

Procedure file

Basic information		
INI - Own-initiative procedure	2018/2105(INI)	Procedure completed
Report on the Ombudsman's annual report in 2017		
Subject 1.20.04 European Ombudsman		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Petitions	 EVI Eleonora	22/02/2018
		Shadow rapporteur	
		 MANDL Lukas	
		 GIUFFRIDA Michela	
		 MARIAS Notis	
		 NART Javier	
		 MITROFANOVS Miroslavs	
European Commission	Commission DG Secretariat-General	Commissioner TIMMERMANS Frans	

Key events			
14/06/2018	Committee referral announced in Parliament		
21/11/2018	Vote in committee		
28/11/2018	Committee report tabled for plenary	A8-0411/2018	Summary
12/12/2018	Debate in Parliament		
13/12/2018	Results of vote in Parliament		
13/12/2018	Decision by Parliament	T8-0531/2018	Summary
13/12/2018	End of procedure in Parliament		

Technical information	
Procedure reference	2018/2105(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Annual report
Legal basis	Rules of Procedure EP 54
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	PETI/8/12791

Documentation gateway					
Committee draft report		PE625.381	09/07/2018	EP	
Amendments tabled in committee		PE627.673	07/09/2018	EP	
Committee report tabled for plenary, single reading		A8-0411/2018	28/11/2018	EP	Summary
Text adopted by Parliament, single reading		T8-0531/2018	13/12/2018	EP	Summary
Commission response to text adopted in plenary		SP(2019)355	12/06/2019	EC	

Report on the Ombudsman's annual report in 2017

The Committee on Petitions adopted the own-initiative report by Eleonora EVI (EFDD, IT) on the annual report on the activities of the European Ombudsman in 2017.

It approved the annual report for 2017 presented by the European Ombudsman and took note of its clear and easy-to-read style of presentation, highlighting as it does the most important facts and figures concerning the work of the Ombudsman in 2017.

Members congratulated Emily O'Reilly for her excellent work and constructive efforts to improve the quality of the EU's administration and the accessibility and quality of the services it offers to citizens. They welcomed the Ombudsman's five-year strategy Towards 2019, which aims to increase the impact and visibility of her office and forge strong relationships with the EU institutions, agencies and organisations, for the greater benefit of citizens.

Statistics: in 2017, 15 837 citizens called on the Ombudsman's services for help, of whom 12 521 were given advice through the Interactive Guide on the Ombudsman's website, while of the remaining requests 1135 were forwarded elsewhere for information and 2181 were handled by the Ombudsman as complaints.

In 2017, the Ombudsman opened 447 inquiries, of which 433 were complaint-based and 14 were own-initiative inquiries, while closing 363 inquiries (348 complaint-based and 15 own-initiative inquiries). Most of the inquiries concerned the Commission (256 inquiries or 57.3 %), followed by the EU agencies (35 inquiries or 7.8 %), the European Personnel Selection Office (EPSO) (34 inquiries or 7.6 %), the European Parliament (22 inquiries or 4.9 %), the European External Action Service (EEAS) (17 inquiries or 3.8 %), the European Anti-Fraud Office (OLAF) (16 inquiries or 3.6 %) and other institutions (67 inquiries or 15.0%).

Main concerns: the Ombudsman's top three concerns in the inquiries closed in 2017 were: transparency, accountability and public access to information and documents (20.6 %), culture of service (16.8 %) and respect for procedural rights (16.5 %). Other concerns include ethical issues, public participation in EU decision-making, respect for fundamental rights, proper use of discretion including in infringement procedures, sound financial management of EU tenders, grants and contracts, recruitment and good management of EU personnel issues.

The report stressed that the EU is still facing the worst economic, social and political crisis since its foundation. All Institutions, agencies and offices of the EU should feel compelled to ensure full transparency and the highest ethical and accountability standards. Members reiterated their call for a central transparency hub for all EU institutions and agencies.

In this regard, Members support the Ombudsman's commitment to improving the transparency of EU lobbying and stressed the importance of adopting an appropriate legislative act to make the EU transparency register mandatory and legally binding for all EU institutions and agencies and interest representatives, thereby ensuring full transparency of lobbying.

They stressed the importance of regularly updating and greatly improving the accuracy of data on the EU transparency register, including the obligation for law firms that lobby to declare all their clients and for all information on the influence of lobbyists to be available free of charge and easily accessible to the public. Full transparency of the funding of all interest representatives must be ensured. The report called for any organisation that breaks the revolving doors rules to be suspended from the transparency register.

Members stated that stricter, clear and easily applicable moral and ethical rules and standards need to be swiftly applied throughout the EU institutions, agencies and bodies. They considered that these rules and standards must be based on a legislative act. There is also an urgent need for the existing Code of Good Administrative Behaviour to be upgraded effectively, by adopting a binding regulation on the matter.

