

## **Decision of the European Ombudsman on complaint 2061/2007(BM)FOR against the Committee of the Regions**

Decision

**Case 2061/2007/(BM)FOR - Opened on 29/08/2007 - Decision on 10/12/2007**

Strasbourg, 10 December 2007

Dear Mr X,

On 3 August 2007 you submitted a complaint to the European Ombudsman against the Committee of the Regions of the European Union, in which you alleged a delay in the payment, by the Committee of the Regions, of the amount corresponding to (...).

On 29 August 2007 I forwarded the complaint to the President of the Committee of the Regions, requesting that it provide me with its opinion by 30 November 2007.

On 10 October 2007, I informed you that, for reasons of internal organisation, the legal officer dealing with your complaint had been changed.

On 6 November 2007, the Committee of the Regions sent me its opinion, which I forwarded to you with an invitation to make observations.

You sent me your observations on 19 November 2007.

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

### **THE COMPLAINT**

The relevant facts, according to the complainant, can be summarised as follows:

The complainant was awarded (...) by the Committee of the Regions. The winner (...) was to be awarded EUR 6 000 by the Committee of the Regions. Despite the fact that the award ceremony took place (in late 2006), and despite many contacts between the complainant and the Committee of the Regions in relation to the payment, the Committee of the Regions had not made the payment, or given any explanation to him as regards the reason for the delay in making the payment. The complainant mentions that the Committee of the Regions had not



replied to his e-mails of 12 June 2007 and 10 July 2007.

The Ombudsman understood the complainant to allege that the Committee of the Regions:

(i) had not yet paid him the amount of EUR 6 000 corresponding to the (...), without providing any explanation for this delay; and

(ii) failed to reply to his e-mails of 12 June and 10 July 2007, in which he requested payment (...).

The Ombudsman understood the complainant to claim that the Committee of the Regions should pay him the amount of EUR 6 000.

## **THE INQUIRY**

### **The opinion of the Committee of the Regions**

The Committee of the Regions' opinion in relation to the complaint can be summarised as follows:

The Committee of the Regions organised a (...) competition in 2005-2006 on the issue (...). After a decision taken by the competition jury, the complainant was awarded the first prize, which amounted to EUR 6 000. (...)

The Committee of the Regions admitted that the delay in making the payment of the EUR 6 000 to the complainant was too long. The delay was linked to the fact that the institution's new computerised financial system (ABAC), which was introduced in January 2006 to replace the previous SI2 system, was inaccessible. Efforts to transfer the EUR 6 000 to the complainant's bank account were thus unsuccessful. At the same time, the verification procedure took longer than usual.

The Committee of the Regions noted, however, that by the time the complaint was received by its services, the payment to the complainant had already been effected (it was effected on 4 September, 2007).

The Committee of the Regions stated that it understood the complainant's situation and regretted the circumstances which gave rise to it. As a result of the delay in making the payment, the Committee of the Regions will, as soon as possible, pay the complainant interest for late payment on the amount of EUR 6 000. The Committee of the Regions wrote to the complainant on 6 November 2007 informing him accordingly.

### **The complainant's observations**

The complainant stated that he was happy with the position taken by the Committee of the Regions. The complainant also thanked the Ombudsman for his fast and diligent reply.

## **THE DECISION**



1. The complainant was awarded (...) by the Committee of the Regions. The winner (...) was to be awarded EUR 6 000. Despite the fact that the award ceremony took place (in late 2006), and despite many contacts between the complainant and the Committee of the Regions in relation to the payment, the latter's services had not made the payment or given any explanation to him as regards the reason for the delay in making the payment. The complainant also stated that the Committee of the Regions had not replied to his e-mails of 12 June 2007 and 10 July 2007. The Ombudsman understood the complainant to allege that the Committee of the Regions:

(i) had not yet paid him the amount of EUR 6 000 corresponding to (...), without providing any explanation for this delay; and

(ii) failed to reply to his e-mails of 12 June 2007 and 10 July 2007, in which he requested the payment of the prize money.

The Ombudsman understood the complainant to claim that the Committee of the Regions should pay him the amount of EUR 6 000.

2. In its opinion to the Ombudsman, the Committee of the Regions admitted that the delay in making the payment of the EUR 6 000 to the complainant was too long. It stated that the delay was linked to the fact that the institution's new computerized financial system (ABAC) was inaccessible. Efforts to transfer the amount of EUR 6 000 to the complainant's bank account were thus unsuccessful. At the same time, the "verification procedure" took longer than usual. The Committee of the Regions noted, however, that by the time the letter from the Ombudsman in relation to the complaint was received by the Committee of the Regions, the payment to the complainant had already been effected (it was effected on 4 September 2007). The Committee of the Regions stated that it understood the complainant's situation and regretted the circumstances which gave rise to it. As a result of the delay in the payment, the Committee of the Regions stated that, as soon as possible, it would pay the complainant interest for late payment. The complainant was informed accordingly by the Committee of the Regions.

3. In his observations in relation to the opinion of the Committee of the Regions, the complainant stated that he was happy with the position taken by the Committee of the Regions. The complainant also thanked the Ombudsman for his fast and diligent reply.

4. The Ombudsman notes that the Committee of the Regions made the payment of EUR 6 000 to the complainant on 4 September 2007. Further the Ombudsman applauds the fact that the Committee of the Regions will, on the grounds that the delay in making the payment was excessive, pay the complainant interest for late payment. The complainant has expressed his satisfaction with this outcome. The Ombudsman therefore concludes that the Committee of the Regions has taken steps to settle the matter. The Ombudsman therefore decides to close the case.

The President of the Committee of the Regions will also be informed of this decision.



Yours sincerely,

P. Nikiforos DIAMANDOUROS