

**RESOLUTION (EU) 2019/1431 OF THE EUROPEAN PARLIAMENT
of 26 March 2019**

**with observations forming an integral part of the decision on discharge in respect of the
implementation of the general budget of the European Union for the financial year 2017,
Section VIII — European Ombudsman**

THE EUROPEAN PARLIAMENT,

- having regard to its decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2017, Section VIII — European Ombudsman,
 - having regard to Rule 94 of and Annex IV to its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control (A8-0099/2019),
- A. whereas in the context of the discharge procedure, the discharge authority wishes to stress the particular importance of further strengthening the democratic legitimacy of the Union institutions by improving transparency and accountability, and implementing the concept of performance-based budgeting (PBB) and good governance of human resources,
1. Notes with satisfaction that the Court of Auditors (the ‘Court’) identified no significant weaknesses in respect of the audited topics related to human resources and procurement for the European Ombudsman (the ‘Ombudsman’);
 2. Emphasises the fact that on the basis of its audit work, the Court concluded that the payments as a whole for the year ended on 31 December 2017 for administrative expenditure of the Ombudsman were free from material error;
 3. Notes that the Ombudsman’s budget is mostly administrative, with a large amount being used for expenditure related to persons, buildings, furniture, equipment and miscellaneous running costs; notes that it amounted in 2017 to EUR 10 905 441 (EUR 10 658 951 in 2016);
 4. Welcomes the Ombudsman’s commitment to ensure that all available funds are spent in a result-oriented manner and welcomes the fact that it is taking into account the results of a number of measurements and statistical data that impact directly on the office’s work; notes that in relation to key performance indicators (KPI) adopted as part of the Strategy ‘Towards 2019’, measures have been taken to enhance the results through continuous reviews, the streamlining of processes and monitoring of the work; notes, however, that the KPI for overall compliance reached only 85 % and fell short of the target of 90 %; encourages the Ombudsman to continue to improve its performance in this regard;
 5. Notes that of the total appropriations, 93,91 % were committed (compared to 95,40 % in 2016) and 86,20 % paid (compared to 85,89 % in 2016), with an implementation rate of 93,9 % (compared to 95,40 % in 2016);
 6. Welcomes the decision of the Ombudsman to publish its annual activity reports by 31 March with a view to optimising and speeding up the discharge procedure;
 7. Notes that the decrease in the implementation rate in 2017 is the result, to a large extent, of underspending of the budget line for European Schools; welcomes the new budget appropriation which is intended to finance a scheme to support the use of public transport towards the various places of work;
 8. Recalls that the last revision of the Ombudsman’s Statute was carried out in 2008 ⁽¹⁾; points out that the Parliament has repeatedly called for this Statute to be updated in view of new realities and challenges; underlines, in particular, the need to enhance the Ombudsman’s competences in cases relating to access to Union documents, failure to comply with rulings of the Court of Justice of the European Union, whistleblower protection and harassment ⁽²⁾;

⁽¹⁾ Decision 2008/587/EC, Euratom of the European Parliament of 18 June 2008 amending Decision 94/262/ECSC, EC, Euratom on the regulations and general conditions governing the performance of the Ombudsman’s duties (OJ L 189, 17.7.2008, p. 25).

⁽²⁾ See in particular the European Parliament resolution of 12 February 2019 on a draft regulation of the European Parliament laying down the regulations and general conditions governing the performance of the Ombudsman’s duties (Statute of the European Ombudsman) and repealing Decision 94/262/ECSC, EC, Euratom (Texts adopted, P8_TA(2019)0080).

