Papers of BAS
Humanities and Social Sciences
Vol. 5, 2018, No. 1

Human rights protection in the European Union: Is the European Ombudsman lagging behind?

Diana Kovatcheva

Abstract. The vague legal framework and the lack of legal definition of maladministration gives the European Ombudsman an opportunity to choose when to intervene. According to the statistics only 0.00000425% of the total population of the European Union approached the European Ombudsman in 2017. This means that either the European citizens are not very clear about the concept of maladministration or that they need support which goes largely beyond the current limited mandate of the European Ombudsman. The greater part of human rights regulated by the Charter of Fundamental Rights of the European Union still remains out of the mandate of the European Ombudsman. In addition, the Paris Principles for the Work of Human Rights Institutions of the United Nations emphasize the need to bring the powers of the ombudsman institutions in compliance with the contemporary developments of human rights protection standards. In view of this the European Ombudsman is still lagging behind.

Keywords: European Ombudsman, human rights, maladministration, good administration, Charter of Fundamental Rights of the European Union

Introduction

The development of the international law in the 20th century is marked by the increased importance of human rights. The challenges to their protection influence the status of all human rights institutions and require a broader perspective in their work. The expectations of citizens overwhelm the concept of the ombudsman only as a mechanism through which control is exercised over the work of the public administration. The ombudsman is seen as a body which genuinely protects all types of human rights, infringed by both the public and the private sector. This concept is introduced in the Principles Relating to the Status of National Institutions (Paris Principles) which bring new standards for national human rights institutions and broaden their mandate to cover all possible infringements of fundamental rights. Currently there are national om-

budsmen with general competence and many variations of specialized ombudsmen such as the ones working in the field of children's rights, prisoners' rights, consumers' rights and even rights violated by banks and bailiffs.

The ombudsman established within the European Union (EU) is a relatively new body with distinctive character which is tightly linked to the concept of the European citizenship. The European Ombudsman (EO) is considered to be a fast, flexible and efficient non-judicial remedy of complaints for maladministration (Diamandouros 2008, 6). On the positive side, it could be said that the work of the EO has brought more transparency and predictability to the work of the EU institutions as well as better access to information. On the other hand, the EU citizenship is getting more tightly linked to the concept of human rights protection and this link is not adequately reflected in the status of the EO.

Some describe the EO as an institution whose role is to give voice to citizens in the EU (Lihr 2015, 145). However, its experience of more than 20 years, despite of the positive impact, reveals a number of limitations which might decrease the efficiency of an institution whose origin is to serve as an additional guarantee for protection of the rights of the citizens within the EU. These reflections give rise to the question: is the EO a genuine human right defending institution or is it simply a specific *sui generis* mechanism designed exclusively to fight maladministration in EU institutions. The current status of the EO gives more credit to the second option. The extent to which the current functions of the EO meet the expectations of the EU citizens can and should be subject to a serious debate.

The article aims to present the legal status of the EO and to look into some of the main limitations of its functions. Currently the scope of the powers of the EO does not cover violations of the greater part of human rights despite the fact that the Charter of Fundamental Rights of the EU (Charter of the EU) became primary legislation in 2009. In this respect the EO differs significantly from national ombudsman institutions which are deeply engaged with human rights protection as regulated by the universal and European instruments and especially the European Convention on Human Rights and the Charter of the EU.

The question of whether the functions of the EO should be revised to involve a complete human rights protection becomes more and more relevant today. This is especially true in a situation of a low level of trust in national and European institutions and within the framework of the democratic deficit of the EU.

1. Why a European Ombudsman?

The right to approach the Ombudsman with a complaint is one of the basic rights of the citizens of the European Union. In general terms the Ombudsman can be described as a **mechanism for "soft" justice** who is both highly informal and accessible (Lewis 2003, 1). The EO helps citizens on a wide range of issues involving EU institutions, bodies and agencies. These run from contractual problems to violations of some rights such as the lack of transparency in decision-making, legislative process or refusal of access to documents. A primary task of the EO is to ensure that the **EU institutions respect the fundamental**

right to good administration (Art. 41.1 of the Charter of the EU). The Ombudsman conducts **strategic inquiries** based on complaints or upon its own motion.

