

European Ombudsman

For a transparent, ethical and accountable EU administration

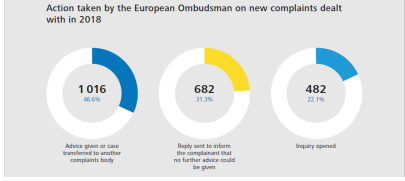


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Case handling in 2018

Complaints handled: **2 180**
 Complaints within mandate: **880 (+17%)**
 Inquiries opened: **490 (+10%)**



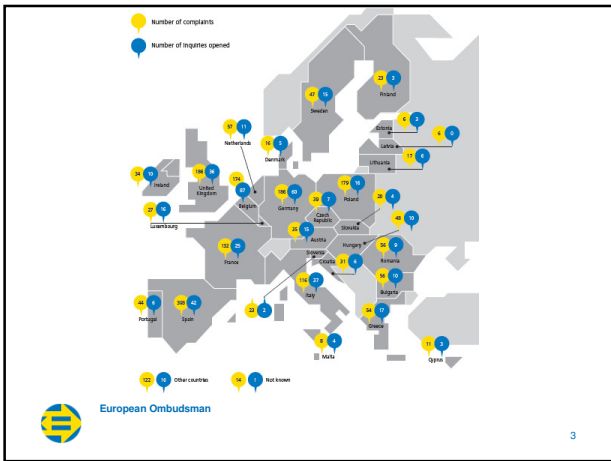
Action taken by the European Ombudsman on new complaints dealt with in 2018

- 1016 (47%) Advice given or case transferred to another complaints body
- 682 (31%) Reply sent to inform the complainant that no further advice could be given
- 482 (22%) Inquiry opened



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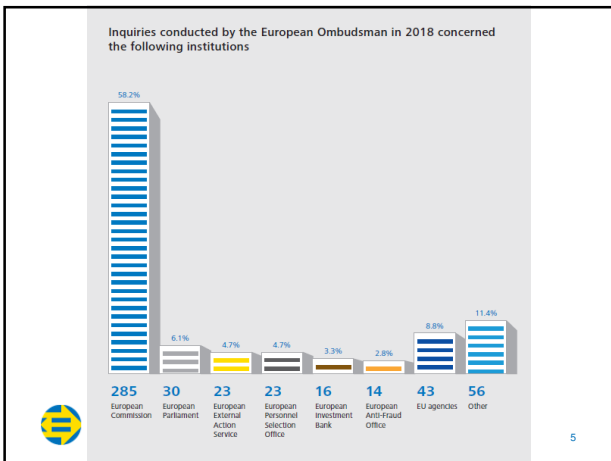
Country statistics

- Highest number of complaints from **Spain** (393)
- Followed by **Germany** and the **UK**
- Highest number of inquiries from **Belgium** (87 from 174 complaints)



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Transparency, access to documents

- 20% of complaints related to accountability, transparency, access to documents
- EU rules on public access to documents (Regulation 1049/2001)
- Procedure (application, confirmatory application) can be long for journalists
- EO power to inspect EU documents can help



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Help in accessing EU documents faster European Ombudsman 'Fast-Track'

- 1 EU institution/body confirms it will **not give you access** to a document
- 2 You **submit a complaint** to the European Ombudsman
- 3 Ombudsman decides within five working days if she can **inquire into it**
- 4 Ombudsman aims to take a **decision within 40 working days**

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Journalist complaint example: OLAF investigation of EIB loan to Volkswagen

- EIB loan to VW for project to reduce emissions
- Fraud investigation by OLAF after 'Dieselgate'
- EIB refuse access to OLAF report following request by journalist
- EO Recommendation (1 April 2019): disclose full report, including interest rate of loan

Volkswagen

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Journalist complaint example: MEP expenses – EU Parliament decision

- Review of EU Parliament rules on transparency of MEP expenses
- Journalist refused access to documents on decision-making in Parliament's 'Bureau'
- EO recommendation May 2019 that EP should disclose 2018 documents as overriding public interest

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Complaint about appointment of Commission Secretary-General

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Commission Secretary-General – appointment

- Inquiry launched in May 2018 after two complaints
- Extensive inquiry, involving inspection of over 10,000 pages of relevant documents
- Four instances of maladministration found in appointment procedure
- Recommendation (Sept 2018) for separate procedure for appointing Sec-Gen in the future

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Strategic work: Council accountability

Positions of EU governments on EU legislation

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Council accountability inquiry

- Lack of transparency in COREPER and 150+ working parties;
- EO recommendations (Feb 2018) called for improvements:
 - recording of national governments' positions
 - less use of restricted classification of documents (LIMITE);
- 'Special Report' to Parliament (May 2018), voted on with overwhelming support (Jan 2019);
- Council secretariat proposed '**milestone approach**' in July 2018 but resistance from some large EU governments;
- NL, DK, FI, SWE, EST, SLO pushing for more transparency;
- EO to discuss on working visit to Helsinki (June 2019).



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Triple inquiry: transparency of government positions in EU decision-making



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Eurogroup transparency – new inquiry

- Previous Eurogroup initiative (2016) led to some improvements;
- New strategic inquiry will look at transparency of 3 committees preparing Eurogroup meetings;
- Documents like agendas or summaries of discussions not made available;
- Essential for enabling public to scrutinise how decisions concerning Eurozone governance are prepared and taken
- First step: inspection of all public access requests



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EU fishing quotas - transparency

- Council annual decision on 'total allowable catch' for fish stocks;
- NGO complained about the transparency of decision-making (esp. for Northeast Atlantic);
- EO inquiry published on 14 May;
- Insufficient documents available; positions of national governments in COREPER and working groups not recorded;
- Essential for public participation in and accountability of decision-making. High public interest in sustainable fishing.



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EFSA guidelines on pesticides and bees



- EFSA guidance on assessment of risk of pesticides for bees delayed; originally proposed 2013;
- French NGO requested access to documents, including positions of national governments, which has led to delay;
- EO recommendation (14 May) that the documents should be made public to allow proper scrutiny of decision-making; also as they relate to environmental information
- Commission to reply by 10 August



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Revolving doors in the EU institutions

- EO inquiry into revolving doors rules at the Commission; and EO initiative on how all EU institutions publish decisions on revolving doors
- Concluded (Jan 2019) with a series of suggestions, including:
 - Commission should take a **more robust approach** when dealing with senior Commission officials;
 - Including considering legal option of **forbidding the new job**;
 - Ensuring a direct link in and to the **Transparency Register**, concerning assessments and decisions on revolving doors
- EO to review progress in Commission in 2020 (inquiry)



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