

Letter to the European Commission opening the European Ombudsman's own-initiative inquiry **OI/11/2015/EIS** regarding the timeliness of payments

Correspondence - 15/06/2015

Case OI/11/2015/EIS - **Opened on** 15/06/2015 - **Decision on** 19/12/2016 - **Institution concerned** European Commission (No further inquiries justified) |

Mr Jean-Claude Juncker President European Commission sent by electronic means

Strasbourg, 15/06/2015

Own-initiative inquiry **OI/11/2015/EIS**

Dear Mr President,

On 23 April 2013, and following three earlier inquiries conducted by my predecessors into the same matter [1] , the Ombudsman decided to open a further own-initiative inquiry regarding the timeliness of payments by the European Commission (OI/2/2013/EIS). In my decision closing that inquiry, I noted the clear improvements achieved by the Commission in 2012 and considered that there were no grounds for further inquiries into the issue at that time. That inquiry was thus closed on 17 December 2013. On the same occasion, I also invited the Commission to provide me with figures for its performance in 2013, as soon as they became available. I received these figures on 22 May 2014 and would like to thank you for that. At the same time, I noted that problems still persisted and considered it necessary to continue to monitor the situation.

I note that, in its reply of 22 May 2014, the Commission referred to the time limits set by the new Financial Regulation [2] . Before opening a new inquiry into the matter, I found it appropriate to wait until the data for 2014 was available.

I have, therefore, now decided to open a new own-initiative inquiry regarding the timeliness of payments by the Commission.

I would very much appreciate if the Commission could inform me of the results of the steps it has taken to identify and deal with the causes of delays in making payments to contractors and to beneficiaries of grants and subsidies. I would, of course, also be interested in receiving



information on any further steps the Commission may have taken in this regard.

In this context, it would be most useful if the Commission could also present statistical data for 2014 that might illustrate the problem or the remedial action taken by the Commission. I would be particularly interested in receiving information: (i) on the *number and percentage* of cases where delays in payment occurred; (ii) on the *extent* of the delays that occurred; (iii) on the *sums* involved; and (iv) on the *cases* where interest was paid on account of late payment. Finally, I would also be grateful if I were to receive separate statistical data about cases in which interest was paid (v) *upon request*, in line with the second subparagraph of Article 111(4) of the Rules of Application [3] of the Financial Regulation.

I would very much appreciate if the Commission were to send its opinion by 30 September 2015.

Should you have any queries concerning this case, please do not hesitate to contact Ms Eija Salonen (+ 33 3 88 17 24 29), who is the Legal Officer responsible for this inquiry.

Yours sincerely,

Emily O'Reilly

[1] These own-initiative inquiries bore reference numbers OI/5/99/(IJH)GG, OI/5/2007/GG and OI/1/2009/GG.

[2] Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002, OJ 2012 L 298, p. 1.

[3] Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union, OJ 2012 L 362, p. 1.