

**MORAIS BISMARQUE GASPAR Ana Gloria**

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**From:** [REDACTED]  
**Sent:** 19 May 2014 16:54  
**To:** Euro-Ombudsman  
**Subject:** Re: Complaint 1183/2012/MMN

**Follow Up Flag:** MMN (ag)  
**Due By:** 21 May 2014 08:30  
**Flag Status:** Flagged

Dear Mr Navarro,

Thank you for the additional clarifications provided by OLAF. It would have been more professional of OLAF if they could have informed me which of the allegations I made were confirmed by OLAF and what recommendations OLAF made to address the irregularities and mismanagement that I had identified. I regularly speak to former colleagues at the Agency and very little has changed. Indeed there are yet more cases going before the Courts. Case

1: [http://curia.europa.eu/jcms/jcms/P\\_108390/](http://curia.europa.eu/jcms/jcms/P_108390/)

Followed by case 2: [http://curia.europa.eu/jcms/jcms/P\\_126525/](http://curia.europa.eu/jcms/jcms/P_126525/)

To this day I have no idea whether raising the issues with OLAF was worthwhile considering I lost my job and had to leave my partner to return to the UK. Was it worthwhile? Probably not.

As an auditor of more than 40 years I am of course aware that OLAF would have written a full report to address the issues raised in my case against the Agency. OLAF has decided not to share this information with me but Interestingly OLAF has not mentioned that it has provided the information to the Civil Service Tribunal when instructed to do so in a separate harassment case against the Agency. I suppose the Civil Service Tribunal has more authority than either the whistleblower or the European Ombudsman.

I thank the Ombudsman for all the efforts on my behalf but reluctantly I shall never know why OLAF decided that backdating a contract in collusion with a major contractor to secure funds is no longer fraud in the Institutions.

Kind regards

[REDACTED]

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**From:** Euro-Ombudsman <EO@ombudsman.europa.eu>  
**To:** [REDACTED]  
**Sent:** Thursday, 8 May 2014, 9:13  
**Subject:** FW: Complaint 1183/2012/MMN

Dear [REDACTED],

Please find attached certain additional clarifications provided by OLAF in relation to your complaint.

If you wish to submit any additional observations in relation to this, please send them to us before 22 May 2014.

Yours sincerely,



**European Ombudsman**  
**Martín Martínez Navarro**  
Directorate B - Legal Unit 3  
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[REDACTED]  
1 avenue du Président Robert Schuman  
CS 30403  
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Dear Mr Martinez-Navarro,

I refer to your email of 16th April related to the above-mentioned complaint.

Please be informed that in the framework of the OLAF investigation, the investigative team scrupulously analysed all the elements of information and allegations [REDACTED] provided OLAF with.

The investigation confirmed several of those allegations and pointed out irregularities and poor management practices within the agency but the allegations of fraud against the person concerned were not confirmed. Therefore, those elements did not provide a sufficient base for issuing recommendations.

I hope this sufficiently clarifies our communication to [REDACTED] on the reasons why this investigation was closed without recommendation.

Kind regards,

Sergio SPADAFORA  
Acting Head of Unit

**Directorate C Investigation Support**  
**Unit C.4 Legal Advice**

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**From:** MARTINEZ NAVARRO Martin [REDACTED]  
**Sent:** Wednesday, April 16, 2014 10:40 AM  
**To:** OLAF-FMB-OMBUDSMAN  
**Cc:** SPADAFORA Sergio (OLAF)  
**Subject:** Complaint 1183/2012/MMN

Dear Mr Spadafora,

As agreed during our telephone conversation of this morning, please find attached the complainant's observations on OLAF's reply to the draft recommendation in the above case. In particular, the complainant indicated that OLAF's letter stating the reasons to close

the investigation only referred to the issue of fraud and did not address the other allegations initially put forward by the complainant.

We would be grateful if you could clarify to us this specific point.

Yours sincerely,



**European Ombudsman**  
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