

## 'The European Ombudsman moves in!' from Tribune pour l'Europe (April 1997)

**Caption:** Some examples of action taken by the European Ombudsman.

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## The European Ombudsman moves in!

At the official inauguration of the European Ombudsman's offices in Strasbourg on 8 April, Mr Jacob Söderman, European Ombudsman, in the presence of the President of the European Parliament, Mr José-Maria Gil-Robles (PPE, E), Mr Michel Barnier, French Minister for European Affairs, and Mr Jacques Pelletier, French Ombudsman, outlined the work that had already been done to safeguard the interests of European citizens. Since taking up his duties on 19 March, he has already received 1 339 complaints and taken 109 decisions.

Below are some examples of successful intervention by the Ombudsman:

- A business which had undertaken a considerable amount of preparatory work for the organisation of a conference at the request of the European Commission complained to the Ombudsman that the Commission had cancelled the conference shortly before the date it was due to take place for financial reasons. Following intervention by the Ombudsman, the Commission offered compensation to the business concerned (Complaint 5/09.11.94/FE/EF-en).
- A citizen lodged a complaint with the Ombudsman concerning the award of a blue flag (a mark of a beach's quality and cleanliness) to the beach at Armação de Pêra, Portugal. Following investigations by the Ombudsman, the blue flag was not awarded for 1996, and the Commission initiated proceedings against the Portuguese authorities, alleging a violation of Community law concerning the quality of bathing water (Complaint 235/16.11.95/JMC-fr).
- A business complained to the Ombudsman concerning the late payment of an invoice relating to services provided to the Commission. Following an inquiry by the Ombudsman, the Commission recognised that the delay in settling the account with the business was unreasonable and that interest should be paid (Complaint 236/17.11.1995/AKH/KT-en).
- A citizen who had participated in a competition organised by the Commission complained about the provisions for the reimbursement of travel expenses. The Commission confirmed to the Ombudsman that part of the expenses had inadvertently not been reimbursed and undertook to rectify the matter (Complaint 450/20.2.96/JF/AKT-en).

If his inquiries uncover instances of maladministration and no amicable solution can be reached, the Ombudsman may make a critical observation. The aim of the critical observation is to inform both the citizen and the institution or body concerned of the instance of maladministration revealed and to improve the quality of administration in the future. This is illustrated by the case of a citizen who complained of having been wronged by a person appointed by the Commission as a representative of the BRE ('Bureau de Rapprochement des Entreprises'). The Ombudsman criticised the Commission for not having made sufficient inquiries prior to the appointment of the person concerned (Complaint 171/09.10.95/HGF/UK).

The Ombudsman also has the power to make recommendations on how to put an end to instances of maladministration. A citizen complained to the Ombudsman that the European Environment Agency refused to provide her with its reasons for rejecting her application. Following intervention by the Ombudsman, the Agency agreed to disclose the reasons to the candidate (Complaint 46/27.07.95/FVK/PD).

Following an inquiry on his own initiative, the Ombudsman also recommended that the Community institutions and bodies adopt rules relating to public access to documents (616/PUBAC/F/IJH).

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