

Amendment 22

Kostadinka Kuneva, Merja Kyllönen, Patrick Le Hyaric, Dimitrios Papadimoulis, Barbara Spinelli, Kateřina Konečná, Jiří Maštálka, Paloma López Bermejo, Sofia Sakorafa, Ángela Vallina, Helmut Scholz, Kostas Chrysogonos

on behalf of the GUE/NGL Group

Fabio Massimo Castaldo, Eleonora Evi

Report**A8-0050/2019****Paulo Rangel**

Regulations and general conditions governing the performance of the Ombudsman's duties (Statute of the European Ombudsman) (2018/2080(INL))

Motion for a resolution**Annex – Article 1 – paragraph 3***Motion for a resolution**Amendment*

3. In the performance of the duties referred to in the Treaties and in this Regulation, the Ombudsman may not intervene in cases before courts nor may the Ombudsman question the soundness of a court's ruling or a court's competence to issue a ruling.

3. In the performance of the duties referred to in the Treaties and in this Regulation, the Ombudsman may not intervene in cases before courts nor may the Ombudsman question the soundness of a court's ruling or a court's competence to issue a ruling. ***The Ombudsman may intervene in cases before the Court of Justice of the European Union (CJEU), in accordance with Article 40 of the Statute of the Court of Justice of the European Union.***

Or. en

Amendment 23

Kostadinka Kuneva, Merja Kyllönen, Patrick Le Hyaric, Dimitrios Papadimoulis, Barbara Spinelli, Kateřina Konečná, Jiří Maštálka, Paloma López Bermejo, Sofia Sakorafa, Ángela Vallina, Helmut Scholz, Kostas Chrysogonos
on behalf of the GUE/NGL Group
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Report**A8-0050/2019****Paulo Rangel**

Regulations and general conditions governing the performance of the Ombudsman's duties
(Statute of the European Ombudsman)
(2018/2080(INL))

Motion for a resolution**Annex – Article 2 – paragraph 2***Motion for a resolution*

2. Any citizen of the Union or any natural or legal person residing or having its registered office in a Member State of the Union may, directly or through a Member of the European Parliament, refer a complaint to the Ombudsman in respect of an instance of maladministration in the activities of Union institutions, bodies, offices or agencies, with the exception of the Court of Justice of the European Union acting in its judicial role. The Ombudsman shall inform the institution, body, office or agency concerned as soon as a complaint is referred.

Amendment

2. Any citizen of the Union or any natural or legal person residing or having its registered office in a Member State of the Union may, directly or through a Member of the European Parliament, refer a complaint to the Ombudsman in respect of an instance of maladministration in the activities of Union institutions, bodies, offices or agencies, with the exception of the Court of Justice of the European Union acting in its judicial role. The Ombudsman shall inform the institution, body, office or agency concerned as soon as a complaint is referred ***to it, adhering to the EU's standards of data protection.***

Or. en

Amendment 24

Kostadinka Kuneva, Merja Kyllönen, Patrick Le Hyaric, Dimitrios Papadimoulis, Paloma López Bermejo, Sofia Sakorafa, Ángela Vallina, Helmut Scholz, Kostas

Chrysogonos

on behalf of the GUE/NGL Group

Fabio Massimo Castaldo, Eleonora Evi

Report

A8-0050/2019

Paulo Rangel

Regulations and general conditions governing the performance of the Ombudsman's duties (Statute of the European Ombudsman) (2018/2080(INL))

Motion for a resolution

Annex – Article 2 – paragraph 7

Motion for a resolution

Amendment

7. When the Ombudsman, because of legal proceedings in progress or concluded concerning the facts which have been put forward, ***has to declare a complaint inadmissible or terminate*** consideration of ***it***, the outcome of any ***inquiries the Ombudsman has*** carried out up to that ***point shall be filed definitively***.

7. When the Ombudsman, because of legal proceedings in progress or concluded concerning the facts which have been put forward, ***can suspend*** consideration of ***the complaint or can issue interim recommendations***, the outcome of any ***enquiries that have been*** carried out up to that ***paragraph can be presented confidentially and upon request to the competent authority***.