The recommendations to the institutions are **based on the findings and the conclusions** from the inquiries and aim to improve the work of the EU institutions and their future practices. The functions of the Ombudsman can be seen in two ways: first as a mechanism of control in cases of maladministration and second - recommending corrective action where necessary (Diamandouros 2005, 4). The EO is seen **increasingly as a source of administrative norms** rather than simply a mediator among citizens and EU institutions (Craig, De Búrca 2015, 56). Although the EO does not have a direct legislative initiative it has the power to influence the legislative process of the EU. The Recommendations in its special reports could be used by the European Parliament as a basis for adoption of resolutions or to enact administrative regulations (Craig, De Búrca 2015, 56).

Despite these important tasks, the legal framework regulating the status of the EO, does not even mention the human rights protection among its tasks. This makes the EO an institution rather different from the National Ombudsman regardless of the fact that they share a common name which gives rise to certain expectations on behalf of the EU citizens which are also nationals of the EU Member States and are familiar with the concept of the National Ombudsman.

2. Legal status and powers of the European Ombudsman

The legal provisions about the EO can be found both in the primary and secondary legislation of the EU. The figure of the EO was established for the first time in 1993 with the ex. Art. 195 of the Treaty of Maastricht. After the entry into force of the Lisbon Treaty Art. 228 of the Treaty on the Functioning of the European Union (TFEU) is the main treaty provision regulating the election, powers and status of the European Ombudsman. In addition, Art. 20.2d and Art. 24.3 of the TFEU complete this regulation by referring to the right of EU citizens to apply to the EO.

The Treaty regulations are further developed by the Decision of the European Parliament on the Regulations and General Conditions Governing the Performance of the Ombudsman's Duties (Decision of the European Parliament 94/262) (amended by the Statute of the European Ombudsman and by the Decision of the European Ombudsman Adoption Implementing Provisions (Adoption Implementing Provisions).

Additional provisions on the activities of the EO can be found in the European Code for Good Administrative Behaviour (Code 2001), the European Ombudsman's Guide for Complaints (Guide 2011) and the Public Service Principles for the EU Civil Service (Public Service Principles 2012).

The Charter of Fundamental Rights of the EU also has reference to the work of the EO as it enhances in its Art. 41 the right to good administration as a fundamental right.

The **right to send a complaint** to the EO is established in the framework of the European citizenship. It is regulated in Art. 20, para. 2 (d), Art. 228 of the

TFEU and Art. 43 of the Charter of Fundamental Rights of the EU. The complaint could be aimed at EU **institutions, bodies, offices or agencies**. The EO is empowered to receive complaints from any citizen of the EU or any natural or legal person residing or having its registered office in a Member State. The same persons are empowered to address a **petition to the European Parliament**. In appropriate cases, with the consent of the complainant the EO can transfer to the European Parliament a complaint to be dealt as a petition. A petition can also be transferred to the EO to be treated as a complaint.

Moreover, the EO is authorized to investigate complaints against the European Commission, which gives a proper answer to the question **who monitors the monitor**, in view of the fact that the Commission is perceived as the guardian of the Treaties. Based on concrete complaints of citizens, the Ombudsman is supervising the work of the European Commission regarding the correct application of the EU law at Member State level (Diamandouros 2008, 6-16). For example, the EO has exercised a positive influence over the practices of the European Commission related to provision of information in infringement procedures. A big number of complaints from European citizens to the EO indicate alleged failures of the Commission to handle infringement complaints properly or to provide access to documents (Decision of the European Ombudsman 2010; Decision of the European Ombudsman 2011; Decision of the European Ombudsman 2012; Decision of the European Ombudsman 2015). Under this kind of pressure, the Commission has improved its practices (Craig, De Búrca 2015, 410-118).

3. The concept of "maladministration"

Maladministration is a key concept in the work of the EO but it has no legal definition in the EU law. Art. 228 of the TFEU uses this term in order to define the mandate of the work of the EO in view of the activities of the EU institutions, bodies, offices or agencies which could be subject to complaints.

In 1995 the EO defined maladministration as occurring "**when a public body fails to act in accordance with a role or principle which is binding upon it**" in his Annual Report to the European Parliament. This definition is officially approved by the European Parliament in 1998 by adoption of a Resolution C4-0270/98.

The concept of maladministration as viewed by the EO can be found in the **European Ombudsman's Guide to Complaints** (Guide 2011) according to which **maladministration is a broader concept than illegality**. The fact that a decision was adopted without breaching the law does not necessarily mean that it was adopted in conformity with the principles of good administration. According to the EO the failure to adopt rules governing public access to documents and to make those rules easily available to the public constitutes maladministration (Craig, De Búrca 2015, 544).

