

Decision of the European Ombudsman on complaint 521/98/(XD)ADB against the European Commission

Decision

Case 521/98/ADB - Opened on 06/07/1998 - Recommendation on 15/03/2000 - Decision on 08/11/2000

Strasbourg, 8 November 2000 Dear Mr P., On 19 May 1998, together with other complainants, you lodged a complaint with the Ombudsman concerning the European Commission's failure to properly deal with a suspected case of child abuse within a crèche set up for children of the personnel of Community institutions.

THE DRAFT RECOMMENDATION

In accordance with Article 3 (6) of the Statute of the European Ombudsman (1) , by decision dated 15 March 2000, following an inquiry into the complaint and an attempt to achieve a friendly solution, the Ombudsman addressed the following draft recommendation to the Commission: *The Commission should adopt an internal procedure to ensure that cases of alleged abuse of children within its crèches are dealt with in an effective, transparent and timely way. It should be adopted before 31 July 2000.* Full details of the inquiry are provided in the draft recommendation of 15 March 2000, a copy of which was forwarded to the complainants.

THE COMMISSION'S DETAILED OPINION

The Ombudsman informed the Commission that according to article 3 (6) of the Statute, the Commission should send a detailed opinion before 31 July 2000 and that the detailed opinion could consist of the acceptance of the Ombudsman's draft recommendation and a description on how it has been implemented. On 28 July 2000, the Commission transmitted its detailed opinion to the Ombudsman. It explained that an internal procedure containing rules to be applied in case of suspected child abuse within its crèches had been adopted on 30 June 2000. It enclosed a copy of this procedure and stressed that it resulted from an exhaustive internal and external consultation procedure. The text had been transmitted to all interested parties. The Commission's detailed opinion was forwarded to the complainants on 31 August 2000.

THE DECISION

1 On 15 March 2000 the Ombudsman addressed the following draft recommendation to the Commission: *The Commission should adopt an internal procedure to ensure that cases of alleged abuse of children within its crèches are dealt with in an effective, transparent and timely way. It should be adopted before 31 July 2000.* 2 On 28 July 2000 the Commission informed that Ombudsman of its acceptance of the Ombudsman's draft recommendation and of the



measures which it has taken to implement it. The measures described by the Commission appear to be satisfactory and the Ombudsman therefore closes the case. The President of the European Commission will also be informed of this decision. Yours sincerely Jacob SÖDERMAN

(1) Decision 94/262 of 9 March 1994 of the European Parliament on the Regulations and General Conditions Governing the Performance of the Ombudsman's Duties, OJ 1994 L 113/15.