



P. Nikiforos Diamandouros
European Ombudsman

Ms Jacqueline McGlade
Executive Director
European Environment Agency (EEA)
Kongens Nytorv, 6
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DANEMARK

Strasbourg, 11 -03- 2013

Decision of the European Ombudsman closing his own-initiative inquiry
OI/11/2011/PB concerning the European Environment Agency

Dear Ms McGlade,

Please find enclosed a copy of my decision in this inquiry.

I have decided to close the inquiry with the following further remarks:

The setting-up of a public register

The Ombudsman takes the view that the lack of an online EEA public document register remains inconsistent with the relevant legal obligation. The Ombudsman is also aware that the setting-up of such a register can be truly challenging. This is particularly important in the context of EU agencies, most of which are small organisations that will have only limited resources to dedicate to such a project. However, in the course of his agency visits, the Ombudsman has become aware of the excellent collaboration that agencies have established amongst themselves, including in the area of information technology. The Ombudsman therefore considers it appropriate to encourage the EEA to contact other EU agencies with a view to finding the best possible ways to establish public registers.

The Ombudsman points out that his own organisation is currently working on the introduction of a public document register in line with the relevant obligations under Regulation 1049/2001. Since the European Ombudsman's Office is approximately the same size as many EU agencies, the challenges and solutions identified in this process might possibly serve as useful points of reference for the agencies' own efforts to comply with the said obligation. The Ombudsman remains entirely at the agencies' disposal for further discussion and information exchange in this respect.



The additional measures to avoid actual or apparent conflicts of interest

The Ombudsman invites the EEA to inform him of the measures that it intends to adopt, or has already adopted, in light of the ECA report referred to in his decision and subsequent related developments.

The Ombudsman's usual practice is to ask an institution, body, office or agency to respond to further remarks within a period of six months. In the present case, I note that a new director will take office at the EEA in June 2013. In the light of this development, I consider it appropriate to set a deadline of **31 October 2013** for the Agency's follow-up to the further remarks. I will take account of the Agency's responses to my critical remarks and further remarks when carrying out my annual assessment on how institutions and bodies have reacted to my conclusions¹.

Yours sincerely,

P. Nikiforos Diamandouros

Enclosure:

- Decision on own-initiative inquiry (agency visit) OI/11/2011/PB

¹ <http://www.ombudsman.europa.eu/cases/followups.faces>