

Decision of the European Ombudsman in the case 2041/2019/JN on the fairness of the European Commission's rejection of costs incurred in the context of an EU-funded project

Decision

**Case 2041/2019/JN - Opened on 23/03/2020 - Decision on 23/03/2020 - Institution
concerned** European Commission (No maladministration found) |

Dear Mr X,

On 7 November 2019, you submitted a complaint to the European Ombudsman against the European Commission (Executive Agency for Small and Medium-sized Enterprises - EASME) concerning the above issue.

After a careful analysis of all the information you provided with your complaint, we have decided to close the inquiry with the following conclusion:

The evidence and information provided in the complaint appear not to give reason for concluding that the European Commission acted with maladministration.

I note, first, that on 10 December 2019, our Office informed you that your complaint was admissible. At the same time, we invited you to send us all missing evidence supporting your complaint. On 30 December 2019, you sent additional material. Having reviewed this material, we note that some evidence we specifically asked you to send us is still missing (letters of 28 October, 8 November and 21 December 2016, 19 January and 6 February 2017, 24 and 30 April 2018). Therefore, we have examined your complaint based on the evidence you have sent to us.

Having carefully examined all information and material provided to us, the Commission's replies appear reasonable and convincing. Moreover, the evidence shows that the Commission reassessed the costs in question several times over a period of two years (2016 - 2018). It gave you several opportunities to provide additional information and evidence supporting your claims (specifically on 21 December 2016, 13 October 2017, 27 February and 24 April 2018). It also accepted some days (for illness and training) above the relevant 10-day limit. We did not identify any possible shortcoming in the Commission's conduct and assessment justifying further inquiries.



Although we appreciate that you may be disappointed with this outcome of the case, we hope that you will find these explanations helpful. You are welcome to turn to the Ombudsman again should you encounter problems with an EU institution, body, office or agency.

Yours sincerely,

Marta Hirsch-Ziembińska

Head of Inquiries and ICT - Unit 1

Strasbourg, 23/03/2020