

Decision of the European Ombudsman on complaint 1146/2001/IP against the Council of the European Union

Decision

Case 1146/2001/IP - Opened on 19/09/2001 - Decision on 10/09/2002

Strasbourg, 10 September 2002

Dear Mr T.,

On 6 August 2001, you made a complaint to the European Ombudsman concerning the content of the Web-page of the Presidency of the Council.

On 19 September 2001, I forwarded the complaint to the Secretary General of the Council of the European Union. On 31 December 2001, I received a translation into Italian of the Council's opinion which I forwarded it to you with an invitation to make observations. I received your observations on 7 March 2002.

I am writing now to let you know the results of the inquiries that have been made.

THE COMPLAINT

The complaint related to the content of the Internet site of the Presidency of the Council during the second half of the year 2001 (Belgian Presidency). The complainant alleged a case of linguistic discrimination because the site was only available in four languages (Dutch, English, French and German) and not in all the official languages of the Union. As a complementary aspect of his complaint, the complainant pointed out that the same situation happened under the previous Presidencies.

THE INQUIRY

The opinion of the Council of the European Union

The complaint was forwarded to the Council of the European Union for an opinion.

The Council stated that Presidencies-in-Office are solely responsible for the information contained in their own Internet sites under their management. These sites do not aim at replacing the instruments which the Community institutions make available to citizens in the official languages, but can rather be considered as a complement of them. The institution also



underlined the multilingual nature of information provided by the Council's General Secretariat on the institution's Internet site. The Council pointed out that the public register of Council documents currently contains references to over 250 000 Council documents, counting all the official language together. Furthermore, documents which have legal force are published in all official languages by the Office for Official Publications of the European Communities and available free of charge via Internet.

The complainant's observations

In his observations on the Council's opinion, the complainant basically maintained his original complaint.

As regards the status of the Presidency, the complainant pointed out that it could not be considered as an independent institution with respect to the Council, but as a body of the institution itself. All information published by the Presidency of the Council of European Union should therefore be referred to the Council.

As regards the content of the Council's site, the complainant stressed that most of the information is actually available in all the languages of the Treaty. However, there are still some sections which are only published in fewer languages.

THE DECISION

1 The alleged linguistic discrimination

1.1 The complainant alleged a case of linguistic discrimination because the site of the Belgian Presidency was only available in four languages (Dutch, English, French and German) and not in all the official languages of the Union. As a complementary aspect of his complaint, the complainant pointed out that the same situation happened under the previous Presidencies.

1.2 The Council stated that Presidencies-in-Office are solely responsible for the information contained in their own Internet sites under their management. These sites do not aim at replacing the instruments which the Community institutions make available to citizens in the official languages, but can rather be considered as a complement of them.

1.3 The Ombudsman consider that, as far as possible, the Union institutions and bodies should provide information to citizens in their own languages. The Ombudsman is not aware, however, of any rule or principle that forbids them to publish information on their websites in less than the full number of official languages.

1.4 From its opinion, it appears that the Council is committed to a multilingual information policy.

1.5 On the basis of the above, there appears to have been no maladministration by the Council of the European Union.

2 Conclusion

On the basis of the Ombudsman's inquiries into this complaint, there appears to have been no maladministration by the Council of the European Union. The Ombudsman therefore closes the case.



The Secretary General and High Representative of the Council will also be informed of this decision.

Yours sincerely,

Jacob SÖDERMAN