











Procedure file

Basic information	
INL - Legislative initiative procedure	2018/2080(INL)
Regulations and general conditions governing the performance of the Ombudsman's duties	
See also 2019/0900(APP)	
Subject 1.20.04 European Ombudsman	
Procedure completed	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Constitutional Affairs	 RANGEL Paulo	11/07/2018
		Shadow rapporteur	
		 GUERRERO SALOM Enrique	
		 MESSERSCHMIDT Morten	
		 PAGAZAURTUNDÚA Maite	
		 TERRICABRAS Josep-Maria	
	Committee for opinion	Rapporteur for opinion	Appointed
	 Petitions	 AUKEN Margrete	16/05/2018
European Commission	Commission DG Secretariat-General	Commissioner TIMMERMANS Frans	


Key events			
14/06/2018	Committee referral announced in Parliament		
22/01/2019	Vote in committee		

30/01/2019	Committee report tabled for plenary	A8-0050/2019	Summary
11/02/2019	Debate in Parliament		
12/02/2019	Results of vote in Parliament		
12/02/2019	Decision by Parliament	T8-0080/2019	Summary
12/02/2019	End of procedure in Parliament		

Technical information

Procedure reference	2018/2080(INL)
Procedure type	INL - Legislative initiative procedure
Procedure subtype	Request for legislative proposal
	See also 2019/0900(APP)
Legal basis	Rules of Procedure EP 47
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	AFCO/8/13313

Documentation gateway

Committee opinion		PE623.941	27/11/2018	EP	
Amendments tabled in committee		PE632.132	18/12/2018	EP	
Committee draft report		PE631.819	10/01/2019	EP	
Committee report tabled for plenary, single reading		A8-0050/2019	30/01/2019	EP	Summary
Initial legislative proposal		T8-0080/2019	12/02/2019	EP	Summary

Regulations and general conditions governing the performance of the Ombudsman's duties

The Committee on Constitutional Affairs adopted the report by Paulo RANGEL (EPP, PT) on a draft regulation of the European Parliament laying down the regulations and general conditions governing the performance of the Ombudsmans duties (Statute of the European Ombudsman) and repealing Decision 94/262/ECSC, EC, Euratom (Initiative Rule 45 of the Rules of Procedure).

Article 228(4) TFEU enables the European Parliament, after seeking an opinion from the Commission and with the consent of the Council, to adopt regulations laying down the regulations and general conditions governing the performance of the Ombudsmans duties. Members considered it desirable to repeal Decision 94/262/ECSC, EC, Euratom and replace it by a Regulation in accordance with the legal basis currently applicable.

The draft regulation should, inter alia:

- establish the conditions under which a complaint may be referred to the Ombudsman on the principle of full, free and easy access;
- allow the Ombudsman, without prejudice to her primary duty, which is to handle complaints, to conduct own-initiative inquiries with a view to identifying repeated instances of maladministration and promoting best administrative practices within the Union institutions, bodies, offices and agencies;
- enable the Ombudsman, on her own initiative or following a complaint, to conduct inquiries following up previous inquiries so as to ascertain whether and to what extent the institution, body, office or agency concerned has complied with the recommendations put forward;
- provide that Union institutions, bodies, offices and agencies are obliged to supply the Ombudsman with any information that the Ombudsman requests of them. Access to classified information or documents should be subject to compliance with the rules on the processing of confidential information by the institution or agency concerned;
- oblige the Ombudsman and her staff to treat in confidence any information which they have acquired in the course of their duties;
- allow the Ombudsman to communicate to the European Public Prosecutor's Office any information within its competence;

- provide for the possibility of cooperation between the Ombudsman and the authorities of the same type in Member States, in compliance with the national laws applicable.

The Ombudsmans duties should be performed with complete independence. She should give a solemn undertaking before the Court of Justice when taking office. The incompatibilities, the remuneration, the privileges and the immunities of the Ombudsman should be laid down. It is for the European Parliament to appoint the Ombudsman at the beginning of the parliamentary term and for the duration thereof, choosing the Ombudsman from among persons who are Union citizens and who offer every requisite guarantee of independence and competence.