



Professor P. Nikiforos Diamandouros  
Candidate for the office of  
European Ombudsman

---

**Oral Statement**

**European Parliament - Committee on Petitions**

**Hearing of Candidates - 30 November 2009**

**Introduction**

- President, Honourable Members,
- Thank you for this opportunity to present you with my vision and aspirations for the office of European Ombudsman.
- My curriculum vitae, which I made available to you in 23 languages, outlines the main assets that I bring to the office: first, my professional experience as an administrator, as an academic, as founding national Ombudsman of Greece, and as European Ombudsman since April 2003. And, second, my longstanding non-partisan identity.
- I would like to publicly thank the 225 MEPs from all 27 Member States who have endorsed my candidacy for re-election. I am honoured by the fact that so many Members from all the political groups have given me their support. I am convinced that such broad support is a vital factor in maintaining the credibility and legitimacy of the European Ombudsman in the eyes of European citizens.

**Achievements**

- I would like to start the substantive part of my presentation by outlining the main results of my work as Ombudsman from 2005 to the present. These results can be summarised under three headings:
- One, an enhanced culture of service to citizens in the EU Institutions and bodies; two, more effective remedies for citizens, if their rights are not respected; and three, greater transparency.

## **A culture of service**

- The results were attained through the handling of complaints and own-initiative inquiries, and by reaching out to the EU Institutions and bodies.
- I promoted best practice by publicising in my annual reports "star" cases highlighting examples of good administration.
- I ensured that the Commission tackled the problem of late payment, with respect to citizens and small businesses in particular.
- I persuaded EU Institutions and bodies to solve problems arising from excessively bureaucratic requirements affecting NGOs and SMEs.
- I helped the European Personnel Selection Office - EPSO - improve both the transparency of the selection process and its responsiveness to candidates' queries and complaints. As a result, in 2008, there were 40% fewer complaints against EPSO than in 2007.
- I persuaded EU Institutions and bodies to respond to unanswered correspondence from citizens and to take the perspective of the citizen into account when making decisions.
- I also practised what I preach and tried to set a good example as regards service to citizens.
- In particular, I adopted a new and clearer format for decisions and organised "plain English" training for my legal staff, to help make decisions more easily understandable.
- I delivered over 260 public speeches throughout the Union, to ensure that citizens know about their right to complain and, more generally, their rights under EU law.
- I maintained sound budgetary management and proper financial controls in the operation of the Office.
- I re-designed the Ombudsman's website to make it more informative, useful, and attractive in all 23 languages; and I made the Annual Report shorter, better focused, and more reader-friendly, while also reducing its production time.

## **Effective remedies**

- I also improved the availability and effectiveness of the remedies available to citizens, at both the EU and Member State levels.

### ***European Union level***

- At the Union level, I used faster and more flexible procedures. The average length of an inquiry is now down to 13 months and over one third of inquiries are closed within three months.
- I launched an interactive guide which helps citizens, companies, NGOs, associations and other organisations find the body best placed to deal with their complaint or provide the information they want. This guide has already been used by over 24 000 citizens since its launch in January this year.
- I agreed a Memorandum of Understanding with the EIB, under which the Bank has improved the remedies it offers to stakeholders.
- I inaugurated an annual study of the follow-up to critical and further remarks.
- I made use of the strengthened powers of investigation conferred upon me by Parliament, following the revision of the Ombudsman's Statute in 2008.

### ***Member State level***

- At the Member State level, I co-operated with national and regional ombudsmen in significantly strengthening the capacity of the European Network of Ombudsmen and similar bodies to serve citizens within their jurisdictions.
- This co-operation was also improved through over 100 information visits to all the Member States, where I met with citizens, national administrations, civil society, members of governments, and the judiciary.
- I successfully promoted the adoption of a Statement by all the members of the Network concerning the service they offer to citizens who have problems enjoying their rights under EU law.

- I expanded and strengthened my advice service to national and regional ombudsmen who have queries about EU law and its interpretation. This information has helped them persuade Member States' administrations to apply EU law correctly.
- I encouraged and facilitated good communication between national and regional ombudsmen and the Commission-sponsored SOLVIT network.

## **Transparency**

- Finally, I promoted transparency by:
- Dealing effectively with a large number of complaints under Regulation 1049/2001, thus upholding citizens' fundamental right of access to documents.
- Agreeing a Memorandum of Understanding with the European Data Protection Supervisor, which ensures a common approach to the interpretation and application of data protection rules and principles.
- Assisting Parliament's Committee on Civil Liberties in its deliberations on the revision of Regulation 1049/2001.
- Developing contacts with national information Commissioners in the Member States, laying the groundwork for future co-operation.

## **Conclusion on Achievements**

- Overall, I managed to help around 80% of all those who turned to me, either directly or by providing information upon where best to turn when I could not open an inquiry myself.
- My outreach activities resulted in a doubling in media coverage of the European Ombudsman, and in the submission of very high profile cases on important points of principle, including rights of defence, presumption of innocence, leaks of confidential information, discrimination and abuse of power.
- According to a Eurobarometer survey published in May 2008, 38% of European citizens have heard of the European Ombudsman. This is a very satisfactory figure, given that the Ombudsman's mandate is limited to just EU Institutions and bodies.

