

Ombudsman helps resolve 1.5 million Euro dispute

Press release no. 23/2002 - 17/09/2002

The European Ombudsman, **Jacob Söderman**, has helped ensure that the European Commission settle a claim submitted six years ago by a UK-based firm. The amount at stake - over 1.5 million Euro - was one of the highest ever sums involved in a decision of the Ombudsman.

The Ombudsman found that there was "no valid justification" for most of the delay and recommended that the Commission propose a settlement. The Commission informed the Ombudsman that it accepted his recommendation and settled the case. The complainant thanked the Ombudsman for his work.

Background

The firm was engaged in 1993 in Nigeria to work on a technical assistance project, financed by the 7th European Development Fund. In 1996, the Commission unilaterally suspended all aid for projects in Nigeria. The firm's project was terminated as a result. This caused extensive financial loss for the firm and it submitted a claim for indemnification to the Commission in 1996.

The Commission argued that it was not the correct addressee for the claim which should have been addressed to the Nigerian government. The Ombudsman disputed this, pointing to evidence from the complainant that the firm "had been told to submit the claim to the Commission". The Commission also said it was not liable as it was not a contracting party. This did not prevent the Commission from proposing a settlement.

The Ombudsman's Decision can be found on the Internet at:
<http://www.ombudsman.europa.eu/decision/en/000444.htm>

For further information, please call Ms Maria Engleson, Legal Officer; tel : 00 33 3 88 17 24 02.