Annual report on the activities of the European Ombudsman in 2015

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The European Parliament adopted by 557 votes to 24, with 44 abstentions, a resolution on the annual report on the activities of the European Ombudsman in 2015.

Parliament **approved the annual report for 2015** presented by the European Ombudsman and congratulated Emily O'Reilly for her excellent work.

The European Ombudsman's office achieved a **compliance rate of 90 %** with its decisions and/or recommendations in 2014, standing at 10 percentage points higher than the 2013 figure.

According to the Flash Eurobarometer of October 2015, **83 % of European citizens** are aware that an EU citizen has the right to make a complaint to the Commission, the European Parliament or the European Ombudsman.

Transparency: Members acknowledged the importance of transparency as a core element of good administration, something that is also underlined by the high percentage of complaints concerning transparency (22.4 %). They welcomed the continued efforts of the European Ombudsman to increase transparency in the **Transatlantic Trade and Investment Partnership (TTIP) negotiations** through proposals to the Commission. They reemphasised the need for enhanced transparency in international agreements.

Parliament also underlined that **transparency and full access to documents** held by the EU institutions must be the rule in order to ensure that citizens can fully exercise their democratic rights and that exceptions to that rule have to be properly interpreted, taking into account the overriding public interest in disclosure and in the requirements of democracy. It regretted that the revision of Regulation (EC) No 1049 /2001 is stalled as the Regulation no longer reflects the current legal situation or institutional practices.

The Commission is called upon to ensure the highest accuracy in its work and full transparency as regards the documentation provided, in full compliance with the principle of sincere cooperation, so as to guarantee that **Parliament's Committee of Inquiry into Emission Measurements in the Automotive Sector** (EMIS) can fully and effectively exercise its powers of investigation.

Members supported the European Ombudsman's determination to **make the workings of the European Central Bank (ECB) more transparent** and compliant with a high standard of governance, especially as a member of the **Troika/Quadriga** that supervises fiscal consolidation programmes in EU countries. They also called for greater transparency in **Eurogroup meetings**.

The resolution also approved the Ombudsman's investigation into the make-up and transparency of the **work of the Commission's expert groups** and its efforts to make lobbying more transparent. Parliament regretted the Commission's reluctance to publish detailed information on meetings with tobacco lobbyists.

The Commission is urged to submit, **in 2017, a proposal for a fully mandatory and legally binding lobby register** aimed at closing all loopholes and achieving a fully mandatory register of all lobbyists.

Citizens' concerns: Parliament pointed out the concern of citizens in relation to the handling of infringement procedures by the Commission before the ECJ and the lack of transparency within the

relevant steps of the process. It stressed that the right to good administration includes the obligation to produce sufficient reasoning in cases where the Commission decides not to launch an infringement procedure before the ECJ.

It welcomed the strategic enquiry by the European Ombudsman on the systemic issues encountered in EU Pilot.

Revolving door: Members welcomed the continuation of the European Ombudsman's investigations into 'revolving door' cases in the Commission and encouraged the more frequent publication of the names and other data of such persons.

They expressed great concern at the fact that former Commission President Barroso was appointed as an adviser and non-executive chairman of Goldman Sachs International.

While welcoming the willingness of the Commission to publish information regarding the post-term-of-office occupations of former Commissioners, they expressed great concern at the fact that **former Commission President Barroso** was appointed as an adviser and non-executive chairman of Goldman Sachs International.

Conflicts of interest: Parliament stressed that effectively tackling all sources of **conflict of interest** is crucial in order to achieve good administration. It also called for a directive on whistleblowing which sets out appropriate channels and procedures for denouncing all forms of maladministration, as well as minimum **adequate guarantees and legal safeguards** for **whistleblowers** both in the public and in the private sector.

Migrants: the resolution welcomed the introduction of a complaints mechanism for potential fundamental rights infringements in Frontex, following an ongoing investigation by the Ombudsman into practices employed by Frontex and Member States in joint forced returns of irregular migrants.

Citizens' rights: acknowledging that the right of citizens to have a say in EU policymaking is now more important than ever, Parliament welcomed the guidelines proposed by the Ombudsman for improving the functioning of the **European Citizens' Initiative** (ECI), especially where solid reasoning by the Commission in ECI rejections is concerned.

Lastly, the resolution commended the European Ombudsman for investigating Member States' compliance with the Charter of Fundamental Rights when implementing actions financed from EU funds, such as projects that institutionalise **people with disabilities** rather than integrating them into society.