

WRITTEN QUESTION P-1647/09
by Paul van Buitenen (Verts/ALE)
to the Commission

Subject: OLAF reluctant to retract fake bribery claim against critical journalist

In its reply to my written priority question P-0062/09, the Commission did not respect agreed deadlines and avoided answering any of my questions on the Commission's willingness to investigate OLAF's possible fabrication of false statements to formulate a fake bribery claim. This fake OLAF claim enabled the arrest of a critical journalist (Hans-Martin Tillack), the raids on his home and office, and the seizure of his source material.

The EU Ombudsman condemned OLAF's actions in 2005, the European Court of Human Rights condemned (inter alia) OLAF's actions in 2007 and the Belgian Judiciary concluded on 6 January, 2009, that there was no evidence for the OLAF bribery claim against journalist Hans-Martin Tillack, and closed its criminal investigation. However, OLAF still maintains its investigation 'special case No 3' as active in its Case Management System CMS.

In its reply to P-0062/09, the Commission argued that OLAF itself had already conducted its own internal review of a specific issue. As the Commission knows, OLAF DG Mr Brüner claims that some OLAF officials have sought access to the Belgian judiciary files behind his back. Therefore he requested an IDOC enquiry, containing the names of nine OLAF officials. It now appears from the minutes of a Supervisory Committee meeting that Mr. Brüner must have known about the OLAF access request to the Belgian judiciary. Therefore Mr Brüner's enquiry request to IDOC may have had the intention of concealing the truth and threatening his subordinates.

Can the Commission:

1. Respect the deadline of this priority question, which I may only ask once a month?
2. Answer my previous parliamentary question P-0062/09 (to which I add that it was in Cocobu of 13 July 2005 where Commissioner Kallas said that mistakes would be investigated)?
3. Indicate why OLAF has not closed its investigation 'special case No. 3'?
4. Initiate an IDOC enquiry into Mr Brüner's misleading actions and consider initiating criminal proceedings against the Head of its antifraud office OLAF, Mr Brüner?