



# Press release No. 23/2010

## Ombudsman: EU administration reacts positively to most criticisms and 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.

**For more information:**  
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**The European Ombudsman, P. Nikiforos Diamandouros, received a positive reply from the EU institutions in more than 80% of cases where he made criticisms and suggestions in 2009. This is the result of a new study on the follow-up given by the EU institutions to the Ombudsman's critical and further remarks.**

In 2009, the Ombudsman issued 47 critical remarks and 36 further remarks on matters such as unjustified refusal to give access to documents, problems with tender procedures, or infringement of the rights of defence. A further remark differs from a critical remark in that it is not based on a finding of maladministration. Both types of remark aim to help the EU institutions to improve their services for the future.

Mr Diamandouros commented: "This study contains plenty of examples where, as a result of the follow-up to the Ombudsman's remarks, real improvements have been introduced, in areas from the documentation of internal procedures to tenders and contracts."

The Ombudsman remains concerned, however, about the number of unsatisfactory responses to his critical remarks (10 out of 32) received from the Commission.

#### The Intel case

In July 2009, the Ombudsman criticised the Commission for failing to make a proper note of a meeting it held with computer manufacturer Dell, even though the meeting directly concerned the Commission's anti-trust investigation of Intel. In January 2010, the Commission published Draft Best Practices concerning its competition proceedings. This proposal includes an obligation to draft brief notes of meetings held in the

framework of anti-trust investigations. The Ombudsman welcomed this action, given that, in the Intel case, the Commission denied that it had an obligation to draft any notes of such meetings.

#### "Star cases"

The Ombudsman also identified seven "star cases" in which the follow-up to a critical or further remark was exemplary. In one of these cases, the European Parliament provided an account of the wide range of measures it has taken to guarantee full equality of opportunity for persons with disabilities.

The follow-up study on critical and further remarks is available at (Intel case page 36):  
<http://www.ombudsman.europa.eu/cases/followups.faces>