European Ombudsman. Annual report 2001

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PURPOSE : to present the 2001 Annual Report from the European Ombudsman. CONTENT : the European Ombudsman, Jacob Söderman, presented his 2001 Annual Report to the Committee on Petitions of the European Parliament. The report gives an overview of the work of the Ombudsman in 2001 and highlights the results achieved for EU citizens. The report highlights that 2001 was the busiest year so far in Mr. Söderman's seven years as Ombudsman, with 1 874 complaints received. The Ombudsman opened 4 own-initiative inquiries, made 13 draft recommendations to the EU institutions and sent 2 special reports to the Parliament (refer to COS/2002/2134 and 2135). This activity did not come at the expense of prompt and effective service - the average length of time taken to complete an inquiry fell from 316 days in 2000 to 289 days in 2001. Citizens increasingly chose to complain by e-mail with 34% of complaints received this way, compared to 24% in 2000. This increase was largely due to the addition of an online complaint form to the Ombudsman's website in April 2001, making it easier for citizens to submit their complaints. In his report, the Ombudsman highlights two main achievements for European citizens in 2001. Firstly, the new rules on access to documents were adopted (Regulation 1049/2001/EC, see summary COD/2000 /0032) and secondly, the European Parliament adopted the European Code of Good Administrative Behaviour. The EU Charter of Fundamental Rights proclaimed in Nice in 2000 includes as a fundamental right of citizenship the right to good administration. The Code explains in detail what this right means in practice. The Ombudsman recently published the Code as a user-friendly brochure and now uses it when examining complaints about maladministration. He expressed his disappointment, however, that the Commission still refuses to come forward with a proposal for a European administrative law, as the Parliament asked it to do. In the report, Mr. Söderman expresses his dismay at the leisurely attitude of the institutions towards implementing the Charter. Over the past year, he has examined officials' freedom of expression and parental leave based on the rights laid down in the Charter. Having looked into complaints about age, sex and race discrimination in the institutions, he is far from happy with what he has found. The institutions that proclaimed the Charter have not yet shown themselves to be serious about applying it in practice. As regards the analysis of complaints in 2001: - How many? The Ombudsman received 1 874 complaints in 2001, representing an 8% increase compared to 2000 (1732). Admissible complaints rose by 5% from 297 in 2000 to 313 in 2001. The Ombudsman opened 204 inquiries on the basis of these complaints, as well as 4 inquiries on his own initiative. - Against whom? Most of the admissible complaints - 77% - targeted the European Commission (83% in 2000). The Ombudsman received 16 complaints (7% of total) against the European Parliament and 5 against the Council (2%). - Allegations Lack or refusal of information, avoidable delay, proceduralerrors and abuse of power were the most common source of complaints. Problems with calls for tender and contracts concluded with the institutions were raised frequently. - From whom? Most complaints - 91% - came from individual citizens. Companies sent 5% of complaints, while 4% came from associations. Germany produced the greatest number of complaints - 17% of the total, followed by Spain (14%) and France (12%). - What result? 80 cases were settled by the institutions (compared to 76 in 2000), signaling clearly that the EU administration is keen to resolve problems brought to their attention by the Ombudsman. The institutions also accepted 10 draft recommendations made by the Ombudsman. In 46 cases (compared to 31 in 2000), the Ombudsman found it necessary to make a critical remark. 13 draft recommendations were made, calling on the institutions to take action to deal with outstanding problems. 2 special reports were presented to the Parliament - one on sex discrimination in the Commission and one on access to Council documents. (2000 also saw 13 draft recommendations and two special reports). The Ombudsman provided advice as to who to contact to over 900 citizens whose complaints fell outside his mandate. He also responded to 2 335 e-mail requests for information, an increase of 85% compared to 2000. - How long? The average length of time taken to complete an inquiry was 289 days in 2001, compared to 316 days in 2000. On 31 December 2001, the real backlog of cases - namely the number of inquiries open for more than one year - was 22, compared to 35 at 31 December 2000.