

Decision of the European Ombudsman on complaint 1003/2003/(TN)IJH against the European Commission

Decision

Case 1003/2003/TNIJH - Opened on 23/07/2003 - Decision on 17/10/2003

Strasbourg, 17 October 2003

Dear Mr C.,

On 5 June and 20 June 2003, you made a complaint to the European Ombudsman concerning the Commission's failure to answer the complaint against the UK authorities that you sent to the Commission on 5 July 2003.

On 23 July 2003, I forwarded the complaint to the President of the Commission.

By letter of 24 September 2003, you informed me that the Commission had answered your complaint.

THE COMPLAINT

In a complaint made to the Ombudsman in June 2003, the complainant alleged that the Commission had failed to answer the complaint he had sent to the Commission on 5 July 2002, concerning alleged violations by the UK authorities of his rights and freedoms as an Irish citizen in the UK.

THE INQUIRY

The Ombudsman forwarded the complaint to the Commission on 23 July 2003, with a request for an opinion by 31 October 2003.

By letter of 24 September 2003, the complainant informed the Ombudsman that the Commission had answered his complaint. In his letter, the complainant made new allegations against the Commission regarding the substance of its reply.

THE DECISION



1 Failure to answer to a complaint

1.1 The complainant alleged that the Commission had failed to answer the complaint that he had sent to the Commission on 5 July 2002, concerning alleged violations by the UK authorities of his rights and freedoms as an Irish citizen in the UK.

1.2 By letter of 24 September 2003, the complainant informed the Ombudsman that the Commission had answered his complaint and enclosed a copy of the reply in which the Commission expresses its regret for not answering promptly and explains the reason for the delay.

1.4 The Ombudsman therefore considers the Commission to have taken appropriate steps to settle the matter and that it has thereby satisfied the complainant as regards the allegation put forward in this complaint.

2 The complainant's new allegations

2.1 In his letter informing the Ombudsman that the Commission had answered his complaint, the complainant also made new allegations against the Commission regarding the substance of its reply.

2.2 Since these new allegations against the Commission are not part of the original complaint, the Ombudsman does not deal with them in the framework of the present inquiry, in order to avoid delay in reaching a decision on the original complaint.

2.3 The new allegations put forward by the complainant have therefore been registered as a new complaint with the registration number 1855/2003/TN. The complainant will be informed separately of the Ombudsman's assessment of the admissibility of the new complaint.

3 Conclusion

It appears from the complainant's letter of 24 September 2003, and its annexes, that the Commission has taken appropriate steps to settle the matter and has thereby satisfied the complainant as regards the allegation put forward in this complaint. The Ombudsman therefore closes the case.

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

Yours sincerely,

P. Nikiforos DIAMANDOUROS