Activities of the European Ombudsman – annual report 2022

2023/2120(INI) - 17/01/2024 - Text adopted by Parliament, single reading

The European Parliament adopted by 543 votes to 12, with 64 abstentions, a resolution on the annual report on the activities of the European Ombudsman in 2022.

Approving the annual report for 2022 presented by the European Ombudsman, Parliament welcomed the continued constructive cooperation of the European Ombudsman with the European Parliament, and notably with the Committee on Petitions, as well as with other EU institutions. It reiterated its commitment to support the Ombudsman in the performance of her duties.

Transparency and conflicts of interest

Parliament called on the Council to fully comply with the transparency standards of a parliamentary and participatory democracy, as required under the Treaties and requested by the Ombudsman and grant citizens timely access to its legislative documents during ongoing legislative procedures.

Members welcomed the opening of the own-initiative inquiry to assess how the Commission ensures that its interactions with **tobacco industry** representatives are transparent. As indicated by the Ombudsman, the failure of the Commission as a whole to proactively publish details of its meetings with tobacco lobbyists amounted to maladministration. It is paramount that the Ombudsman launch an investigation to assess the level of independence of the EU Energy Platform Industry Advisory Group set up by the Commission.

Parliament welcomed the Commission's proposal, in response to the Ombudsman's findings following her inquiry into the **BlackRock case**, to amend the Financial Regulation to include the option to reject tenderers if they have a conflict of interest. It called on the Commission to comply fully with the Ombudsman's suggestions by adopting strengthened and clearer rules aimed at preventing any conflicts of interest in all procedures related to public procurement, including for its internal guidelines.

Revolving doors

The resolution highlighted the fact that, following an inquiry by the Ombudsman into the phenomenon of 'revolving doors', the Commission is improving its handling of the issue. Members underlined that the Commission should not grant any authorisation where the concerned employment cannot be made subject to restrictions that adequately mitigate the **risks of conflicts of interest**. The Commission should publish information in a timely manner on all post-service activities of senior former staff members that it assesses.

Lobbyist

Parliament acknowledged the Ombudsman's critical assessment of the **Qatargate scandal** and welcomes the development of new measures designed at improving the integrity standards within the European Parliament to safeguard EU democracy. It welcomed the continuous efforts of the Ombudsman to improve lobbying transparency and ethics, in particular by requiring the Commission to strengthen the Code of Conduct for Commissioners, create a public record of meetings between Commissioners and lobbyists and proactively publish Commissioners' travel expenses.

Recovery and Resilience Facility (RRF)

Members underlined that the Ombudsman found regrettable the fact that proactive transparency mainly happened only after the national plans under the Recovery and Resilience Facility (RRF) had already been approved, thus preventing the public from adequately following the negotiations. They are concerned about the lengthy delays that the Commission has been incurring in dealing with requests for public access to RRF-related documents. Parliament urged the Commission to encourage the Member States to use a **public portal** to list all recipients of funding under the RRF, to continue publishing its preliminary assessments of Member States' payment requests and to inform the public with concrete details about its supervisory and audit work in order to ensure meaningful accountability for all funds spent.

PAC

The lack of key elements of the CAP national strategic plans, including specific measures on budget items and milestones to be fulfilled, make it difficult for citizens and interested parties to understand the conditions under which Member States could use the assistance provided by the new CAP. Members supported the Ombudsman's call on the Commission to **proactively disclose more information concerning the approval of Member States' strategic plans** under the CAP.

The Commission should assume an active role in securing compliance with the transparency obligations imposed on the Member States, including the obligation to disclose the broader entities that beneficiaries of funds belong to and the obligation to publish the total amount of payments received by a beneficiary.

Recording of SMS

Parliament acknowledged the Ombudsman's inquiry into the Commission's failure to identify and therefore to assess the potential disclosure of the text messages exchanged between the Commission President and the CEO of a pharmaceutical company on the purchase of a COVID-19 vaccine. It is worried that the Commission's approach constituted maladministration, underlining that work-related text and instant messages are 'documents' under Regulation 1049/2001. Members welcomed the Ombudsman' s recommendations for the EU administration on the recording of work-related text and instant messages and stressed the importance for the EU institutions of fully complying with these recommendations.

Human rights

Stressing the importance of the Ombudsman's investigations into human rights compliance by the EU administration, Parliament supported the Ombudsman's call for the Commission to set up a new and separate complaint handling portal for alleged human rights abuses, and to make it accessible for human rights-related complaints by civil society organisations and other stakeholders in countries with which the EU has trade deals.