European Ombudsman

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EU institutions comply with 82% of Ombudsman suggestions
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The European Ombudsman investigates complaints about maladministration in the EU institutions and bodies. Any EU citizen, resident, or an enterprise or association in a Member State, can lodge a complaint with the Ombudsman. The Ombudsman offers a fast, flexible and free means of solving problems with the EU administration.

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The European Ombudsman, P. Nikiforos Diamandouros, reports that, in 2011, the overall rate of compliance by the EU institutions with his suggestions was 82%. The best performers were the EU Agencies with a 100% compliance rate. The compliance rate of the European Commission was the same as the overall figure of 82%, while the European Personnel Selection Office (EPSO) scored 69%. These are among the results of two new studies on the follow-up given by the EU administration to the 120 recommendations, remarks, and friendly solution proposals issued by the Ombudsman in 2011, of which 98 received a positive response from the institution concerned.

Mr Diamandouros commented: "The Ombudsman's decisions are not legally binding. I therefore rely on the persuasiveness of my arguments and the willingness of the institutions to co-operate with me in tackling maladministration and learning lessons for the future. The overall compliance rate of 82% is encouraging, but leaves room for improvement, especially by institutions that fall significantly below the average figure."

Positive responses

In 2011, the Ombudsman's recommendations, remarks, and friendly solution proposals concerned matters such as unjustified refusal to give access to documents, problems with tender procedures, conflicts of interest, and infringement of the right to be heard.

In one case, the Ombudsman helped settle a dispute between the European Commission and an NGO concerning an EU project launched as part of the "European Migration Dialogue". The Commission eventually refunded 70 000€ to the NGO.

In another case, the European Medicines Agency (EMA) followed the Ombudsman's recommendation to release adverse reaction reports related to Septrin, a medicine for the treatment of bacterial infections.

Negative responses

One example of an unsatisfactory response concerned lack of transparency in an EPSO competition. In another case, the Commission did not follow the Ombudsman's advice on how to facilitate access to document requests.

The two follow-up studies are available at: http://www.ombudsman.europa.eu/en/cases/followups.faces