European Ombudsman: Code of good administrative behaviour for the officials, relations with the public. Special report

2000/2212(COS) - 11/04/2000 - Non-legislative basic document

PURPOSE: Special Report from the Ombudsman to the European parliament following an own-initiative inquiry into the existence and the public accessibility in the different Community institutions and bodies of a Code of Good Administrative Behaviour. CONTENT: This Special Report concerns the European Ombudsman's own initiative inquiry into the existence and the public accessibility, in the different Community institutions and bodies, of a Code of Good Administrative Behaviour. The inquiry was launched in November 1998. In July and September 1999, the Ombudsman made draft recommendations to 18 Community institutions and bodies to adopt rules concrning good administrative behaviour for their officials in the relations with the public. For adopting these rules, the Ombudsman stated that the institutions and bodies could take guidance from the provisions contained in the Ombudsman's Code of Good Administrative Behaviour. The Ombudsman stressed that, in order to be efficient and accessible to citizens, the rules should be adopted in the form of a decision and be published in the Official Journal. From the responses to the draft recommendations, it appears that only two bodies, namely the European Agency for the Evaluation of Medicinal Products (EMEA) and the Translation Centre for the Bodies pf the EU have adopted, respectively on 1 December 1999 and on 10 February 2000, the Code of Good Administrative Behaviour proposed by the Ombudsman. These two agencies have correctly implemented the draft recommendations. The European Commission presented a draft Code, but has not yet adopted it. Neither the European Parliament nor the Council has adopted a Code of Good Administrative Behaviour. No other institution or body had adopted a Code by 1 March 2000. The European Parliament has stressed the urgent need to draw up as soon as possible Codes of Good Administrative Behaviour which should be as identical as possible for all the European institutions and bodies. However, only 2 out of the 18 institutions, bodies and decentralised agencies concerned by the inquiry have implemented the Ombudsman's draft recommendations. The Ombudsman therefore concluded the present Special Report with a recommendation that a European administrative law is needed to ensure that officials of all the Community institutions and bodies observe the same principles of good administrative behaviour in their relations with the public. Such a lwa could take the form of a Regulation. The European Parliament, in its capacity as the only European institution democratically representing European citizens, could consider using the procedure referred to in Article 192 (2) of the EC Treaty in order to initiate the adoption of a European administrative law in this form.