



Emily O'Reilly

European Ombudsman

Decision

of the European Ombudsman concerning requests for review

Having regard to

Article 10 of the Decision of the European Ombudsman adopting Implementing Provisions and the right of a complainant to request a review of a decision taken on a complaint

The European Ombudsman has decided as follows:

Article 1

1.1. A complainant can request a review of a decision that a complaint is outside the Ombudsman's mandate or inadmissible, of a decision that there are no grounds to conduct an inquiry, or of a decision closing an inquiry.

1.2. A complainant cannot request a review of a finding of maladministration or any recommendation made following such a finding.

Article 2

2.1. A request for review shall be made within 2 months from the date of the Ombudsman's decision to which the request relates.

2.2. A request for review shall set out detailed arguments as to why the decision is incorrect.

2.3. In the event that a complainant wishes to put forward new facts relating to the alleged maladministration, the complainant shall demonstrate to the Ombudsman that he/she/it was not in a position to raise these in the complaint or during the inquiry.



Article 3

3.1. A decision on a request for review in relation to a decision that a complaint is outside the Ombudsman's mandate shall be taken by a staff member different from the staff member who took the original decision.

3.2. A decision on a request for review in relation to a decision on a complaint falling within the Ombudsman's mandate shall be taken by the Ombudsman. A staff member other than the staff member who originally was responsible for the handling of the complaint shall assist the Ombudsman in dealing with such a request for review.

Article 4

4.1. A decision on a request for review shall be taken within 4 months from the time of its registration. The Ombudsman, or a staff member acting on behalf of the Ombudsman, may extend this time period by another 2 months in duly justified cases.

4.2. The decision on the request for review shall be reasoned and shall set out the action to be taken, if any.

4.3. A decision on a request for review shall be final.

Article 5

This Decision shall enter into force on the date of its adoption. This Decision repeals the previous decision on the matter.

Strasbourg, 14/09/2020

Emily O'Reilly
European Ombudsman