



## Decision on how the European Commission (Europe Direct) dealt with a complaint concerning the language immersion programme (EUSLE) in the Basque Country in Spain (case 670/2022/ABZ)

Decision

**Case 670/2022/ABZ - Opened on 13/04/2022 - Decision on 13/04/2022 - Institution concerned** European Commission ( No maladministration found ) |

Dear Ms X,

You recently submitted a complaint to the European Ombudsman, on behalf of the association 'Hablamos Español', about how the European Commission (Europe Direct) dealt with a complaint concerning the EU-funded language immersion programme (EUSLE) [1], which aims to teach the Basque language to immigrant children joining the education system in the Basque Country in Spain. You have also asked the Ombudsman for assistance in obtaining information held by the Basque authorities about the programme, and on EU's expenditure and monitoring in this regard.

*How Europe Direct replied to your complaint about the EUSLE programme*

In your complaint to the Ombudsman, you state that you are dissatisfied with Europe Direct's reply. You argue that it did not verify the details of the programme and that it referred to national laws on the use of official languages in Spain, which you consider the regional authorities fail to observe.

After careful analysis of all the information you provided with your complaint, we have decided to close the inquiry with the conclusion that **there was no maladministration by Europe Direct in this case [2]**.

Europe Direct is a service providing general information [3] about the EU. Its staff can directly answer only general questions. For more specialised information, it has to ask the specialists at the European Commission. To this end, in your case, it referred your concerns to the Commission's Directorate-General for Education and Culture (DG EAC) [4]. DG EAC informed you that it has not detected any problems concerning the programme.

Please note that Europe Direct does not provide information on *national* laws and it may not look into alleged irregularities of the regional authorities with regard to national laws. Such matters should be raised with the relevant authorities at *national* level.



In view of the above, we consider that Europe Direct's reply to you is reasonable and appropriate.

*On your request to the Ombudsman to assist in obtaining information:*

*i) from the Basque authorities on the EUSLE programme*

The Ombudsman may look into complaints concerning the administrative activity of the EU institutions. The Ombudsman **has no powers in relation to regional authorities**. This means that your request above falls outside the mandate of the European Ombudsman. You may consider making a request for access to public information to the Basque authorities [5] . If you do, and if you are dissatisfied with their response, you may turn to the Basque Commission for Access to Public Information, and, in last instance, to the administrative courts.

*ii) on the EU's monitoring and expenditure on the EUSLE programme*

The Ombudsman may help in cases in which the complainant has difficulties in obtaining information from EU institutions. Nevertheless, the complainant must first have contacted the EU institution concerned about the problem before turning to the Ombudsman. This is to give the EU institution itself an opportunity to deal with the problem, without the need to involve the Ombudsman. From the information you have provided, it appears that you have not yet asked Europe Direct for information on the EU's monitoring and expenditure on the programme. This means that the Ombudsman is **unable to deal with this aspect of your complaint at this stage** .

If you would like to obtain such information, you may contact DG EAC through Europe Direct's contact form: [https://european-union.europa.eu/contact-eu/write-us\\_en](https://european-union.europa.eu/contact-eu/write-us_en) , or submit a request for access to documents [6] to the European Commission: <https://ec.europa.eu/transparency/regdoc/index.cfm?fuseaction=fmb&language=en> . If you do not obtain a satisfactory reply within the reasonable time, or once you have completed the two-stage procedure [7] to access EU documents, you may turn to the Ombudsman anew.

We understand this is not your expected outcome, but we hope that you find the above information useful.

Thank you for contacting the European Ombudsman.

Yours sincerely,

Tina Nilsson Head of the Case-handling Unit

Strasbourg, 13/04/2022



[1] For more information on EUSLE programme, please see (in Spanish):[https://www.euskadi.eus/contenidos/informacion/inn\\_edu\\_inc\\_progs\\_diver/es\\_def/adjuntos/EU](https://www.euskadi.eus/contenidos/informacion/inn_edu_inc_progs_diver/es_def/adjuntos/EU)

[2] Full information on the procedure and rights pertaining to complaints can be found at

<https://www.ombudsman.europa.eu/en/document/70707>

[3] For information on how Europe Direct operates, see:

[https://european-union.europa.eu/contact-eu/write-us/answering-your-questions\\_en](https://european-union.europa.eu/contact-eu/write-us/answering-your-questions_en)

[4] For more information on DG EAC, please consult the following website:

[https://ec.europa.eu/info/departments/education-youth-sport-and-culture\\_en#contact](https://ec.europa.eu/info/departments/education-youth-sport-and-culture_en#contact)

[5] Information on the procedure available at the following website (in Spanish):

[https://www.euskadi.eus/interaccion\\_ciudadania/acceso-a-la-informacion-publica/web01-tramite/es/](https://www.euskadi.eus/interaccion_ciudadania/acceso-a-la-informacion-publica/web01-tramite/es/)

[6] For more information on the right of access to documents at EU level please see:

<https://ec.europa.eu/info/about-european-commission/service-standards-and-principles/transparency/fr>

[7] Articles 6, 7 and 8 of Regulation 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, available at:

<https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX%3A32001R1049> .