

European Parliament press release, European Ombudsman: a vital role in maintaining citizens' trust in the EU (25 November 2010)

Caption: On 25 November 2010, the European Parliament publishes a press release on the vital role played by the European Ombudsman in maintaining citizens' trust in the European Union.

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European Ombudsman: a vital role in maintaining citizens' trust in the EU

Plenary sessions

Transparency and access to information on what the EU administration is doing are vital to maintain citizens' trust in it, says a resolution passed by Parliament on Thursday. The European Commission must co-operate fully with the Ombudsman, especially on access to documents, or face sanctions, say MEPs.

The commonest types of maladministration found by the Ombudsman in 2009 were lack of transparency, including refusal to provide information (36% of inquiries), injustice or abuse of power (14%), avoidable delays (13%), procedural errors (13%), negligence (6%) and failure by the Commission to fulfil its duties as guardian of the Treaties (6 %).

Friendly settlements up

The resolution, drafted by Mariya Nedelcheva (EPP, BG), welcomes the fact that in 56% of the 318 cases closed by the Ombudsman in 2009, the institution concerned accepted a friendly solution or settled the matter, up from 36% in 2008.

Good administration: a fundamental right

The resolution points out that the Charter of Fundamental Rights, which the Lisbon Treaty rendered legally binding, defines the right to good administration as a fundamental right of EU citizens. MEPs also reiterate that the Lisbon Treaty extends the Ombudsman's remit to include the common foreign and security policy and the activities of the European Council.

One-fifth of complaints admissible

In 2009 the Ombudsman registered 3,098 complaints in 2009, 23% (727) of which were found to be within his sphere of competence, almost the same share as in 2008 (802 complaints admissible out of 3,406). MEPs encourage the Ombudsman to continue his efforts to inform Europe's citizens about his role and the limits to his powers.

Maladministration case: European Commission - Porsche AG

Parliament also approved a resolution on a complaint received by the Ombudsman about the European Commission's refusal to disclose information concerning an exchange of letters with the German car manufacturer Porsche AG.

The complaint was made by an NGO, which asked the Commission for documents relating to meetings with car manufacturing companies. These meetings concerned the Commission's approach towards carbon dioxide emissions. After analysing the case, the Ombudsman concluded that the Commission had wrongly refused full access to the letters from Porsche AG and asked it to disclose the information within 3 months. The Commission did grant access to the letters, but not until 15 months later.

Parliament may sanction the Commission

The text, drafted by Chrisoula Paliadeli (S&D, EL), points out that the Commission met the original deadlines for replying to complaints in only four of the 22 cases involving access to documents dealt with by the Ombudsman in 2009.

Parliament asks the Commission to undertake to fulfil its duty to co-operate with the Ombudsman in the future. If it persists in failing to do so, then "Parliament may sanction the Commission, and such sanctions may include inter alia placing a portion of the Commission's budget for administrative expenditure into a reserve".

Background

The Ombudsman's role is to investigate cases of maladministration in the EU institutions, such as refusal to grant citizens access to documents, abuse of power, discrimination, administrative irregularities or failure to reply. Nikiforos Diamandouros of Greece has been European Ombudsman since January 2003. The Ombudsman's office was established in 1995.

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