

The Role of the European Ombudsman

The European Ombudsman is an independent and impartial body which helps people, businesses and organisations facing problems with the EU's administration. By investigating complaints about maladministration by the EU institutions and bodies, the Ombudsman acts as an intermediary between people in the EU and the EU institutions. The term 'Ombudsman' refers both to the independent body and the person leading it.

Each year, the Ombudsman informs Parliament about its activities and presents a report to MEPs.

Parliament elects the Ombudsman for a renewable five-year term. In December 2024, Teresa Anjinho was elected as Ombudsman. She is an independent human rights expert and academic researcher. She is a member of the Supervisory Committee of the European Anti-Fraud Office and previously served as Portugal's Deputy Ombudsman. Before Teresa Anjinho, Emily O'Reilly, a former journalist from Ireland, had been European Ombudsman since July 2013.

You are probably wondering what sort of things are included under the term 'maladministration'. Well, it includes administrative irregularities, cases of unfair treatment and discrimination, abuses of power, recruitment policies as well as refusal or unnecessary delay in granting access to information in the public interest.

When submitting a complaint, you must remember that you first must contact the institution concerned to try to solve the problem. If the issue is not resolved, you may then appeal to the Ombudsman. All complaints and requests may be sent in any of the 24 official EU languages.

As an impartial body, the Ombudsman does not take instructions from any government or organisation. The Ombudsman can open inquiries on their own initiative, but they cannot investigate matters that are before the courts. In exceptional circumstances, the European Parliament may request the Court of Justice to dismiss the European Ombudsman if they no longer meet the conditions required to perform their duties or if they are guilty of serious misconduct.

So, how does the Ombudsman help?

First of all, a very simple way to solve a problem may simply be to inform the relevant institution about the issue. If that's not enough, the Ombudsman tries to reach a friendly solution to remedy the situation. And if that doesn't work, the Ombudsman may make recommendations to the institution. Should the given institution not accept the recommendations, the European Ombudsman can submit a special report to the European Parliament, which must then take the necessary steps.

Let's look at an example from July 2024! In five separate inquiries, Emily O'Reilly, who was European Ombudsman at the time, found maladministration by the European Personnel Selection Office, better known as EPSO. The cases concerned the way in

which EPSO dealt with complaints about its online recruitment tests. Candidates complained about problems launching the tests, excessive waiting times, and also about tools on the platform not functioning properly.

In one of the inquiries, the Ombudsman suggested that EPSO explore whether it is possible to review the technical details of a candidate's test experience after the test has concluded, including the functionality of tools, by consulting technical logs. If possible, EPSO should insist on this feature being included in its next contract with the remote testing services provider.

In the other four inquiries, Emily O'Reilly asked EPSO to contact the people who submitted the complaints in order to find an appropriate and fair solution to each situation.

But that's not all the European Ombudsman does. In addition to investigating specific complaints, the European Ombudsman also has the power to proactively work on broader strategic issues. It draws attention to matters of public interest and looks into issues affecting the EU institutions and the democratic decision-making process.

Let's go back to our example with EPSO. The Ombudsman carried out those five inquiries at the same time as another own-initiative inquiry into EPSO's use of remote testing. In that inquiry's findings, she suggested that EPSO ensure that technical requirements do not place certain candidates at a disadvantage or prevent them from taking remote tests. She advised EPSO to make sure candidates have access to instructions on troubleshooting and submitting a complaint during tests, and to review its guidelines on complaint handling. Emily O'Reilly also recommended that EPSO ensure candidates have the possibility to take tests in physical testing centres if it is unable to address the negative implications remote testing has for equality of opportunity.

We should remember, however, that the European Ombudsman can't investigate complaints against national, regional or local administrations in the Member States, even when the complaints are about EU-related matters. In such cases, it may be more appropriate to contact national or regional ombudsmen.

Each year, the Ombudsman's office handles more than 700 complaints from across the European Union and opens around 350 inquiries. Every year, the Ombudsman helps thousands of people, businesses and organisations facing problems with the EU's administration. It plays a key role in making sure that the EU is running smoothly.

This podcast is brought to you by the European Parliament. You can listen to other podcasts on Europarl Radio.