


# Procedure file

Basic information		
INI - Own-initiative procedure	<a href="#">2003/2068(INI)</a>	Procedure completed
European Ombudsman. 2002 annual report		
Subject 1.20.04 European Ombudsman		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<span style="background-color: #e67e22; color: white; padding: 2px;">PETI</span> Petitions		23/01/2003
		PPE-DE <a href="#">STOCKTON The Earl</a> <a href="#">Of</a>	

Key events			
10/02/2003	Non-legislative basic document published	N5-0011/2003	Summary
15/05/2003	Committee referral announced in Parliament		
10/06/2003	Vote in committee		Summary
10/06/2003	Committee report tabled for plenary	<a href="#">A5-0229/2003</a>	
25/09/2003	Debate in Parliament		
25/09/2003	Decision by Parliament	<a href="#">T5-0415/2003</a>	Summary
25/09/2003	End of procedure in Parliament		

Technical information	
Procedure reference	2003/2068(INI)
Procedure type	INI - Own-initiative procedure
Legal basis	Rules of Procedure EP 232-p1-a2
Stage reached in procedure	Procedure completed
Committee dossier	PETI/5/19505

Documentation gateway					
Non-legislative basic document		<a href="#">N5-0011/2003</a> <a href="#">OJ C 270 11.11.2003, p. 0005</a>	10/02/2003	MED	Summary

Committee report tabled for plenary, single reading	<a href="#">A5-0229/2003</a>	10/06/2003	EP	
Text adopted by Parliament, single reading	<a href="#">T5-0415/2003</a> OJ C 077 26.03.2004, p. 0266-0403 E	25/09/2003	EP	Summary

## European Ombudsman. 2002 annual report

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**PURPOSE** : to present the European Ombudsman's 2002 Annual Report. **CONTENT** : the Report analyses the complaints to the Ombudsman and discusses the decisions made following enquiries. During 2002, the process of examining complaints to see if they are within the mandate of the Ombudsman, meet the criteria of admissibility and provide grounds to open an enquiry was completed in 97% of cases. The report states that 331 met the admissibility criteria, but 109 did not appear to provide grounds for an enquiry. Inquiries were therefore begun in 222 cases. 75% of cases that led to an enquiry were against the European Commission. As the Commission is the main Community organ that makes decisions having a direct impact on citizens, it is to be expected that it should be the principal object of citizens complaints. There were 21 complaints against the European Parliament and 12 complaints against the Council. The main types of maladministration alleged were: - lack of transparency (92 cases); - discrimination (26 cases); - unsatisfactory procedures or failure to respect rights of defence (40 cases); - unfairness or abuse of power (45 cases); - avoidable delay (53 cases); - negligence (37 cases); - failure to ensure fulfilment of obligations, i.e. failure by the European Commission to carry out its role as guardian of the Treaties vis-à-vis the Member States (6 cases); - legal error (21 cases). With regard to progress made, the Ombudsman reports progress in establishing principles on how to compensate citizens for damages in case where the administration has not fulfilled its obligations on time. Similarly, progress was made on the implementation of the EU Charter of Fundamental Rights, with the Commission and the Parliament abolishing age limits in recruitment and the Commission taking steps to tackle sex discrimination. 2002 also saw the settlement of an EUR 1.5 million contractual dispute - one of the highest sums ever involved in a decision of the Ombudsman. The Ombudsman's Guide for citizens published in 2002 gives an overview of many of these achievements. However, on the question of a law on good administration and freedom of expression for officials there was less progress. The Ombudsman feels that there is room for improvement.?

## European Ombudsman. 2002 annual report

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The committee adopted the own-initiative report by Lord STOCKTON (EPP-ED, UK) on the European Ombudsman's annual report for 2002. It commended the Ombudsman's efforts to make his role known to an ever wider public and to establish links with regional ombudsmen in both the Member States and the applicant countries. MEPs welcomed the success of the Ombudsman over the last year in cutting the amount of time taken to deal with complaints and encouraged him to continue doing so. To this end, they called on all institutions and bodies to provide rapid replies to citizens when the Ombudsman is called upon to investigate an alleged instance of maladministration in their activities. The report also noted with satisfaction that EU authorities had frequently taken action to settle a complaint once they had been made aware of the problem and that in other cases an amicable solution had been achieved. It urged the relevant Community authorities to comply with the Ombudsman's draft recommendations to remedy cases of maladministration following an inquiry and to follow up the Ombudsman's further critical remarks in order to prevent similar cases arising in the future. The committee said that, in examining cases of maladministration and in enforcing the right of citizens to good administration pursuant to Article 41 of the Charter of Fundamental Rights of the EU, the principles enshrined in the EU Code of Good Administrative Behaviour should always be applied. It regretted the failure by the Commission and other institutions so far to adopt and apply the Code of Good Administrative Behaviour as approved by Parliament. Lastly, the report said that it would be appropriate to reinforce the necessary cooperation between Parliament's relevant committee and the Ombudsman, with due regard for their respective powers. The committee therefore pledged to initiate a review, without delay and at the most appropriate level, of Parliament's Rules of Procedure and the Ombudsman's Statute with a view to making any changes which may be needed by the end of the present legislature.?

## European Ombudsman. 2002 annual report

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The European Parliament adopted a resolution based on the own-initiative report drafted by Lord STOCKTON (EPP-ED, United Kingdom) on the Ombudsman's report for 2002. (Please see the summary dated 10/06/03.) Parliament asked the Commission to reconsider its position on the proposed amendments to Article 3(2) of the Ombudsman's Statute. This related particularly to Member States' and third parties' right to deny the Ombudsman and Parliament access to information. It also relates to the restrictions supported by the Commission in respect to the right and duty of officials and other servants to give truthful testimony to the Ombudsman in the course of his inquiries.?