



European Ombudsman

Emily O'Reilly
European Ombudsman

Mr Borivoje Djordjevic
Association People's Parliament
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Strasbourg, 12/05/2015

Complaint 568/2015/ANA and own-initiative inquiry OI/7/2015/ANA

Dear Mr Djordjevic,

On 31 March 2015, acting on behalf of the Association People's Parliament, you submitted a complaint to the European Ombudsman against the European Commission concerning the latter's refusal to grant public access to its opinion on the draft Serbian law on Free Legal Aid (complaint 568/2015/ANA).

Please note that natural or legal persons who do not reside or have their registered office in a Member State of the European Union are not authorised to bring a complaint to the Ombudsman, in accordance with Article 228 TFEU. On this basis, given that neither you, in your personal capacity, nor the civil society organisation on whose behalf you submitted the complaint are based in the EU, I closed the case on your complaint.

However, I considered that it would be in the public interest to clarify the matters raised by the complaint. Thus, I opened an inquiry on my own initiative into your allegation and claim as follows.

Allegation:

Contrary to Regulation 1049/2001, the Commission failed to disclose its opinion on the draft Serbian Free Legal Aid Act.



Claim:

The Commission should disclose its opinion on the draft Serbian Free Legal Aid Act.

In accordance with Articles 2(2) and 3(1) of the Statute of the European Ombudsman, I informed the President of the Commission of my inquiry and invited him to submit an opinion on the allegation and claim included in it by 31 July 2015.

As soon as I receive the Commission's opinion, I will forward it to you with an invitation to make observations. Any observations you wish to make should be submitted to my office within one month of receiving the opinion.

I would also like to inform you that my services will carry out an inspection of the requested document and of the Commission's file on the case. A copy of the inspection report will be forwarded to you, with an invitation to make observations.

Once my office receives your observations on the Commission's opinion and on the inspection report, or the deadline has passed, the Legal Officer responsible for your case, Mr Antoniadis (tel. 0033 388 173768), will then examine your file. Mr Antoniadis is a member of Complaints and Inquiries Unit 1, headed by Ms Hirsch-Ziembinska, which is part of Directorate A. I will inform you if I need to inquire further into your complaint before making a decision on it.

Every effort is made to deal with cases as quickly as possible. I try to reach a preliminary conclusion in my inquiry within one year of opening it.

Yours sincerely,

Emily O'Reilly