

Presentation of the European Ombudsman's Annual Report for year 2009 to the Plenary of the European Parliament

Speech - **City** Strasbourg - **Country** France - **Date** 25/11/2010

Introduction

Honourable Members, thank you for this opportunity to address you.

I wish to thank the Petitions Committee, and especially the Chair, Ms MAZZONI. They continue to offer me valuable support and advice, as evidenced by Ms NEDELICHEVA's and Ms PALIADELI's excellent Reports.

Parliament and the Ombudsman both work to ensure that citizens and residents of the EU can enjoy their rights to the full - but we do so in different ways. The Ombudsman's mandate is more limited - I only deal with complaints against EU institutions, whilst you can also examine what Member States are doing.

Furthermore, Parliament - as a sovereign political body - can deal with petitions that request changes in the law, or new laws. In contrast, my role is to help uncover maladministration and attempt to put it right.

Unlike court rulings, an Ombudsman's decisions are not legally binding. I can only use the power of persuasion to convince the EU institutions to follow my recommendations or to achieve friendly solutions which can satisfy both sides.

Where EU institutions refuse to follow my recommendations, it is of fundamental importance that the Ombudsman can turn to Parliament to seek its support and I am naturally very grateful that Parliament continues to do so, as evidenced by the NEDELICHEVA and PALIADELI Reports.

This is the first Annual Report presented to you since the entry into force of the Treaty of Lisbon. I will continue to work in close cooperation with Parliament in order to further our common goal of providing European citizens the maximum possible benefits from their rights under the Treaty - acting always in accordance with my mandate as an independent and impartial investigator of alleged maladministration - an independence and impartiality which applies equally to the complainant as well as the institution complained against.



Statistics

In 2009, my office closed 318 inquiries. 70% of the inquiries were completed within one year. 55% were completed within three months. On average, inquiries took nine months to complete, well within my standard goal of completing inquiries within one year.

I am pleased to note that, in 2009, 56% of all investigations were either settled by the institution or resulted in a friendly solution. This represents a large improvement over 2008, when the percentage was 36.

In 35 cases, I issued a critical remark. This is a significant improvement compared to 2008 when I issued 44 critical remarks, or 2007 when I issued 55. The sustained reduction is good news; however, they are still too many.

Honourable members, I make efforts to help every complainant who turns to the Ombudsman, even in cases when the complaint is **not** within my mandate. In 2009, I received a total of 2,392 such complaints, a 6% decline compared to 2008.

This decline is encouraging news. Reducing the number of inadmissible complaints has been a long-standing request of Parliament.

I attribute this result at least in part to the fact that more citizens are finding the right address to turn to the first time around.

In January 2009, I launched an interactive guide on my new website which is accessible in all 23 EU languages. This guide aims to direct complainants to the body best placed to help them, whether it be my own services, the services of national or regional ombudsmen in the Member States or problem solving mechanisms such as the cross border online network SOLVIT. During 2009 the guide was used by more than 26 000 people.

It is very important for citizens to be guided to the most appropriate complaint-handling body from the outset and to be spared the frustrations and delays associated with having to identify the right institution on their own.

This also means that complaints are resolved more promptly and effectively, thus ensuring that citizens can fully enjoy their rights under EU law.

Outreach

Over the last three years, I have also made strenuous efforts to raise awareness about the services I can offer to businesses, associations, NGOs, regional authorities and other target groups: that is, anybody who is involved in EU projects or programmes and who has direct



dealings with the EU administration.

To further ensure awareness of the Ombudsman's work, I stepped up co-operation during 2009 with other information and problem-solving networks, such as Europe Direct and SOLVIT.

I also intensified my efforts to reach out to potential complainants by organising a range of public events. All these outreach activities, combined with the solid results obtained for complainants, resulted in media coverage of the Ombudsman's work increasing by 85%.

The number of inquiries opened based on complaints received in 2009 rose from 293 to 335. This increase must be at least partly attributed to the outreach activities.

I have also continued my efforts to **improve** the quality of information provided to citizens and potential complainants concerning their rights under EU law through the European Network of Ombudsmen, which greatly helps to facilitate the rapid transfer of complaints to the competent ombudsman or similar body.

Furthermore, I continue to strive to make certain that EU institutions adopt a citizen-centred approach in all their activities. This is a task that must be tackled in tandem with the institutions. To promote this goal with respect to the Commission, I am in close contact with the Vice-President of the Commission responsible for relations with the Ombudsman, Commissioner SEFCOVIC, and I am grateful for his close cooperation and support.

Transparency

The most common allegation I examined in 2009 was lack of transparency. This arose in 36% of all inquiries.

It is with a certain degree of concern that I note the continuing high percentage of such complaints. An accountable and transparent EU administration is surely key to building citizens' trust.

I also regret the lengthy delays by the Commission in responding to my inquiries in access to documents cases. The most egregious case is dealt with in Ms PALIADELI's Report, which makes clear that Parliament expects substantial improvement from the Commission in this regard.

The entry into force of the Lisbon Treaty was the key event of 2009. The Treaty makes new promises to citizens concerning fundamental rights, enhanced transparency and greater opportunities for participation in the Union's policy-making. It also makes the Charter of Fundamental Rights, including the right to good administration, legally binding.

Reform of the Financial Regulation offers an additional, excellent opportunity to put the fundamental right to good administration into practice. I believe that the relevant rules should



provide guidance to officials as to how they should ensure both sound financial management and good administration.

Strategy

Honourable Members, I developed and recently adopted a strategy to cover the whole period of my mandate. The document containing it has been circulated during this past week to your Bureau, the Conference of Presidents, and the Committee on Petitions for information.

The strategy is designed to implement the mission statement for the institution I adopted in 2009 and which reads as follows:

The European Ombudsman seeks fair outcomes to complaints against European Union institutions, encourages transparency and promotes an administrative culture of service. He aims to build trust through dialogue between citizens and the European Union and to foster the highest standards of behaviour in the Union's institutions.

It is within the spirit of this mission statement that I will continue to work in carrying out the mandate which this august body has entrusted me with.

Thank you for your attention.