

European Parliament Resolution on the role of the Ombudsman (14 July 1995)

Caption: European Parliament Resolution of 14 July 1995 on the role of the European Ombudsman appointed by the European Parliament.

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European Parliament Resolution on the role of the European Ombudsman appointed by the European Parliament (14 July 1995)

A4-0083/1994

The European Parliament,

— having regard to the Treaty establishing the European Community, and in particular Article 8d, second paragraph, and Article 138e(4) thereof,

— having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 20d(4) thereof,

— having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 107d(4) thereof,

— having regard to its decision of 9 March 1994 on the regulations and general conditions governing the performance of the Ombudsman's duties, and in particular Article 6 thereof ⁽¹⁾,

— having regard to Rules 148 and 159 of its Rules of Procedure,

— having regard to the call for nominations of 30 July 1994 ⁽²⁾ and 23 May 1995 ⁽³⁾,

— having regard to the nominations forwarded pursuant to Article 6(2) of the regulations and general conditions governing the performance of the Ombudsman's duties and Rule 159(3) of Parliament's Rules of Procedure,

— having regard to its decision of 12 July 1995 ⁽⁴⁾ by which the European Ombudsman was appointed for its current term,

— having regard to the report of the Committee on Petitions (A4-0083/1994),

A. whereas the European Ombudsman is appointed by the European Parliament after each election and for the duration of the parliamentary term,

B. whereas the European Ombudsman shall be chosen from among persons who are Union citizens, have full civil and political rights, offer every guarantee of independence and have the acknowledged competence and experience to undertake the duties of Ombudsman,

C. whereas the nominations must be supported by a minimum of 29 Members who are nationals of at least two Member States, and must demonstrate that the candidate fulfils the conditions laid down by the regulations on the Ombudsman;

1. Believes that, in order to improve relations between the European citizens and the institutions of the European Community, relations should be based on the respect of the rights of the European citizens, and accordingly takes the view that establishment of the Ombudsman will:

(a) protect the rights of the European citizens against maladministration by the European Community bodies and institutions,

(b) enhance relations between the institutions and the European citizens;

2. Is of the opinion that its Committee on Petitions and the Ombudsman together form an effective system of defending the interests of ordinary citizens in areas which are the responsibility of the European Community, thereby improving the democratic functioning of the Community;

3. Recalls that the duties of the Ombudsman, pursuant to the Treaty establishing the European Community, consist in investigating maladministration in the activities of the Community institutions and bodies, and that it is the duty of the Committee on Petitions to provide an appropriate response to any complaint, request for an opinion or request for action and to reactions by citizens to resolutions of Parliament or decisions adopted by other Community institutions and bodies which are forwarded to it by natural or legal persons;
4. Underlines the need to establish close cooperation between the Ombudsman and Parliament's Committee on Petitions, not only in respect of consideration of the Ombudsman's annual and individual reports, but also with a view to safeguarding the interests of the persons in question or improving the functioning of the Community, thereby guaranteeing the citizens of the European Union a swift and effective response to their complaints and petitions;
5. Undertakes to support the Ombudsman in his activities by considering his reports and, if deemed necessary by the Committee on Petitions, taking appropriate steps to protect the interests of the persons in question, in particular in instances where support from other Community institutions and bodies has been inadequate;
6. Calls on all Community institutions and bodies, and in particular the Council and the Commission, to cooperate closely with the Ombudsman and, in particular, to place at his disposal the information and documents he requires for the effective performance of his duties;
7. Urges the three institutions of the European Union to issue swiftly, pursuant to Article 11 of the Decision of the European Parliament on the regulations and general conditions governing the performance of the Ombudsman's duties, a joint statement setting out guiding principles for the number of staff employed by the Ombudsman, and the status as temporary or contract staff of those carrying out inquiries, in such a way that his independence and efficiency will be ensured;
8. Is concerned by the provision for the Ombudsman's office in Section I — European Parliament — of the general budget of the European Communities for the financial year 1995, which provides that only staff dealing with the inquiries referred to in Article 138e of the EC Treaty are to be temporary whereas all other human resources are to be met by the Secretariat of the European Parliament, and urges that in order to uphold the Ombudsman's independence and efficiency all his staff should be assigned to his office for the duration of the Ombudsman's term of office;
9. Instructs its President to forward this resolution to all institutions and bodies of the Union and to the governments and parliaments of the Member States.

(¹) OJ L 113, 4.5.1994, p. 15.

(²) OJ C 210, 30.7.1994, p. 21.

(³) OJ C 127, 23.5.1995, p. 4.

(⁴) Minutes of that Sitting, Part II, Item 11.