

Decision of the European Ombudsman in the case 428/2021/JN on how the European Commission handled correspondence with an Irish farmer concerning the Single Farm Payment scheme

Decision

Case 428/2021/JN - Opened on 08/04/2021 - Decision on 08/04/2021 - Institution concerned European Commission (No maladministration found) |

Dear Mr X,

On 2 March 2021, you submitted a complaint to the European Ombudsman against the European Commission concerning the above issue. You are dissatisfied that the Commission did not register your letters of 15 August and 10 December 2019 as complaints and that it discontinued correspondence with you on the matter of your concern.

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 European Commission did not act with maladministration.

The matter about which you contacted the Commission goes back many years. The documents you sent to our Office show that you have written to the Commission repeatedly on the matter since 2017.

The Commission has dealt with two infringement complaints that you submitted on the matter. The Commission has also sent several detailed replies to your further letters and it has informed you of the result of an enquiry that it has carried out related to the matter of your concern.

The Commission informed you that it had not registered your letter of 15 August 2019 as a complaint because you had not presented it as such and you had not used the dedicated complaint form. The Commission nevertheless sent you a detailed substantive reply. It also sent you a substantive reply to your letter of 10 December 2019. Even if the Commission had treated these letters as complaints, the substantive replies would have been the same, as the Commission has made its position on the matter very clear.

Regarding the Commission's decision to stop corresponding with you, both the Commission's



Code of Good Administrative Behaviour (section 4) [1] and the European Code of Good Administrative Behaviour (Article 14(3)) [2] give the Commission the right to stop replying to repetitive correspondence. Since the Commission had made its position very clear in a number of letters, it was reasonable for it to decide not to send you any further replies in this matter.

Although we appreciate that you may be disappointed with this outcome, we hope that you will find these explanations helpful.

Yours sincerely,

Tina Nilsson Head of the Case-handling Unit

Strasbourg, 08/04/2021

[1]

https://ec.europa.eu/info/sites/info/files/20131125-code-good-administrative-behaviour-en_1.pdf
[Link]

[2] <https://www.ombudsman.europa.eu/en/publication/en/3510> [Link]