Basic information

2017/2126(INI) INI - Own-initiative procedure	Procedure completed
Annual report on the activities of the European Ombudsman in 2016 **Subject** 1.20.04 European Ombudsman	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	PETI Petitions	MIZZI Marlene (S&D)	17/05/2017
		Shadow rapporteur WAŁĘSA Jarosław (PPE) MARIAS Notis (ECR) NART Javier (ALDE) VALLINA Ángela (GUE/NGL) ŠOLTES Igor (Verts/ALE) EVI Eleonora (EFDD) REBEGA Laurenţiu (ENF)	

European Commission	**Commission DG**	**Commissioner**
	Migration and Home Affairs	AVRAMOPOULOS Dimitris

Key events

Date	Event	Reference	Summary
06/07/2017	Committee referral announced in Parliament		
11/10/2017	Vote in committee		
23/10/2017	Committee report tabled for plenary	A8-0328/2017	Summary
15/11/2017	Debate in Parliament		
16/11/2017	Decision by Parliament	T8-0449/2017	Summary
16/11/2017	Results of vote in Parliament		
16/11/2017	End of procedure in Parliament		

Technical information	
Procedure reference	2017/2126(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Annual report
Legal basis	Rules of Procedure EP 55
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	PETI/8/09608

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE604.708	23/06/2017	
Amendments tabled in committee		PE609.318	19/07/2017	
Committee report tabled for plenary, single reading		A8-0328/2017	23/10/2017	Summary
Text adopted by Parliament, single reading		T8-0449/2017	16/11/2017	Summary

Annual report on the activities of the European Ombudsman in 2016

2017/2126(INI) - 23/10/2017 - Committee report tabled for plenary, single reading

The Committee on Petitions adopted the own-initiative report by Marlène MIZZI (S&D, MT) on the 2016 annual report presented by the European Ombudsman, while welcoming her efforts to improve the quality and accessibility of the Ombudsman's services as well as her collaborative and positive cooperation with the European Parliament.

Follow-up of recommendations: Members noted the reduction in the number of inquiries concerning EU institutions conducted by the Ombudsman in 2016 (245 in 2016 compared with 261 in 2015). Most of the inquiries concerned the Commission (58.8 %), followed by EU agencies (12.3 %) and Parliament (6.5 %).

Members noted that the Ombudsman's office has achieved the **second highest rate of compliance** with its decisions and/or recommendations so far. However, they urged the EU institutions, bodies, offices and agencies to **respond and react within a reasonable timeframe to the critical remarks of the Ombudsman** and to improve their rate of compliance with the Ombudsman’s recommendations and/or decisions.

Strategic inquiries and initiatives: in 2016, the Ombudsman’s office opened 4 new strategic inquiries on, among other subjects, possible conflicts of interest of special advisors and delays in chemical testing, and in addition it opened ten new strategic initiatives.

Members acknowledged the role of strategic inquiries and initiatives, and support those conducted by the Ombudsman pursuing strategically important topics on her own initiative.

The report welcomed the Ombudsman’s strategic inquiry into how the Commission carries out **conflict of interest assessments for its special advisers** and supported the strategic inquiry on the Commission’s expert groups.

In 2016, most of the cases handled by the Ombudsman were closed within 12 months. The Ombudsman is however urged to reduce the time taken to handle complaints.

Transparency: the report stressed the importance of transparency-related issues and **access to information and documents as the main** subject matter of inquiries submitted to the Ombudsman (29.6 %), following good management of EU personnel issues (28.2 %), and culture of service (25.1 %). Other issues were also raised such as the proper use of discretion, including in infringement proceedings, sound financial management of EU grants and contracts and respect for procedural and fundamental rights.

The report stressed that maximum transparency of and access to documents held by the EU institutions must be the **rule** and that exceptions to this right should always be weighed against the principles of transparency and democracy. It called on the Commission to **improve transparency** and access to documents and information with regard to the EU Pilot procedures in relation to petitions received.

Members also insisted on the need:

- to monitor the implementation of the Ombudsman's recommendations for transparency in **trilogues**;
- for full and enhanced transparency in **trade agreements** and negotiations;
- to improve transparency on the part of all EU institutions in the **Brexit** negotiations;
- for greater transparency in the **EU's economic and financial decision-making process**, in particular in the area of the banking supervision performed by the European Central Bank;
- to improve EU lobbying transparency and fully comply with the Ombudsman's suggestions for improving the EU Transparency Register.

The Commission is called upon to make its work with the tobacco industry lobbyists fully transparent.

Maladministration: noting the reports of maladministration by the Ombudsman with regard to the Code of Conduct for Commissioners, Members called for the **application of stricter ethical standards** within the EU administration with the aim of securing respect for the duty to behave with integrity and discretion and full independence from the private sector.

