European Ombudsman. 9th Annual report 2003

2004/2091(INI) - 18/11/2004 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report by Prionsias DE ROSSA (PES, IE) on the 2003 Annual Report of the Ombudsman. (Please see the summary of 30/09/04.) The resolution was adopted by 530 votes in favour, 9 against with 20 abstentions.

Parliament congratulated the first European Ombudsman, Mr J. Söderman on the completion of his successful and challenging term of office on 31 March 2003. During his seven and a half years in office he fully consolidated the foundations of the Institution and helped over 11,000 citizens find redress. It also commended the efforts of Mr Nikiforos Diamandouros who, since taking office in April 2003, has successfully pursued the objectives of enhancing the effectiveness of the European Ombudsman's Office.

Parliament noted that the Commission has responded positively to the Ombudsman's proposal that it should systematically provide information to applicants for, and recipients of, grants and subsidies, about the possibility of complaining about maladministration.

Whilst there has been a substantial increase in the number of complaints, there still a level of confusion amongst the public regarding the precise scope of the Ombudsman's responsibility, since about 75% of the complaints fall outside his mandate. However, the Ombudsman tries in such cases to help the complainants by referring them to other bodies, in particular the Committee on Petitions or national and local ombudsmen.

Parliament also noted that in 2003 the Ombudsman presented a critical remark to institutions, in particular to the Council, concerning complaints about difficulties in obtaining access to documents. The Committee on Petitions dealt with this problem in a report concerning a complaint from the NGO "Statewatch", and the Council gave its assurance that it would in future respect the rules on access to documents. All EU institutions should implement Regulation 1049/2001/EC in a spirit of recognition that access to documents held by the European institutions and bodies is a fundamental right pursuant to Article 42 of the Charter of Fundamental Rights. Parliament supported the call for the Commission to bring forward proposals to amend Regulation 1049/2001/EC, especially in relation to access to legislative documents.

Finally, Parliament felt that the Ombudsman should have unlimited access to documents in connexion with his inquiries, and regretted that a qualified majority in the Council has not been able to give its approval to this resolution.