

## THE EUROPEAN OMBUDSMAN: FACILITATOR OR SUPERVISOR?

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**ABSTRACT:** *The European Ombudsman is an EU institution set up to investigate complaints about maladministration in the institutions and bodies of the European Union. It is entitled to receive and investigate complaints from EU citizens, businesses and organizations, and from anyone residing or having their registered office in an EU country. The Ombudsman may find maladministration if an institution fails to respect fundamental rights, legal rules or principles, or the principles of good administration. This covers administrative irregularities, unfairness, discrimination, abuse of power, failure to reply, refusal of information, and unnecessary delay, for example. Any citizen or resident of the EU, or business, association, or other body with a registered office in the EU, can lodge a complaint.*

*Given the type of activities the Community performs, our main research question— is the institution of ombudsman in fact what the Community needs? Our research will underline the fact that the Community-level issues addressed by the Ombudsman are primarily in the area of control, i.e., directed towards general supervision instead of dispute settlement in individual cases.*

*The analysis will reveal how an appropriately-designed ombudsman could provide such welcome improvements in Community governance as the following: more adequate external supervision of the Commission's administration; enforced Parliamentary supervision of executive rule-making by the Commission; and more regulation and supervision of the Committees involved in rule-making.*

**KEY WORDS:** *Ombudsman, maladministration, EU legislation.*

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