



EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

The Secretary General

Brussels, 18 FEB. 2014  
SG/C.3 JDB/zk

Ms Emily O'Reilly  
European Ombudsman  
1, Avenue du Président Schuman  
F-67001 Strasbourg Cedex

Dear Ms O'Reilly,

Thank you for your letter of 24 January 2014 concerning your own-initiative inquiry OI/2/2011/OV related to the 2012 Commission Communication on handling the relations with the complainant in respect of the application of Union law. I would like to clarify our position on the various issues that you raise.

I agree with you that we need to be fully transparent in communicating on the subject with the public. The 2012 Communication is available on EUR-Lex. Given its importance to the citizen, we also posted it prominently on Europa. It will soon be available in Croatian. For your information, the Commission stopped publishing the full text of its Communications in the Official Journal some years ago.

You suggest that we use the availability of the Croatian translation to modify the original communication. However, it is not possible to revise final Commission Communications in such a way.

We have seriously considered the points that you have raised on informing the complainants. Our current practice, in line with the 2012 Communication, is the following. Every complaint is registered in our central complaint application. The complainant receives an acknowledgment of receipt within fifteen working days. If subsequent infringement proceedings are launched on the basis of a complaint, the Commission will contact the complainant and inform him/her in writing, of each procedural step (letter of formal notice, etc.). At any point during the procedure the complainant may ask to receive explanations on the case. When the Commission envisages to close the complaint file, it gives the complainant prior notice and invites him or her to submit any comments within four weeks.

We believe that these various steps meet the concerns that you raise. My colleagues are of course available to discuss these matters in more detail in the working session between our services in the near future.

Yours sincerely,

Catherine Day