Basic information

2004/2091(INI) INI - Own-initiative procedure	Procedure completed
European Ombudsman. 9th Annual report 2003 **Subject** 1.20.04 European Ombudsman	

Key players

	Committee responsible	Rapporteur	Appointed
European Parliament	PETI Petitions	DE ROSSA Proinsias (PSE)	27/07/2004

Key events

Date	Event	Reference	Summary
19/04/2004	Non-legislative basic document published	OMB0001/2004	Summary
30/09/2004	Vote in committee		Summary
28/10/2004	Committee referral announced in Parliament		
29/10/2004	Committee report tabled for plenary	A6-0030/2004	
18/11/2004	Decision by Parliament	T6-0065/2004	Summary
18/11/2004	Results of vote in Parliament		
18/11/2004	Debate in Parliament		
18/11/2004	End of procedure in Parliament		

Technical information

Procedure reference	2004/2091(INI)
Procedure type	INI - Own-initiative procedure
Legal basis	Rules of Procedure EP 238-p2
Stage reached in procedure	Procedure completed
Committee dossier	PETI/6/22627

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A6-0030/2004	29/10/2004	
Text adopted by Parliament, single reading		T6-0065/2004 OJ C 201 18.08.2005, p. 0092-0115 E	18/11/2004	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
MED	Non-legislative basic document	OMB0001/2004	19/04/2004	Summary

European Ombudsman. 9th Annual report 2003

2004/2091(INI) - 19/04/2004 - Non-legislative basic document

PURPOSE : to present the 2003 Annual Report of the European Ombudsman.

CONTENT : this report provides an provides an account of the Ombudsman's activities in 2003. It is the first Annual Report to be presented by P. Nikiforos Diamandouros, whom the European Parliament elected as European Ombudsman on 15 January 2003.

Firstly, the report states that the total number of complaints received in 2003 was 2 436, a 10% increase compared to the previous year, due in part to a concerted effort to inform citizens of their rights. Nearly half the complaints were sent to the Ombudsman electronically, either by e-mail or using the complaint form on the Ombudsman's website. In almost 70% of cases, the Ombudsman was able to help the complainant by opening an inquiry into the case, transferring it to a competent body, or giving advice on where to turn for a prompt and effective solution to the problem. A total of 253 new inquiries were opened during the year. The Ombudsman also dealt with a large number of requests for information, of which 2 538 were sent by e-mail.

The Ombudsman made decisions closing 180 cases following inquiries. In 87 cases, the Ombudsman's inquiry revealed no maladministration. Such a finding is not always negative for the complainant, who at least has the benefit of a full explanation from the institution or body concerned of its actions. In 48 cases, the Ombudsman's inquiry resulted in the institution or body concerned settling the case to the full satisfaction of the complainant. While 7 proposals for friendly solutions were still under consideration at the end of 2003, 4 were achieved in the course of the year. 20 critical remarks were made during the year. 9 new draft recommendations were made during 2003. While the outcome of 4 of these was not yet known at the end of the year, the institutions concerned accepted 3, as well as another 2 that had been made in 2002. 5 own-initiative inquiries were launched in 2003, 4 of which were still open at the year end. 2 are based on complaints which indicated the possibility of a systemic problem. The first concerns the internal dispute resolution procedures available to national experts who are seconded to the Commission. The other concerns the activity of the Commission to promote the good administration of the European Schools.

In order to help achieve positive results, the Ombudsman has developed constructive working relations with the EU institutions and bodies. During these meetings, the Ombudsman emphasised that his role includes mediation and that friendly solutions are a positive outcome both for the complainant and the institution or body concerned. The active co-operation of the institutions and bodies is also essential in ensuring that everyone who might have reason to complain to the Ombudsman receives information about their right to do so and how to exercise that right. The Commission responded positively to the Ombudsman's suggestion. The Ombudsman has a close and effective working relationship with the Committee on Petitions of the European Parliament, including a process of mutual transfer of cases when appropriate.

The Ombudsman participated actively in the Convention on the Future of Europe to ensure that citizens' rights were given a central place in the Draft Treaty establishing a Constitution for Europe. The European Ombudsman co-operates with an extensive network of ombudsmen and similar bodies in Europe. The network now covers 90 offices in 30 countries, comprising offices at the national and regional levels within the European Union and at the national level in the applicant countries for EU membership, Norway and Iceland. The European Ombudsman transfers cases directly to national and regional ombudsmen when possible.

Lastly, a key part of the Ombudsman's work is to reach out to inform citizens of their rights, including the right to complain to the European Ombudsman. At the end of May 2003, the Ombudsman announced his intention to visit all ten accession countries before 1 May 2004, the date of enlargement, and as many of the Member States as possible. By the end of 2003, the Ombudsman had visited 11 of the existing and five of the future Member States, meeting high officials and presenting his work to non-governmental organisations, chambers of commerce, university students, journalists and other interested citizens. The Ombudsman and his staff also addressed a total of 80 conferences, meetings and groups all over the Union during 2003.

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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.