Annual report on the European Ombudsman's activities in 2007

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The Committee on Petitions adopted the own-initiative report by Dushana **ZDRAVKOVA** (EPP-ED, BG) on the annual report on the European Ombudsman's activities in 2007.

The committee approves the annual report for 2007 and calls on the Ombudsman to pursue his efforts and to promote his activities effectively, transparently and flexibly so that, in the eyes of citizens, he represents the custodian of sound administration and a genuine culture of service in EU institutions.

MEPs consider that the term 'maladministration' should be broadly interpreted so as to include not only unlawful administrative acts or infringements of binding legal rules or principles but also, for example, cases where the administrative authorities have been sloppy, negligent in their duty to their citizens or lacking in transparency or have infringed other principles of good administration.

Recognising the increase in the absolute number of admissible complaints, MEPs consider that the figure in respect of admissible complaints – 16% – remains unsatisfactory, they recommend that an enhanced information campaign be conducted amongst European citizens designed to raise their awareness of the functions and competence of the European Ombudsman.

In order to reduce the number of inadmissible complaints filed with the European Ombudsman, MEPs suggest that a common web site of the European institutions be put in place to help citizens and refer them directly to the institution competent to handle their complaint.

With a view to the provision of a better and more efficient service to citizens, MEPs propose that the Ombudsman bring to their knowledge the internal procedures and deadlines for handling complaints, as well as the criteria used to make decisions at the different stages of the examination of a complaint.

The Ombudsman is called upon to ensure that the Commission makes proper use of its discretionary powers to initiate infringement proceedings under Article 226 of the EC Treaty or to propose penalties under Article 228 of the EC Treaty, while taking scrupulous care to avoid delays or unjustifiable failure to take prompt action, which are incompatible with the Commission's powers to oversee the application of EU law. MEPs consider that, if an institution refuses to follow a recommendation contained in a special report by the Ombudsman despite Parliament having approved that recommendation, Parliament could legitimately use its powers to bring an action before the Court of Justice in respect of the act or omission which was the subject of the Ombudsman's recommendation.

The committee calls for all EU institutions and bodies to be given the necessary budgetary and human resources to ensure that citizens receive prompt and substantive responses to their enquiries, complaints and petitions. It repeats its call, expressed in previous resolutions, for all EU institutions and bodies to adopt a common approach with regard to the Code of Good Administrative Behaviour.

MEPs recognise the useful contribution made by the European Network of Ombudsmen, in line with the subsidiarity principle, in securing extra-judicial remedies. They welcome the collaboration between the European Ombudsman and ombudsmen and similar bodies at national, regional and local levels in the Member States and urge further strengthening of the exchange of best practice, thereby allowing for the harmonisation of best practices between Member States.