- None of the above achievements would have been possible without the support of Parliament and close cooperation with this Committee.
- Parliament provided me with the necessary resources to do my work, and this Committee dealt fairly and expeditiously with matters that I brought to its attention; especially the Special Reports I felt it necessary to submit.

## **The Future**

- President, Honourable Members,
- The Union's Institutions and bodies are, to be sure, often seen as remote and "impersonal". As a "faceless bureaucracy", if you please.
- I am, nevertheless, certain that there is general agreement amongst us that sustaining a high quality of administrative practice can not only be of benefit to citizens but also go a considerable way towards addressing these problems.
- Whilst I am proud of the results that I have achieved as Ombudsman so far, I am particularly conscious that there remains much that can and must be done in order for citizens to be both fully informed of their rights and of how to best exercise those rights.
- It is obvious from the responses of EU Institutions and bodies to my inquiries that they already adhere to a high standard of administrative practice.
- This is evidenced by the fact that the numbers of cases of egregious maladministration in the EU are very few - the Ombudsman has had to present to Parliament only 16 Special Reports in 14 years of operation.
- Nevertheless, improvements can and should always be made by EU institutions and bodies in order to create a genuine "culture of service" for citizens.
- Such an objective can be aided also by an Ombudsman who carries out his duties in a fully independent, non-partisan, impartial and fair manner. This is an objective that I have actively and systematically pursued during the years that I have been in office, and which I pledge myself to continue vigorously and vigilantly to pursue, if re-elected.

- As already outlined in my answers to the questions which you sent all candidates, and which have been uploaded to Parliament's 'Ombudsman Election' website, I believe that there are three main priorities for the Ombudsman in the coming years.
- These are: helping to ensure that the EU delivers the benefits for citizens promised by the Treaty of Lisbon, which will be a reality as from tomorrow; strengthening the "culture of service" in the Institutions and bodies of the Union; and enhancing the effectiveness of the office of the European Ombudsman.
- Let me amplify the ideas outlined in my written answers:

### **Treaty of Lisbon**

- The key objective for all EU institutions and bodies in the coming years should be to make a success of the Lisbon Treaty and thus help to win citizens' trust.
- The Ombudsman's contribution should be in helping guarantee that citizens enjoy their right to good administration - and that they become familiar with the Treaty provisions concerning the fundamental rights to gain access to documents; refer to the Ombudsman; and petition Parliament, so that they can properly use such rights and seek redress.

### **Strengthening the "Culture of Service" in the Institutions and bodies**

- With an eye to further developing and deepening the culture of service in the EU Institutions and bodies:
- I intend to update the European Code of Good Administrative Behaviour in the light of (a) best practice developed by Ombudsmen, Petitions Committees and similar bodies around the EU, (b) the administrative case-law of the EU Court of Justice, and (c) the Treaty of Lisbon - and ensure that EU Institutions and bodies adopt and follow this Code as closely as possible.
- To develop the potential for new own-initiative inquiries and increase the use of inspections to help identify and resolve instances of systemic maladministration.

- To create an informal "Network of Good Administration" in the EU Institutions and bodies to share best practice and provide training.
- To work intensively with EU Institutions and bodies to ensure "friendly solutions" to as many inquiries on complaints as possible.
- To work closely with this Committee and Parliament as a whole, to further improve the quality of information provided to citizens regarding their rights and how to seek redress.
- Furthermore, I propose to take a more proactive stance in legislative dialogue, intervening in public debates on proposed legislation that are relevant to the work of the Ombudsman, such as the reform of the Regulation on Access to Documents, the Regulation governing OLAF, and the Financial Regulation.

### **Effectiveness of the European Ombudsman's office**

- Honourable members, if re-elected,
- I propose to pursue the following concrete actions to enhance the effectiveness of the European Ombudsman's office:
- To strengthen links with National Human Rights Institutions - in addition to Ombudsmen and similar bodies - to ensure that best practice and information are more extensively shared.
- To reach out even more effectively to potential complainants by co-organising events in the Member States, utilising the extensive experience of the staff of the European Ombudsman's office.
- Similarly, to use Parliament's Information Offices and IT resources to reach out to citizens, in cooperation with the members of the European Network of Ombudsmen and similar bodies.
- To organise more regular events with stakeholders at the EU level to create an on-going forum for dialogue with media, enterprises, and civil society.
- To use social networking websites to engage with citizens. Parliament and MEPs are already leading the way in this field and can serve as a model.

- To enhance the involvement of the European Network of Ombudsmen and similar bodies in the handling of complaints.
- And finally, to work to improve the knowledge base of the members of the European Network of Ombudsmen and similar bodies about EU law and its application in the Member States.

## Conclusion

- President, honourable Members,
- Improving the quality of administration to the benefit of citizens has been at the core of my presentation. It is also at the core of my work as Ombudsman. If re-elected, I will adopt a strategic plan for the Ombudsman office which will have as its *leitmotif* the following mission statement:

**The European Ombudsman seeks fair outcomes to complaints against European Union institutions, encourages transparency and promotes an administrative culture of service. He aims to build trust through dialogue between citizens and the European Union and to foster the highest standards of behaviour in the Union's institutions.**

- I hope that this brief presentation and my written answers to your questions have provided you with my ideas about how I will strive to put these goals into practice and help the EU achieve an administration "with a human face", committed to a culture of service to citizens.
- Thank you for your attention. I welcome your questions!