2008 discharge: EU general budget, European Ombudsman

2009/2075(DEC) - 23/07/2009 - Non-legislative basic document

PURPOSE: to present the final annual accounts of the European Communities for the financial year 2008 - Other institutions: section VIII - European Ombudsman.

Note: this summary provides a general overview of the main trends in terms of the European Ombudsman' s expenditure for the financial year 2008. It does not cover the details of the implementation of the expenditure by the institution due to the unavailability of the relevant document.

However, it does cover the figures for the Ombudsman's expenditure as presented in Consolidated Annual Accounts of the European Communities for the financial year 2008.

CONTENT: the summary of the consolidated annual accounts of the European Communities for the year 2008 show that the European Ombudsman's expenditure was as follows:

Commitment appropriations

- Authorised commitments: EUR 9 million
- Amounts paid in 2008: EUR 8 million (91.51% implementation rate)
- Amounts lapsed: EUR 1 million (13.86% of the total commitments).

Payments

- Authorised commitments: EUR 6 million
- Amounts paid in 2008: EUR 4 million (68.12% implementation rate)
- Amounts lapsed: EUR 1 million (17.56% of the total commitments).

Main axes of expenditure for 2008: the Ombudsman's budget focused on the following main elements (refer to the Ombudsman's Annual Report 2008):

Complaints and enquiries: the Ombudsman registered a total of 3 406 complaints in 2008. In almost 80% of cases registered, it was able to help the complainant by opening an inquiry into the case, transferring it to a competent body, or giving advice on where to turn. A total of 293 new inquiries were opened in 2008 on the basis of complaints. Of these, 26% were submitted by companies and associations, whereas 74% were submitted by individual citizens.

The Ombudsman also launched three inquiries on his own initiative. Two of these concerned cases which had been submitted by a non-authorised person (i.e., a complainant who is not a citizen or resident of the Union or a legal person with a registered office in a Member State). The third involved the use of the Ombudsman's own-initiative power to tackle what appeared to be a systemic problem concerning the European Commission's Early Warning System.

As is the case each year, most inquiries opened by the Ombudsman in 2008 concerned the Commission (195 inquiries or 66% of the total). Given that the Commission is the main Community institution that makes decisions having a direct impact on citizens, it is logical that it should be the principal object of citizens' complaints. There were 28 inquiries (10%) concerning the European Parliament's administration, 20 (7%) concerning the European Personnel Selection Office (EPSO), 10 (3%) concerning the Council of the EU, and 7 (2%) concerning the European Anti-Fraud Office (OLAF). Twenty other EU institutions and bodies were the subject of a further 37 inquiries.

The main types of maladministration alleged in inquiries opened in 2008 were lack of transparency, including refusal of information (107 cases or 36% of the total), unfairness or abuse of power (59 cases, 20%), unsatisfactory procedures (27 cases, 9%), negligence (25 cases, 8%), avoidable delay (24 cases, 8%), legal error (21 cases, 7%), discrimination (14 cases, 5%), and failure to ensure fulfilment of obligations, that is, failure by the Commission to carry out its role as "guardian of the Treaty" vis-à-vis the Member States (14 cases, 5%).

The Ombudsman closed 355 inquiries in 2008 (compared to 348 in 2007). Of these, 352 were linked to complaints and three were own-initiatives. Most of the inquiries were closed within one year (52%). Over one-third (36%) were closed within three months. On average, cases took 13 months to close.

Other Salient facts concerning the activities in 2008:

- **Restructuration**: an ambitious programme of internal restructuring was carried out in the Ombudsman's office in 2008. It entered into force on 1 July and involved the creation of four Units within each of the existing Departments: the Legal Department and the Administration and Finance Department. The Ombudsman implemented the internal re-organisation of his office without the addition of any new staff, the number of staff posts in the establishment plan remaining at 57. The budgetary authority has agreed to an increase of six posts in the 2009 budget.

- **Staff retreat**: the year was marked by retreats and staff meetings. The European Ombudsman's staff retreats form an integral part of the Ombudsman's strategic planning, most notably by providing useful guidance for policy-making and the preparation of the Annual Management Plan (AMP). The retreats are an open forum of discussion, dialogue and brainstorming. They form part of an annual cycle of events that provide staff and trainees with an opportunity to share views on subjects directly linked to the Ombudsman's work.

- **European Network of Ombudsmen**: many complainants turn to the European Ombudsman when they have problems with a national, regional or local administration. The European Ombudsman co-operates closely with his counterparts in the Member States to make sure that citizens' complaints about EU law are dealt with promptly and effectively. This co-operation takes place for the most part under the aegis of the European Network of Ombudsmen. The Network met in Berlin in November 2008 to discuss how, together, they could improve the service they provide to citizens. Among the highlights in this regard were the signing of a Memorandum of Understanding with the President of the European Investment Bank and the agreement by the Union's Agencies to adopt the European Code of Good Administrative Behaviour in their relations with citizens.

- **Revision of the Ombudsman’s Statute**: one final important development in 2008 concerned the revision of the Ombudsman's Statute. The changes made ensure that citizens can have full confidence in the Ombudsman's ability to conduct a thorough investigation of their complaints without restrictions.