Lastly, Members urged the Ombudsman to launch a strategic inquiry in order to assess whether EU Institutions, offices and agencies, such as the European Chemicals Agency (ECHA), the European Food Safety Authority (EFSA) and the EMA, ensure that the collection, examination and publication of scientific evidence is fully independent, transparent, impartial, accurate and free from conflict of interests, and whether the proper policies and procedural safeguards are in place, notably when dealing with GMOs, glyphosate, pesticides, phytosanitary and biocidal products and medicines. They suggested, in this regard, a further inquiry into the composition and selection procedures of the scientific committees and panels of these agencies, in order to ensure that they are completely independent and to put into place the most stringent mechanisms preventing any possible conflict of interests.

Report on the Ombudsman's annual report in 2017

The European Parliament adopted by 368 votes to 15 with 135 abstentions a resolution on the annual report on the activities of the European Ombudsman in 2017.

It approved the annual report for 2017 presented by the European Ombudsman and congratulated Emily O'Reilly for her excellent work and constructive efforts to improve the quality of the EU's administration and highlighted the Ombudsman's structural work in bringing instances of maladministration to light by adopting a case-by-case approach and launching an increasing number of own-initiative enquiries.

Parliament welcomed the Ombudsman's five-year strategy Towards 2019, which aims to increase the impact and visibility of her office.

Statistics

Parliament noted that in 2017, 15 837 citizens called on the Ombudsman's services for help, of whom 12 521 were given advice through the Interactive Guide on the Ombudsman's website, while of the remaining requests 1135 were forwarded elsewhere for information and 2181 were handled by the Ombudsman as complaints.

In 2017, the Ombudsman opened 447 inquiries, of which 433 were complaint-based and 14 were own-initiative inquiries, while closing 363 inquiries (348 complaint-based and 15 own-initiative inquiries). Most of the inquiries concerned the Commission (256 inquiries or 57.3 %), followed by the EU agencies (35 inquiries or 7.8 %), the European Personnel Selection Office (EPSO) (34 inquiries or 7.6 %), the European Parliament (22 inquiries or 4.9 %), the European External Action Service (EEAS) (17 inquiries or 3.8 %), the European Anti-Fraud Office (OLAF) (16 inquiries or 3.6 %) and other institutions (67 inquiries or 15.0%).

Main concerns

The Ombudsman's top three concerns in the inquiries closed in 2017 were: transparency, accountability and public access to information and documents (20.6 %), culture of service (16.8 %) and respect for procedural rights (16.5 %). Other concerns include ethical issues, public participation in EU decision-making, respect for fundamental rights, proper use of discretion including in infringement procedures, sound financial management of EU tenders, grants and contracts, recruitment and good management of EU personnel issues.

Members reiterated their call for a central transparency hub for all EU institutions and agencies. They also stressed the importance of adopting an appropriate legislative act to make the EU transparency register mandatory and legally binding for all EU institutions and agencies and interest representatives, thereby ensuring full transparency of lobbying.

Parliament stressed the importance of regularly updating and greatly improving the accuracy of data on the EU transparency register, including the obligation for law firms that lobby to declare all their clients and for all information on the influence of lobbyists to be available free of charge and easily accessible to the public. Full transparency of the funding of all interest representatives must be ensured. Parliament called for any organisation that breaks the revolving doors rules to be suspended from the transparency register. It also highlighted the Ombudsman's findings that the ECB President's continued membership of the G30 constituted maladministration as it gave rise to a public perception that the ECB's independence from private financial interests could be compromised.

Members went on to state that the Commission failed to respect the principles of transparency, ethics and the rule of law in the procedure it used to appoint Martin Selmayr as its new Secretary-General. They noted that the Ombudsman found four instances of maladministration in Mr Selmayr's appointment due to the Commission's failure to follow the relevant rules correctly, both in letter and spirit.

Parliament emphasised that Mr Selmayr must resign as Secretary-General and called on the Commission to adopt a new procedure for appointing its Secretary-General. The Ombudsman was asked to continue her work on strengthening ethics rules within the EU institutions in order to solve revolving door issues and Parliament looked forward to the Ombudsman's analysis into how the Commission is implementing her guidelines.

Members urged the Ombudsman to launch a strategic inquiry in order to assess whether EU Institutions, offices and agencies, such as the European Chemicals Agency (ECHA), the European Food Safety Authority (EFSA) and the EMA, ensure that the collection, examination and publication of scientific evidence is fully independent, transparent, impartial, accurate and free from conflict of interests, and whether the proper policies and procedural safeguards are in place, notably when dealing with GMOs, glyphosate, pesticides, phytosanitary and biocidal products and medicines. They suggested, in this regard, a further inquiry into the composition and selection procedures of the scientific committees and panels of these agencies, in order to ensure that they are completely independent and to put into place the most stringent mechanisms preventing any possible conflict of interests.

Lastly, Parliament called for greater financial and human resources to be allocated to the office of the Ombudsman, with a view to upholding its crucial duty of enhancing good administrative practices within the EU, a service of vital importance to the citizens of the Union.