They also called on the Commission to guarantee proactive publication and full transparency with regard to the **post-term-of-office occupation** of former Commissioners, while supporting the Ombudsman's recommendations for a further revision of the Code and inviting her to publish the names of EU officials involved in revolving door cases.

Members welcomed the Ombudsman's initiative to identify best practices in the EU administration and bring them to greater public attention with the Ombudsman's **Award for Good Administration**.

Lastly, the report called on the Ombudsman to further assess the implementation of the new internal **whistle-blowing rules** in the EU institutions.

Annual report on the activities of the European Ombudsman in 2016

2017/2126(INI) - 16/11/2017 - Text adopted by Parliament, single reading

The European Parliament adopted by 501 votes to 28, with 72 abstentions, a resolution on the 2016 annual report presented by the European Ombudsman.

Members **approved the report**, while welcoming her efforts to improve the quality and accessibility of the Ombudsman's services as well as her **collaborative and positive cooperation with the European Parliament**.

In 2016, **15 797 citizens** called on the Ombudsman's services for help, of whom 12 646 were given advice through the Interactive Guide on the Ombudsman's website, while of the remaining requests 1 271 were forwarded elsewhere for information and **1 880 were handled** by the Ombudsman as complaints, of which 711 fell within and 1 169 fell outside the scope of the Ombudsman's mandate.

Follow-up of recommendations: Members noted the reduction in the number of inquiries concerning EU institutions conducted by the Ombudsman in 2016 (245 in 2016 compared with 261 in 2015). Most of the inquiries concerned the Commission (58.8 %), followed by EU agencies (12.3 %) and Parliament (6.5 %), the European Personnel Selection Office (EPSO) (5.7 %), the European External Action Service (EEAS) (4.5 %).

Members noted that the Ombudsman's office has achieved the second highest rate of compliance with its decisions and/or recommendations so far. However, they urged the EU institutions, bodies, offices and agencies to respond and react within a reasonable timeframe to the critical remarks of the Ombudsman and to improve their rate of compliance with the Ombudsman's recommendations and/or decisions.

Strategic inquiries and initiatives: in 2016, the Ombudsman's office opened 4 new strategic inquiries on, among other subjects, possible conflicts of interest of special advisors and delays in chemical testing, and in addition it opened ten new strategic initiatives.

Parliament welcomed the Ombudsman's strategic inquiry into how the Commission appoints and carries out conflict of interest assessments for its **special advisers**, who often work for private sector clients and the EU concurrently. It also supported the Ombudsman's strategic inquiry on the Commission's expert groups.

In 2016, most of the cases handled by the Ombudsman were **closed within 12 months** and that the average time needed to close an inquiry was 10 months. Parliament urged the Ombudsman to reduce the time taken to handle complaints, especially in cases still open after 12 months.

Transparency: Parliament stressed the importance of transparency-related issues and access to information and documents as the main subject matter of inquiries submitted to the Ombudsman (29.6 %), following good management of EU personnel issues (28.2 %), and culture of service (25.1 %). Other issues were also raised such as the proper use of discretion, including in infringement proceedings, sound financial management of EU grants and contracts and respect for procedural and fundamental rights.

Members stressed that **maximum transparency of and access to documents** held by the EU institutions must be the rule and that exceptions to this right should always be weighed against the principles of transparency and democracy.

They commended the Ombudsman's strategic inquiry on **access to documents relating to Council preparatory bodies**, including its Committees, working parties and the Committee of Permanent Representatives (COREPER), when discussing draft EU legislative acts.

Parliament also insisted on the need:

- to enable access to documents and information with regard to the **EU Pilot** procedures;
- to monitor the implementation of the Ombudsman's recommendations for transparency in **trilogues**;
- for full and enhanced transparency in trade agreements and negotiations;
- for greater transparency in the **EU's economic and financial decision-making process**, in particular in the area of the banking supervision performed by the European Central Bank;
- fully comply with the Ombudsman's suggestions for improving the **EU Transparency Register** by making it a mandatory central transparency hub for all EU institutions and agencies.

The Commission has been invited to make its work with tobacco industry lobbyists fully transparent by publishing online all meetings with lobby groups or their legal representatives.

Maladministration: noting the reports of maladministration by the Ombudsman with regard to the **Code of Conduct for Commissioners**, Parliament called for the application of stricter ethical standards within the EU administration with the aim of securing respect for the duty to behave with integrity and discretion and full independence from the private sector.

It also called on the Commission to guarantee proactive publication and full transparency with regard to the **post-term-of-office occupation of former Commissioners**, while supporting the Ombudsman's recommendations for a further revision of the Code and inviting her to publish the names of EU officials involved in revolving door cases.

Parliament welcomed the Ombudsman's initiative to identify best practices in the EU administration and bring them to greater public attention with the **Ombudsman's Award for Good Administration**.

Lastly, the resolution called on the Ombudsman to further assess the implementation of the new internal **whistle-blowing** rules in the EU institutions.