

Report on the European Ombudsman's annual report 2004

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The committee adopted the own-initiative report drawn up by Manolis MAVROMMATIS (EPP-ED, EL) in response to the annual report of the European Ombudsman (2004). MEPs welcomed the new presentation of the report and praised its "simple and clear thematic analysis". They also welcomed the high public profile achieved by the Ombudsman, and hoped that better quality information for the public could help reduce the number of complaints received which fall outside his remit (around 75%) as they are targeted at national authorities. The Ombudsman was urged to continue his efforts so that he would "be seen by citizens as the guardian of good administration of the European institutions". The committee also called on him to define more precisely the concept of "maladministration", drawing up a strict and exhaustive list of institutions and bodies covered and categorically excluding all complaints which fall under the responsibility of the Member States' authorities.

MEPs called for all the EU institutions to interpret as broadly as possible the provisions of Regulation No. 1049/2001 governing public access to documents, and urged the Commission not to refuse to make its documents available on the pretext that they are intended for internal use. They approved of the efforts by the Ombudsman to persuade the institutions to meet shorter deadlines for dealing with this type of complaint.

The Commission was urged to end the existing situation whereby institutions and bodies follow different codes of conduct, and to adopt the European Code of Good Administrative Behaviour. MEPs added that the Commission should begin preparatory work for the submission of a law on good administration.

The report also backed a review of the Ombudsman's statute and the extension and strengthening of the system of non-judicial appeal which it said "provides citizens with an alternative to legal action, in the form of decisions and recommendations which are not legally binding and do not constitute coercive measures". The Ombudsman was also urged to seek amicable solutions wherever possible in the cases he deals with.

Finally, MEPs commended the good working relationship developed between the Ombudsman's Office and the Petitions Committee, including the process for the mutual transfer of cases, and praised the close cooperation established by the European Ombudsman with his national, regional and local counterparts.