress or concluded concerning the facts which have been put forward, has to declare a complaint inadmissible or terminate consideration of it, the outcome of any enquiries he has carried out up to that point shall be filed definitively."



Given the existence of parallel judicial proceedings concerning the same subject matter, I have discontinued my inquiry into the above five complaints.

I would like to take the opportunity to thank you for the excellent cooperation that your services showed to my services in the course of the inspection of documents.

Please find attached for your information a copy of the inspection report.

Yours sincerely,

Emily O'Reilly

Enclosure (sent by e-mail):

- Inspection report and copy of non-confidential documents sent to the complainants

WALRAVENS Christophe

From: EORegistry
Sent: 21 January 2014 11:35
To: 'EEAS MED2'
Subject: Complaints 1309 + 1351 + 1356 + 1399 + 2006-AN
Attachments: 1309-2013-(RT)AN-S2014-186541.pdf; 1309-2013-(RT)AN-E2014-186552.pdf;
1309-2013-(RT)AN-E2014-186565.pdf

Dear Sir, Dear Madam,

Please find enclosed a copy of the Ombudsman's letter to Mr David O'Sullivan concerning the above complaint.

Yours sincerely,



European Ombudsman

Christophe Walravens

Registry

T. +33 (0)3 88 17 24 03

1 avenue du Président Robert Schuman

CS 30403

F - 67001 Strasbourg Cedex

T. + 33 (0)3 88 17 23 13

F. + 33 (0)3 88 17 90 62

www.ombudsman.europa.eu



Do you really need to print this Email?