European Ombudsman. Annual report 1996

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The Ombudsman, Mr Söderman, reported that his office had handled 1 014 cases (842 received in 1996, mostly from private citizens, only 86 from companies and associations and 29 from Members of the European Parliament). In total 210 inquiries were begun in 1996 (187 on the Commission, 19 on Parliament and 4 on the Council of Ministers). These inquiries had been completed in 102 cases and had resulted in 82 findings of no ‘maladministration’. Two complaints had been withdrawn and 12 had been settled by the institutions in a satisfactory way for the complainant. Among the 34 findings of ‘maladministration’, 32 had closed with a critical remark to the institution concerned. So far there had not been an occasion to present a special report to Parliament on a case of ‘maladministration’, partly thanks to the cooperative attitude of the institutions concerned. During the first year, only 35% of complaints had fallen within the Ombudsman’s mandate which left a fairly high proportion of complaints outside his mandate. As a result, to prevent the concept of ‘maladministration’ being interpreted too narrowly, the Ombudsman intended to propose a more precise definition in his annual report for 1997. As for the Ombudsman’s power to undertake own-initiative inquiries, Mr Söderman pointed out that the previous year’s debate had recommended more frequent use of this option. In 1996, one-third of the complaints which had led to an inquiry concerned the way in which the European Commission had exercised its responsibilities as ‘guardian of the Treaties’. Two inquiries had therefore been begun on this issue and also on the lack of transparency and public access to documents. The latter concluded with a recommendation to adopt rules on public access to documents within three months. Congratulating the Ombudsman on his excellent work during 1996, the rapporteur said that the Ombudsman function was in itself an asset for all the institutions. Parliament had to show its solidarity with the Ombudsman and assume its own political responsibility for institutional control. Finally, the rapporteur confirmed that Parliament would support the Ombudsman’s efforts to better define the concept of maladministration. Commissioner Gradin also thanked the Ombudsman for having made note of the Commission’s positive attitude in their mutual relations. As for Parliament’s resolution, she stressed the importance of the points calling for the widest possible information for citizens with regards to their respective rights.