



Letter from the European Ombudsman opening own-initiative inquiry OI/4/2009/PB concerning the European Commission

Correspondence - 03/11/2009

Case OI/4/2009/PB - Opened on 03/11/2009 - Recommendation on 12/07/2011 - Decision on 05/07/2011

Mr José Manuel Barroso President European Commission 1049 Brussels BELGIQUE

Strasbourg, 3 November 2009

OI/4/2009/PB

Dear Mr President,

I write to inform you that I have decided to open an own-initiative inquiry into the Commission's rules and practices for the adoption of recovery measures under Article 85 of the Staff Regulations.

My inquiry principally concerns the Administration's duty to give reasons and the official's right to be heard. Depending on how the inquiry develops, I may, however, decide to examine other issues.

At the current stage of the inquiry, I will need to examine the Commission's internal written rules and procedures on the adoption of recovery measures under Article 85 of the Staff Regulations. I would, therefore, be grateful if the Commission could send me copies of those rules, and, as far as necessary, a description and explanation of the applicable procedures.

I would be grateful to receive the above as soon as possible, and in any case not later than 30 November 2009.

Yours sincerely,



P. Nikiforos DIAMANDOUROS