9. Underlines the role of the Ombudsman in promoting good governance, transparency and avoidance of conflicts of interest in the Union institutions; welcomes the fact that the Ombudsman closed four strategic inquiries, opened four new ones and launched eight strategic initiatives in 2017; recognises the importance of this work in encouraging Union institutions, bodies, offices and agencies to be as open, accountable, ethical and responsive to citizens as possible;
10. Welcomes the Ombudsman's compliance with the interinstitutional agreement to reduce staff by 5 % between 2013 and 2017 with an overall contribution of 3 posts; notes, however, that in the meantime, the contractual staff increased from 8 to 15 and remunerated trainees from five to nine; is concerned that part of this increase results from the need to compensate for the overall reduction in staff, and might be detrimental to the distribution of workload and the long-term organisational development of the institution;
11. Notes the increase of received complaints by 20 %, from 1 839 in 2016 to 2 216 in 2017; notes that the Ombudsman opened a total of 433 inquiries on the basis of complaints (245 in 2016) and closed 348 such inquiries (291 in 2016); notes that this increase is due *inter alia* to new implementing provisions under which a number of cases which would have previously been classified as 'no grounds for an inquiry', are now closed as 'inquiries in which no maladministration was found'; stresses that due to the steady increase in the number of complaints submitted to the Ombudsman, the workload for the Ombudsman's Office has become too heavy; asks for an increase of the budget for the Ombudsman to tackle this;
12. Takes note that in 2017 the overall number of new complaints dealt with was 2 181, of which 751 were within the mandate, compared to 1 880 complaints dealt with in 2016 of which 711 were within the mandate; notes therefore that the number of complaints within the mandate has increased by 5,5 %;
13. Welcomes that the average time for dealing with a complaint decreased from 86 in 2013 to 64 days in 2017; welcomes, moreover, that the average time for dealing with inquiries decreased from 369 days in 2013 to 266 days in 2017;
14. Welcomes the Ombudsman's continuous efforts to enhance the efficiency and effectiveness of its case handling; notes with satisfaction, in this regard, that the results for the key performance indicator for 'Efficiency' (KPI 7) all surpassed the set targets; welcomes, moreover, the implementation of a Fast-Track procedure to deal with complaints concerning access to documents;
15. Welcomes the continuous efforts to reduce translation costs, primarily linked to the production of publications; welcomes that translation expenses decreased by 11 % from EUR 293 000 in 2016 to EUR 263 000 in 2017; takes note that the Ombudsman annual activity report recognises that a threshold has been reached below which it will be difficult to go in the future; therefore encourages the Ombudsman to mindfully keep on working in the efforts to reduce translation costs without endangering the good functioning of the translations and publications;
16. Notes that the Ombudsman's Strasbourg-based offices moved to new premises in the HAV building;
17. Welcomes the achievements made by the Ombudsman in terms of communication activities to increase its visibility and media impact, including an increase of its outreach on social media with 22 790 mentions in Twitter and an increase of followers of 16 % reaching 19 200; welcomes the fact that the Ombudsman overhauled its website to make it more user-friendly and that an external contractor validated the website's conformity with the Web Content Accessibility Guidelines; welcomes, moreover, the fact that the Ombudsman awarded the first 'Award for Good Administration' in 2017, which was initiated to recognise examples of good practices in public administration and bring them to greater public attention;
18. Welcomes the strategic inquiry on the accessibility of websites and online tools of the Commission; requests that it be kept informed about the result of the inquiry and encourages the Ombudsman to share its final recommendations with other Union bodies and institutions;
19. Welcomes the fact that the Court's recommendations to improve the monitoring system for the timely updating of the personal situation of members of staff, which may have an impact on the calculation of family allowances, have been implemented in most respects;

20. Welcomes the gender balance at management level, with 50 % of middle managers being women, and at administrators' level; encourages the Ombudsman to maintain this trend; welcomes, moreover, the adoption of a Human Resources Policy Framework which addresses gender balance, the recruitment and integration of disabled people and diversity policy; notes the Ombudsman's participation in the Intercopec working group dealing with gender balance within the Union institutions;
 21. Reiterates that the Ombudsman is encouraged to strive for geographical balance in management positions in the mid- to long-term and to ensure that there is a proportionate representation of all Member States among the population of the staff;
 22. Welcomes the Ombudsman's efforts to improve the work-life balance of its staff; notes that as from 2017, flexitime has become the default working regime that applies to all staff, including trainees; further notes that a total number of 58 out of 83 active members of staff made use of the possibility to telework in 2017; encourages the Ombudsman to continue striving for an exemplary and innovative role in all personnel matters given its role on issues related to ethics and working conditions within the Union institutions;
 23. Notes that there have been no harassment cases in 2017 at the Ombudsman; welcomes the adoption of the harassment prevention and protection policy as well as the planned training programme for all staff, including managers; welcomes, moreover, the adoption of the Guide on Ethics and Good Conduct for the Ombudsman's staff and the Internal Charter of Good Management Practice; encourages the Ombudsman to closely monitor the efficiency of its policy, to continue raising awareness about harassment at the work place and to foster a culture of zero tolerance toward harassment and asks the Ombudsman to report back to the discharge authority in its next annual activity report;
 24. Notes with satisfaction that the issue of 'revolving doors' has been addressed by the Guide on Ethics and Good Conduct; calls on the Ombudsman to ensure that these guidelines are effectively applied and asks the Ombudsman to report back to the discharge authority in its next annual activity report;
 25. Welcomes the closure of the European Data Protection Supervisor's (EDPS) complaint relating to the procedure for handling personal data of third parties in complaints and inquiries; and acknowledges that the EDPS was satisfied with the review and the implementation of the recommendations;
 26. Notes that there were no whistleblowing cases in 2017; notes that training on whistleblowing was organised for all members of staff; calls on the Ombudsman to ensure that all staff is properly informed of its rights, such as during induction upon arrival of new staff; welcomes the Ombudsman's reflection on whether more proactive work is required on its side with regard to rules and policies on whistleblowing now in place in the Union's institutions, bodies and agencies; calls on the Ombudsman to continue leading by example.
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