

Decision of the European Ombudsman on complaint 394/2000/(IJH)BB against the European Commission

Decision

Case 394/2000/(PB)BB - Opened on 16/06/2000 - Decision on 07/06/2001

Strasbourg, 7 June 2001

Dear Mr T.,

On 23 March 2000, you made a complaint to the European Ombudsman against the European Commission on behalf of yourself, Mr E, Mr K, Mr O and Mr C concerning the Jean Monnet grant, which you were awarded by the Commission representation in Ankara, Turkey.

On 16 June 2000, I forwarded the complaint to the President of the European Commission. The Commission sent its opinion on 21 August 2000 and I forwarded it to you with an invitation to make observations, which you sent on 8 November 2000.

I apologise for the length of time it has taken to deal with your complaint.

I am writing now to let you know the results of the inquiries that have been made.

THE COMPLAINT

In March 2000, the complainant complained about the level of a Jean Monnet grant, which he was awarded by the Commission representation in Ankara, Turkey. The Ombudsman informed him that it appeared that one of the conditions of admissibility was not met as the complainant had not made any prior approaches to the Commission in relation to the subject matter of his complaint. In May 2000, the complainant replied to the Ombudsman enclosing a copy of a letter to Mrs Karen Fogg, Head of the Commission's representation in Turkey and the complaint was declared admissible.

The complainant alleges on his own behalf and on behalf of four others that:

- the amount he and four others are receiving from the grant is inadequate, since the amount is fixed in Euro and the Euro has depreciated significantly against the Sterling so that the Sterling amount received is inadequate to live on.
- The Head of the Commission's representation in Turkey, Mrs Karen Fogg, failed to reply to the complainant's letter of 23 February 2000 concerning the matter.



THE INQUIRY

The Commission's opinion

According to the Commission, the question raised by the complainant concerned the management and the level of financial support of a scholarship programme in favour of Turkish post-graduate students.

The programme, entitled "Continuation and enlargement of the programme of Jean Monnet scholarships in favour of (Turkish) post-graduate students", agreement n° DGIA-D/MEDTQ/02-96, intended to bring Turkey and the European Union closer together and provides training for Turkish graduates, young civil servants and private sector staff in a University or equivalent institution in one of the Member States of the European Union.

- The suitable candidates were awarded a full scholarship, which was set at an indicative " 20.000 per student at the start of the programme in 1996. In the course of time, the level of this financial support proved to be below the market rate for standard post-graduate tuition, especially in the United Kingdom.

The Commission remarked that the depreciation of the Euro against the Pound Sterling made the monthly stipend inferior month after month.

In March 2000, the service in charge of the management of the scholarship launched an inter-service consultation concerning the possibility from a financial and legal point of view to re-evaluate the level of monthly stipends. It created a large debate since income and expenses of the European Commission are expressed in Euro and the majority of Turkish awardees chose a non-EMU country, namely the United Kingdom, as their country of placement.

It was true that the Commission never objected to the first priority expressed by the students for their placement.

Since 1 July 2000, the Commission has adapted the level of scholarships for the United Kingdom students to match the official UK Government level; fluctuations of the Euro against the Pound Sterling will therefore no longer influence the students' scholarships.

However, this is an intermediate solution; it is envisaged continuing the Jean Monnet scholarship programme, taking into account that payments carried out by the Commission are made in Euro. In principle, fluctuations between currencies and the Euro do not fall under the responsibility of the Commission, and therefore students choosing a non-EMU country should be aware of any exchange risks.

- The Head of the EC Representation in Ankara did indeed receive a letter from some Turkish students on 23 February 2000. At that time, as mentioned above, the Commission was assessing the situation and reflecting on a possible reaction that could only be adopted after a very serious legal examination.

On 31 May 2000, the EC Representation replied and indicated to the students that the



programme is governed by the EC headquarters in Brussels and mentioned the names of persons in charge of the programme management.

The complainant's observations

The complainant maintained his complaint. He stated that the aim of the programme was to bring Turkey closer to the European Union, not to EMU. He requested that the increase be also paid for the months preceding July 2000.

As regards Mrs Fogg's reply, the complainant claimed that he was not given the right contact persons within the Commission. According to the complainant, no specifications were given as to the persons to whom the complainant should address his complaint.

THE DECISION

1 Alleged inadequate amount of Jean Monnet Scholarship

1.1 The complainant claims that the amount he and four others are receiving from the grant is inadequate, since the amount is fixed in Euro and the Euro has depreciated significantly against the Pound Sterling so that the Sterling amount received is inadequate to live on.

1.2 The Commission in its opinion stated that since 1 July 2000, it has adapted the level of stipends for the United Kingdom students to match the official UK Government level; fluctuations of the Euro against the Pound Sterling will therefore no longer influence the students' scholarships.

1.3 The Commission explained that this is an intermediate solution; it was envisaged continuing the Jean Monnet scholarship programme, taking into account that payments carried out by the Commission are made in Euro. In principle, fluctuations between currencies and the Euro do not fall under the responsibility of the Commission, and therefore students choosing a non-EMU country should be aware of any exchange risks.

1.4 The European Ombudsman notes that since 1 July 2000, the Commission has adapted the level of stipends for the United Kingdom students to match the official UK Government level. Furthermore, the Commission has given confirmation that fluctuations of the Euro against the Pound Sterling will no longer influence the students' scholarships in this case.

1.5 The European Ombudsman is not aware that the Commission had any legal obligation to compensate the students. By limiting the period of compensation to July 2000, it has acted within the limits of its legal obligations. If the complainant wishes to pursue his request for further compensation he should address the Commission directly. The Ombudsman finds no instance of maladministration by the Commission as regards this aspect of the case.

2 Alleged failure to reply

2.1 The complainant claims that the Head of the Commission's representation in Ankara, Mrs Karen Fogg, failed to reply to his letter of 23 February 2000 concerning the above mentioned matter.

2.2 The Commission in its opinion stated that the Head of the EC Representation in Ankara did



indeed receive a letter from some Turkish students on 23 February 2000. At that time, the Commission was assessing the situation and reflecting on a possible reaction that could only be adopted after a very serious legal examination.

2.3 The Head of the EC Representation in Turkey replied to the complainant's letter on 31 May 2000. In its answer, the EC Representation indicated to the students that the programme is governed by the EC headquarters in Brussels and mentioned the names of persons in charge of the programme management.

2.4 The Ombudsman notes that the Commission has replied to the complainant's letter of 23 February 2000. The Ombudsman therefore finds no instance of maladministration as regards this aspect of the case.

3 Conclusion

On the basis of the Ombudsman's inquiries into this complaint, there appears to have been no maladministration by the Commission. The Ombudsman therefore closes the case.

The President of the Commission will also be informed of this decision.

Yours sincerely,

Jacob SÖDERMAN