


# Procedure file

## Basic information

COS - Procedure on a strategy paper (historic)	<a href="#">1998/2084(COS)</a>	Procedure completed
European Ombudsman. Annual report 1997		
Subject 1.20.04 European Ombudsman		

## Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	 Petitions	PSE <a href="#">NEWMAN Edward</a>	05/02/1998
Council of the European Union			

## Key events

15/04/1998	Non-legislative basic document published	N4-0270/1998	Summary
15/05/1998	Committee referral announced in Parliament		
22/06/1998	Vote in committee		Summary
22/06/1998	Committee report tabled for plenary	<a href="#">A4-0258/1998</a>	
16/07/1998	Debate in Parliament		Summary
16/07/1998	Decision by Parliament	T4-0453/1998	Summary
16/07/1998	End of procedure in Parliament		
21/09/1998	Final act published in Official Journal		

## Technical information

Procedure reference	1998/2084(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 142
Stage reached in procedure	Procedure completed
Committee dossier	PETI/4/10009

## Documentation gateway

Non-legislative basic document		N4-0270/1998	15/04/1998	MED	Summary
Committee report tabled for plenary, single reading		<a href="#">A4-0258/1998</a> <a href="#">OJ C 226 20.07.1998, p. 0004</a>	22/06/1998	EP	
Text adopted by Parliament, single reading		T4-0453/1998 <a href="#">OJ C 292 21.09.1998, p. 0113-0168</a>	16/07/1998	EP	Summary

## European Ombudsman. Annual report 1997

OBJECTIVE: annual report of the European Ombudsman for 1997. SUBSTANCE: this is the third annual report by the European Ombudsman giving further information concerning the work of the Ombudsman since 1995 when he was first appointed. The report outlines as in previous years the complaints received and considered giving particular emphasis to inquiries initiated by the Ombudsman. For the first time it was possible to reach amicable settlements regarding cases of maladministration. Details are also given concerning other measures such as the Ombudsman's special report on access to Community documents. The inquiry was the subject of a special report to the European Parliament (COS0690) concerning organisational matters the Ombudsman indicates that in 1997 all the offices and infrastructures were operational in Brussels and in Strasbourg. A network of liaison bodies were set up with the national Ombudsman's office and similar bodies in the Member States thereby facilitating effective communication. The Ombudsman indicates that 1181 new complaints were made to him during 1997. 1067 of these were sent directly by individual citizens, 57 came from associations and 38 from companies. 17 complaints were transmitted by Members of the European Parliament and 227 were brought forward from the year 1996. The Ombudsman also began four own-initiative inquiries. In all he dealt with 1412 cases, a 40% increase over the number of complaints received in 1996. The number of complaints ruled admissible also increased. The Ombudsman also indicates that a number of complaints were forwarded to the European Parliament's Committee on Petitions (13 complaints and two petitions) as provided for under the European Parliament's Rules of Procedure. In accordance with Parliament's wishes expressed in its resolution of 1997 concerning the Ombudsman's second annual report (COS0525) he proposed a definition of what is understood by 'case of maladministration' based on previous experience of national ombudsmen and the relevant legal texts. The Ombudsman also indicated that he had launched a significant policy seeking to provide information for citizens in 1997 and setting up a website on the Internet to give citizens easier access to the Ombudsman and giving general information about the right to complain and table petitions. Finally, the Ombudsman indicates that he wishes to speed up the procedure for ruling a complaint admissible and for this purpose wishes for further staff, particularly in view of the new responsibilities arising from the implementation of the Treaty of Amsterdam. To this end, he expresses the hope that suitable funding will be provided for the years 1999 and 2000.?

## European Ombudsman. Annual report 1997

The Committee adopted the report of Edward NEWMAN, PES, UK). The Ombudsman, Mr Söderman called for steps to be taken to enable his service to be made fully operational; the standard of EU administration to be improved, with a clear definition of "mal-administration" for which purpose the EU institutions would have to adopt an administrative code of conduct; closer links to be established with national ombudsmen and national parliamentary petitions committees, with a view in particular to the application of EU law in the Member States. Mr Newman congratulated Mr Söderman on the excellent work he had performed in 1997 and in particular his efforts to conduct an information campaign, which had proved a success: in 1997 there had been a 40% increase by comparison with 1996 in the number of complaints received. During the debate, Members reiterated a point of constant concern to them: an incorrect interpretation or inadequate application of EU law was an obstacle to any real possibility of exercising the right of citizenship. Hence the importance of petitions, in the committee's view, since they enabled shortcomings or inadequacies to be identified and then taken into account when Community laws were reviewed or replaced. ?

## European Ombudsman. Annual report 1997

Adopting the report by Mr Edward Newman (PSE, UK) on the Annual Report on the activities of the European Ombudsman in 1997, Parliament welcomes the fact that the Ombudsman has defined the term 'maladministration', as it has requested. It also welcomes the Ombudsman's positive response to the initiative for a code of good administrative behaviour for the European Institutions and bodies and stresses that this code must be identical for all the Institutions. It calls for broader and deeper cooperation between the European Ombudsman and Parliament's Committee on Petitions and repeats its call for sufficient resources, including budgetary resources, to be allocated. It calls on the Ombudsman and all the European institutions to enhance the awareness of the Union's citizens of their right to petition and to send complaints to the Ombudsman and suggests improving and rapidly extending the existing electronic data processing system. In particular it calls for an Internet service to be set up, making this data available to EU citizens. ?

## European Ombudsman. Annual report 1997

During the debate preceding the vote on the 1997 report of the European Ombudsman, Mr Jacob SÖDERMAN gave a brief commentary on this institution's activities during the previous year. He therefore indicated that, between 1996 and 1997, the number of complaints had risen by 40% and that there had been a further increase of 15% in the first half of 1998. He also explained that, even when a complaint was deemed inadmissible, the citizen did not go away empty-handed. In this case, the Ombudsman would explain why the complaint was not admissible and would direct the complainant to the correct institution. Out of a total of 1 412 cases, there had been 1 180 new complaints in 1997 and 101 inquiries had been closed with a reasoned decision. In 40% of cases, a friendly solution had been found. In 59% of cases, no maladministration on the part of the institutions was found. For Mr SÖDERMAN, the first goal was to decide on the admissibility of a complaint within one month. The second goal was to close a case in which an inquiry had been launched within one year. In this case, the Ombudsman

said that there was a growing backlog of cases. As regards the initiatives aimed at promoting transparency, the Ombudsman had undertaken three inquiries: - the first concerned the Commission's procedures for dealing with complaints from citizens regarding the infringement of Community law by the Member States; - the second concerned transparency in relation to the recruitment procedures followed by the Community institutions; this inquiry was still ongoing; - the third concerned public access to documents and was accompanied by recommendations. The Ombudsman therefore noted that a high number of complaints from citizens concerned the enforcement of Community law by public authorities in the Member States. These complaints could, in his opinion, be usefully dealt with either as petitions to the European Parliament or by national ombudsmen. He considered that many complaints could be resolved at national level.