

Annual report on the activities of the European Ombudsman 2011

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The Committee on Petitions adopted the own-initiative report by Erminia MAZZONI (EPP, IT) on the annual report on the activities of the European Ombudsman 2011, and approved the annual report for 2011 presented by the European Ombudsman. It notes the fact that in recent years the total number of complaints submitted to the Ombudsman has gradually decreased, in particular the number of complaints falling outside his mandate. Members state they are following this phenomenon with interest in order to assess whether there is a direct link between this decrease and the introduction of the interactive guide.

It notes that the majority of inquiries opened by the Ombudsman in 2011 concerned the Commission (231), with EPSO in second position (42), and considers that, since the Commission is the institution whose decisions have direct impact on citizens, it is logical that it should be the main object of complaints. Members are pleased to see that the number of inquiries opened by the Ombudsman with regard to Parliament dropped by more than half compared with 2010, but they note that the Ombudsman opened one third more inquiries concerning the Council of the EU.

The committee notes that the main types of alleged maladministration investigated by the Ombudsman in 2011 concerned issues of lawfulness (28 % of inquiries), requests for information (16.2 %), fairness (13.6 %), grounds for decisions and possibilities for appeal (8.1 %), reasonable time limits for taking decisions (7.3 %), requests for public access to documents (7.1 %), absence of discrimination (86.8 %) and the obligation to reply to letters in the language of citizens and to indicate the competent official (5.8 %).

The report highlights the fact that, despite some progress in recent years, the proportion of processed complaints which actually fell within the Ombudsman's remit in 2011 was once again relatively low (approximately 27 %), and that consideration should therefore be given to more comprehensive and proactive public awareness-raising – particularly in close cooperation with national and regional ombudsmen, Parliament and the Commission – about the Ombudsman's sphere of responsibility.

Members recall that the Ombudsman introduced a new type of inquiry – a 'clarificatory inquiry' – which enables complainants to clarify their complaint if the Ombudsman, at first sight, is not convinced that there are grounds to ask an institution for its opinion on a case. They also recall that the Ombudsman now actively invites complainants to make observations when they are dissatisfied with an institution's reply, whereas previously complainants had to make a new complaint if they were not satisfied with the substance of a reply. The committee is pleased that this new approach resulted in the Ombudsman closing fewer cases as 'settled by the institution' and closing a higher number of cases with a finding of 'no maladministration' or 'no further inquiries justified'.

Endorsing the Ombudsman's view that an institution in which a culture of service is embedded does not regard complaints as a threat, but as an opportunity to communicate more effectively, the committee calls on all European Union institutions, bodies, offices and agencies to act in accordance with the European Code of Good Administrative Behaviour, adopted by Parliament in its [resolution of 6 September 2001](#). It welcomes the Ombudsman's cooperation with the European Network of Ombudsmen and asks that such cooperation be directed inter alia to publicising the European Citizens' Initiative as a new tool enabling citizens to be involved directly in the process of preparing EU legislation and ensuring that this instrument is not too cumbersome for citizens in terms of technical requirements.

Lastly, Members insist that the Ombudsman continue to ensure the best possible use of resources, avoiding unnecessary duplication of staff and cooperating with other existing EU institutions in order to secure efficiency savings for the EU budget.