Or. en

Amendment 25

Kostadinka Kuneva, Merja Kyllönen, Patrick Le Hyaric, Dimitrios Papadimoulis, Paloma López Bermejo, Sofia Sakorafa, Ángela Vallina, Helmut Scholz, Kostas Chrysogonos

on behalf of the GUE/NGL Group

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A8-0050/2019

Paulo Rangel

Regulations and general conditions governing the performance of the Ombudsman's duties (Statute of the European Ombudsman) (2018/2080(INL))

Motion for a resolution**Annex – Article 2 – paragraph 8***Motion for a resolution**Amendment*

8. No complaint may be made to the Ombudsman that concerns work relationships between the Union institutions, bodies, offices and agencies and their officials and other servants unless all the possibilities for the submission of internal administrative requests and complaints, in particular the procedures referred to in Article 90 of the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the Union, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68⁴ (“the Staff Regulations”), have been exhausted by the person concerned and the time-limits for replies by the institution, body, office or agency concerned have expired.

8. No complaint may be made to the Ombudsman that concerns work relationships between the Union institutions, bodies, offices and agencies and their officials and other servants unless all the possibilities for the submission of internal administrative requests and complaints, in particular the procedures referred to in Article 90 of the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the Union, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68⁴ (“the Staff Regulations”), have been exhausted by the person concerned and the time-limits for replies by the institution, body, office or agency concerned have expired, ***without reply, or the procedures are manifestly futile, or unless any other person working for the Union institutions is unable to avail themselves of those procedures due to their status. Specific exceptions may also be provided for in harassment cases, in particular sexual harassment cases.***

⁴ OJ L 56, 4.3.1968, p. 1.

⁴ OJ L 56, 4.3.1968, p. 1.

Or. en

6.2.2019

A8-0050/26

Amendment 26

Kostadinka Kuneva, Merja Kyllönen, Patrick Le Hyaric, Dimitrios Papadimoulis, Barbara Spinelli, Kateřina Konečná, Jiří Maštálka, Paloma López Bermejo, Sofia Sakorafa, Ángela Vallina, Helmut Scholz, Kostas Chrysogonos
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Report

A8-0050/2019

Paulo Rangel

Regulations and general conditions governing the performance of the Ombudsman's duties
(Statute of the European Ombudsman)
(2018/2080(INL))

Motion for a resolution

Annex – Article 3 – paragraph 2 a (new)

Motion for a resolution

Amendment

2a. The Ombudsman may engage in structured and regular dialogue with the institutions and organise public consultations before providing recommendations or at any stage thereafter, as well as systematically analyse and assess the progress of the institution affected, and issue further recommendations;

Or. en

Amendment 27

Kostadinka Kuneva, Merja Kyllönen, Patrick Le Hyaric, Dimitrios Papadimoulis, Barbara Spinelli, Kateřina Konečná, Jiří Maštálka, Paloma López Bermejo, Sofia Sakorafa, Ángela Vallina, Helmut Scholz, Kostas Chrysogonos
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Paulo Rangel

Regulations and general conditions governing the performance of the Ombudsman's duties
(Statute of the European Ombudsman)
(2018/2080(INL))

Motion for a resolution**Annex – Article 3 – paragraph 3 – subparagraph 1***Motion for a resolution**Amendment*

The Union institutions, bodies, offices and agencies shall supply the Ombudsman with any information the Ombudsman has requested from them and provide the Ombudsman with access to the files concerned. Access to classified information or documents shall be subject to compliance with the rules on the processing of confidential information by the Union institution, body, office or agency concerned.

The Union institutions, bodies, offices and agencies shall supply the Ombudsman with any information the Ombudsman has requested from them and provide the Ombudsman with access to the files concerned. Access to classified information or documents shall be subject to compliance with the rules on the processing of confidential information by the Union institution, body, office or agency concerned, *or to an undertaking of confidentiality.*

Or. en

6.2.2019

A8-0050/28

Amendment 28

Kostadinka Kuneva, Merja Kyllönen, Patrick Le Hyaric, Dimitrios Papadimoulis, Barbara Spinelli, Kateřina Konečná, Jiří Maštálka, Paloma López Bermejo, Sofia Sakorafa, Ángela Vallina, Helmut Scholz, Kostas Chrysogonos
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Paulo Rangel

Regulations and general conditions governing the performance of the Ombudsman's duties
(Statute of the European Ombudsman)
(2018/2080(INL))

Motion for a resolution

Annex – Article 3 – paragraph 3 – subparagraph 2 a (new)

Motion for a resolution

Amendment

Obligations relating to sensitive documents shall not impede the Ombudsman's capacity to carry out effectively its duties and functions.

Or. en