



P. NIKIFOROS DIAMANDOUROS

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Ombudsman: new rules on investigations will help in finding the truth

The European Ombudsman, **P. Nikiforos Diamandouros**, has welcomed the decision of the European Parliament (EP) to update the rules that apply to his work. The new rules:

- give the Ombudsman full access to EU-documents during his inquiries;
- abolish the requirement that EU officials who testify must do so "in accordance with instructions"; and
- recognise the need for the Ombudsman to cooperate with institutions for the promotion and protection of fundamental rights.

Mr Diamandouros commented: "The changes will make it easier for me to find out the truth during my investigations into possible maladministration in the EU institutions. I am delighted that the European Parliament and the Council have demonstrated their trust in the Ombudsman institution by agreeing to these changes, which will ultimately benefit citizens by enhancing their right to know."

Background

In October 2005, the EP called for a review of the Ombudsman's Statute in order to take account of developments since the establishment of the institution in 1995. The Ombudsman submitted proposals for amendments in July 2006. On 22 April 2008, the EP supported the changes to the Statute put forward in a report by the Finnish MEP Anneli Jäätteenmäki. After the Commission gave its opinion, the Council approved the changes. The final vote in the EP adopting the changes took place today.

Access to documents

In the future, all EU institutions and bodies will have to provide the Ombudsman with the information and documents he needs for his investigations. They will no longer, as was possible to date, be able to refuse on grounds of secrecy. The provisions for the Ombudsman to maintain the confidentiality of documents and information disclosed to him have been strengthened and have also been updated to include references to the EU Regulation on public access to documents.

Cooperation with national counterparts and fundamental rights institutions

The provision for the Ombudsman to cooperate with national counterparts is broadened to include institutions for the promotion and protection of fundamental rights.

When EU officials testify

The rules have also been clarified to remove a potential obstacle to witnesses telling the truth. The former rules could have given rise to misunderstanding, since they refer to the EU civil servants' obligation to speak "in accordance with instructions from their administrations", when serving as witnesses in an Ombudsman investigation.

The European Ombudsman investigates complaints about maladministration in the EU institutions and bodies. Any EU citizen, resident, or an enterprise or association in a Member State, can lodge a complaint with the Ombudsman. The Ombudsman offers a fast, flexible and free means of solving problems with the EU administration. For more information: <http://www.ombudsman.europa.eu>

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