



Emily O'Reilly
European Ombudsman

Ambassador Bernd Borchardt
Head of Mission
EULEX Kosovo
[REDACTED]

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 Ambassador Borchardt,

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

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 228 of the Treaty on the Functioning of the European Union empowers the European Ombudsman to receive complaints

"... concerning instances of maladministration in the activities of the Union institutions, bodies, offices or agencies... except where the alleged facts are or have been



the subject of legal proceedings."

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

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Emily O'Reilly'. The signature is fluid and cursive, with a long horizontal flourish at the end.

Emily O'Reilly

Enclosure (sent by e-mail):

- Inspection report

WALRAVENS Christophe

From: EORegistry
Sent: 21 January 2014 11:48
To: [REDACTED]
Cc: [REDACTED]
Subject: Complaints 1309 + 1351 + 1356 + 1399 + 2006-AN
Attachments: 1309-2013-(RT)AN-S2014-186574.pdf; 1309-2013-(RT)AN-E2014-186552.pdf

Dear Madam, dear Sir,

In relation to the above mentioned complaint, please find enclosed :

- a copy of the European Ombudsman's letter to Mr Bernd Borchardt.
- a copy of the annexes mentioned in the letter addressed to Mr Bernd Borchardt.

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?