



P. Nikiforos Diamandouros
European Ombudsman

Mr José Manuel Barroso
President
European Commission
B-1049 Brussels
BELGIQUE

Strasbourg, 23-04-2013

Own-initiative inquiry OI/2/2013/EIS

Dear Mr President,

In his own-initiative inquiry OI/5/99/(IJH)GG, the Ombudsman investigated the subject of late payment by the Commission. This inquiry was closed on 16 February 2001.

On 14 December 2007, I informed you that I had decided to open an own-initiative inquiry concerning the issue of timeliness of payment by the European Commission (OI/5/2007/GG). This inquiry was closed on 20 June 2008.

On 17 February 2009, and following the two above-mentioned inquiries, I decided to open a further own-initiative inquiry into the subject of timeliness of payment by the Commission (OI/1/2009/GG). In my decision closing this inquiry, I noted the clear improvements achieved by the Commission in 2009 and considered that there were no grounds for further inquiries into the issue of the timeliness of payments by the Commission. This inquiry was thus closed on 8 February 2011. On that occasion, I also invited the Commission to provide me with figures for its performance in 2010, which I subsequently received. At the same time, I noted that problems still persisted and considered it necessary to keep the issue under consideration. On 29 September 2011, I therefore informed the Commission that I envisaged opening a new own-initiative inquiry in the spring of 2013, when figures for the Commission's performance in 2011 and 2012 would be available.

I have therefore decided to open a new own-initiative inquiry into the subject of timeliness of payment by the Commission.

I would very much appreciate it 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 field.

In this context, it would be most useful if the Commission could also present statistical data 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.

I would very much appreciate it if the Commission were to send its opinion by 31 July 2013.

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,

P. Nikiforos Diamandouros