European Ombudsman. 2002 annual report

2003/2068(INI) - 10/02/2003 - Non-legislative basic document

PURPOSE : to present the European Ombudsman's 2002 Annual Report. CONTENT : the Report analyses the complaints to the Ombudsman and discusses the decisions made following enquiries. During 2002, the process of examining complaints to see if they are within the mandate of the Ombudsman, meet the criteria of admissibility and provide grounds to open an enquiry was completed in 97% of cases. The report states that 331 met the admissibility criteria, but 109 did not appear to provide rounds for an enquiry. Inquiries were therefore begun in 222 cases. 75% of cases that led to an enquiry were against the European Commission. As the Commission is the main Community organ that makes decisions having a direct impact on citizens, it is to be expected that it should be the principal object of citizens complaints. There were 21 complaints against the European Parliament and 12 complaints against the Council. The main types of maladministration alleged were: - lack of transparency (92 cases); - discrimination (26 cases); - unsatisfactory procedures or failure to respect rights of defence (40 cases); - unfairness or abuse of power (45 cases); - avoidable delay (53 cases); - negligence (37 cases); - failure to ensure fulfilment of obligations, i.e. failure by the European Commission to carry pout its role as guardian of the Treaties vis-à-vis the Member States (6 cases); - legal error (21 cases). With regard to progress made, the Ombudsman reports progress in establishing principles on how to compensate citizens for damages in case where the administration has not fulfilled its obligations on time. Similarly, progress was made on the implementation of the EU Charter of Fundamental Rights, with the Commission and the Parliament abolishing age limits in recruitment and the Commission taking steps to tackle sex discrimination. 2002 also saw the settlement of an EUR 1.5 million contractual dispute - one of the highest sums ever involved in a decision of the Ombudsman. The Ombudsman's Guide for citizens published in 2002 gives an overview of many of these achievements. However, on the question of a law on good administration and freedom of expression for officials there was less progress. The Ombudsman feels that there is room for improvement.