



Ombudsman welcomes future complaints procedure for seconded national experts

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The European Ombudsman, **P. Nikiforos Diamandouros**, has welcomed the move by the European Commission to introduce an internal complaints procedure for seconded national experts. This follows the Ombudsman's own-initiative inquiry into the existence of such a procedure. Officials and other servants of the institutions already have access to an internal dispute resolution procedure through Article 90 of the Staff Regulations.

The inquiry

In the Ombudsman's view, "the experience of ombudsmen ... is that an effective internal dispute resolution procedure enables a public body to resolve a high proportion of problems itself, either by taking remedial action ... or by explaining its position to the complainant". He therefore asked the Commission:

- whether it receives complaints from seconded national experts concerning matters related to their secondment and how any such complaints are dealt with;
- whether, if no internal dispute resolution procedure currently exists, the Commission would be willing to introduce a suitable provision in the rules applicable to seconded national experts.

The Commission replied that it followed informal ways of settling possible disputes and answering inquiries in order to avoid potential disputes being amplified and aggravated. Acknowledging that the legal situation was not fully clear as regards the scope, steps and channels for dispute settlement as it said it was prepared to introduce a suitable provision for the resolution of possible disputes. After the Ombudsman highlighted that the Commission had not indicated a definite timetable for action, the Commission indicated that the complaints procedure could be adopted by March 2005.

Background

Seconded national experts are national or international civil servants or persons employed in the private sector, who are working temporarily for European institutions. According to their liaison committee, there are around 900 such experts in the Commission.

The Ombudsman's decision is available on his website at:
<http://www.ombudsman.europa.eu/decision/en/03oi1.htm>

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