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Court ruling upholds OLAF findings in a corruption investigation within the EU Institutions

On 16 May 2014, the Brussels criminal court issued a first instance ruling in a long-standing corruption investigation involving two persons from two EU Institutions and three persons from external contracting companies. In its ruling, the Court upheld the findings gathered by OLAF and the Belgian "juge d'instruction". It sentenced five defendants to jail terms as well as to paying reputational damages in favour of the European Union.

This case relates to a corruption investigation opened by the European Anti-Fraud Office (OLAF) in 2004. Following the transmission of OLAF reports to the Belgian judiciary, OLAF was requested to assist in the criminal investigation of the competent Belgian authorities. OLAF cooperated closely with the Anti-Corruption Office of the Belgian Federal Police and with other law enforcement services. The European Commission joined as "partie civile" in the criminal proceedings in 2007 in order to ensure the defence of the EU interests.

The investigation brought to light a bid-rigging scheme in the context of the leasing and procurement of European Commission delegation buildings and of their related security installations in countries outside the EU. The scheme was run by three external contractors and two members of EU staff, between 2001 and 2004.

The court (Tribunal francophone de Première Instance de Bruxelles, Chambre Correctionnelle) issued suspended jail sentences for five defendants. Besides fines and legal costs, it also imposed the payment of reputational damages by these persons to the European Union.

In addition to the protection of the financial interests of the European Union, the mandate of OLAF covers the detection and investigation of serious matters relating to the discharge of professional duties by members and staff of the EU Institutions that could result in disciplinary or criminal proceedings. The present ruling confirms once again the value of OLAF's administrative investigations in uncovering any possible fraud and corruption within the EU Institutions. It also highlights the determination of the EU Institutions to pursue such wrongdoing. In its ruling, the court used the findings gathered by OLAF and quoted statements given in the framework of OLAF's administrative investigation.

This first-instance ruling of the Court is subject to appeal. An appeal can be introduced by the parties within 15 working days. OLAF will not make any further comments regarding this case at this stage.

OLAF

The mission of the European Anti-Fraud Office (OLAF) is threefold: it protects the financial interests of the European Union by investigating fraud, corruption and any other illegal activities; it detects and investigates serious matters relating to the discharge of professional duties by members and staff of the EU institutions and bodies that could result in disciplinary or criminal proceedings; and it supports the EU institutions, in particular the European Commission, in the development and implementation of anti-fraud legislation and policies.

For further details:

Alina BUREA

Spokesperson

European Anti-Fraud Office (OLAF)

Phone: +32 2 295 73 36

E-mail: olaf-media@ec.europa.eu

http://ec.europa.eu/anti_fraud