

Annual report on the activities of the European Ombudsman in 2016

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The European Parliament adopted by 501 votes to 28, with 72 abstentions, a resolution on the 2016 annual report presented by the European Ombudsman.

Members **approved the report**, while welcoming her efforts to improve the quality and accessibility of the Ombudsman's services as well as her **collaborative and positive cooperation with the European Parliament**.

In 2016, **15 797 citizens** called on the Ombudsman's services for help, of whom 12 646 were given advice through the Interactive Guide on the Ombudsman's website, while of the remaining requests 1 271 were forwarded elsewhere for information and **1 880 were handled** by the Ombudsman as complaints, of which 711 fell within and 1 169 fell outside the scope of the Ombudsman's mandate.

Follow-up of recommendations: Members noted the reduction in the number of inquiries concerning EU institutions conducted by the Ombudsman in 2016 (245 in 2016 compared with 261 in 2015). Most of the inquiries concerned the Commission (58.8 %), followed by EU agencies (12.3 %) and Parliament (6.5 %), the European Personnel Selection Office (EPSO) (5.7 %), the European External Action Service (EEAS) (4.5 %).

Members noted that the Ombudsman's office has achieved the second highest rate of compliance with its decisions and/or recommendations so far. However, they urged the EU institutions, bodies, offices and agencies to respond and react within a reasonable timeframe to the critical remarks of the Ombudsman and to improve their rate of compliance with the Ombudsman's recommendations and/or decisions.

Strategic inquiries and initiatives: in 2016, the Ombudsman's office opened 4 new strategic inquiries on, among other subjects, possible conflicts of interest of special advisors and delays in chemical testing, and in addition it opened ten new strategic initiatives.

Parliament welcomed the Ombudsman's strategic inquiry into how the Commission appoints and carries out conflict of interest assessments for its **special advisers**, who often work for private sector clients and the EU concurrently. It also supported the Ombudsman's strategic inquiry on the Commission's expert groups.

In 2016, most of the cases handled by the Ombudsman were **closed within 12 months** and that the average time needed to close an inquiry was 10 months. Parliament urged the Ombudsman to reduce the time taken to handle complaints, especially in cases still open after 12 months.

Transparency: Parliament stressed the importance of transparency-related issues and access to information and documents as the main subject matter of inquiries submitted to the Ombudsman (29.6 %), following good management of EU personnel issues (28.2 %), and culture of service (25.1 %). Other issues were also raised such as the proper use of discretion, including in infringement proceedings, sound financial management of EU grants and contracts and respect for procedural and fundamental rights.

Members stressed that **maximum transparency of and access to documents** held by the EU institutions must be the rule and that exceptions to this right should always be weighed against the principles of transparency and democracy.

They commended the Ombudsman's strategic inquiry on **access to documents relating to Council preparatory bodies**, including its Committees, working parties and the Committee of Permanent Representatives (COREPER), when discussing draft EU legislative acts.

Parliament also insisted on the need:

- to enable access to documents and information with regard to the **EU Pilot** procedures;
- to monitor the implementation of the Ombudsman's recommendations for transparency in **trilogues**;
- for full and enhanced transparency in trade agreements and negotiations;
- for greater transparency in the **EU's economic and financial decision-making process**, in particular in the area of the banking supervision performed by the European Central Bank;
- fully comply with the Ombudsman's suggestions for improving the **EU Transparency Register** by making it a mandatory central transparency hub for all EU institutions and agencies.

The Commission has been invited to make its work with tobacco industry lobbyists fully transparent by publishing online all meetings with lobby groups or their legal representatives.

Maladministration: noting the reports of maladministration by the Ombudsman with regard to the **Code of Conduct for Commissioners**, Parliament called for the application of stricter ethical standards within the EU administration with the aim of securing respect for the duty to behave with integrity and discretion and full independence from the private sector.

It also called on the Commission to guarantee proactive publication and full transparency with regard to the **post-term-of-office occupation of former Commissioners**, while supporting the Ombudsman's recommendations for a further revision of the Code and inviting her to publish the names of EU officials involved in revolving door cases.

Parliament welcomed the Ombudsman's initiative to identify best practices in the EU administration and bring them to greater public attention with the **Ombudsman's Award for Good Administration**.

Lastly, the resolution called on the Ombudsman to further assess the implementation of the new internal **whistle-blowing** rules in the EU institutions.