Examples of maladministration are the bad practices of lack of good administration, such as **denial of access to information, lack of transparency and impartiality, lack of integrity, discrimination, abuse of power**. Taking

as a starting point the concept of maladministration in the years following the regulation of his powers in the Treaty, the work of the EO is focused more on promoting the concept of good administration which is viewed as an essential feature of the culture of providing service to citizens.

In 2000 the EO proposed a **European Code of Good Administrative Behaviour (the Code)** in a Special Report to the European Parliament (C5-0438/2000). It was endorsed by the European Parliament in 2001 with some modifications to the initial text. In June 2013 a new edition of the Code was launched (Code 2013). The Code is designed to support the efforts of European public servants to follow the principles of integrity, dedication and humanity, to share best practices and to promote - within the institutions and beyond - a harmonized, citizen-focused European administrative culture that both listens to, and learns from its interactions with citizens, businesses and stakeholders.

The Code regulates the **public service principles** (such as lawfulness, lack of discrimination, proportionality, independence, impartiality, objectivity, courtesy, fairness) as well as the **principles of work of the administration** (such as the obligation to transfer to the competent service of the institution, the right to be heard and make statements, reasonable time-limit for taking decisions, the duty to state grounds for decisions, to indicate the possibility of appeal and to notify the decision). The Code could be considered as **a way to codify the European principles of good administration and the basis for further development of fundamental rights** in this respect (Mendes 2009, 8).

The European Code of Good Administrative Behaviour makes a direct link to Art. 41 of the Charter. In Art. 26 the Code regulates the **right to complain to the EO** in case of failure of an institution or an official to comply with the principles set out in the Code.

Another important European instrument in the context of good administration endorsed by the EO is the **Public Service Principles for EU Civil Service**[1]. These are ethical guidelines of **good administrative culture** which aim to regulate the work of EU civil servants. There are five public service principles according to this document - **commitment to the EU and its citizens**, **integrity, objectivity, respect for others and transparency** - which according to the EO should guide the EU's civil service. The principles represent the expectations of citizens and civil servants. The introductory remark of the document is dedicated to the commitment to the EU and its citizens in the sense that the civil servants should be conscious that the EU institutions **exist in order to serve the interests of the Union and its citizens** in fulfilling the objectives of the Treaties.

The legal framework is completed by the Charter of the EU. It regulates the right to good administration by **enumerating its basic elements in a non-exhaustive manner.** According to Art. 41 the right to good administration (as a procedural right, developed in the practice of the Court of the EU) has similari-

[1] The first draft of the Public Service Principles for EU Civil Service was prepared in 2010, following a consultation with the national ombudsmen of the European Network of Ombudsmen and a public consultation, which ran from February to June 2011. The relevant documents are available on the website of the EO, including the report on the results of the public consultation.

ties to the right of fair trial with the requirement to have a person heard before taking measures or decisions which would affect him/her and the obligation of the administration to motivate and provide grounds for its decisions. Furthermore, the right to good administration provides for the right to access of each person to his/her file and the **respect of the principles of confidentiality and business secrecy**. The Charter also tackles the **right to compensation for damages** caused by institutions or their servants in the performance of their duties, the right to approach the institutions and **receive an answer in one of the languages of the Treaties** and **the right to access to documents.**

On the other hand, it should be mentioned that in Art. 43 the Charter of the EU refers to the term "maladministration" in view of the right to approach the EO. The regulation does not provide for a definition or a link (or distinction) to the right of good administration. **This approach leads to terminological discrepancy and deepens the existing gap in the regulation of the functioning of the EO.** It is true that all of the abovementioned documents contribute to the clarification of the concept of "maladministration". However, the **lack of official definition** raises concerns. On the one hand, its broad concept provides the EO with the opportunity to go through a large number of complaints claiming infringements in different fields. The Ombudsman can identify areas which are not explicitly mentioned within its mandate, but are related to the application of principles of the work of the administration. For example, in the context of the principles of **transparency** and **integrity** lays the issue of prevention of corruption. For example, the EO cannot investigate corruption cases but one of the established concepts is that maladministration could be a disguise for many corrupt practices. In this context a recent topic in the work of the EO is the issue of transparency of lobbying discussed at the High-level meeting of the European Network of Ombudsmen in Brussels, held on 13 and 14 May 2016.

On the other hand, the lack of legal definition provides the EO with the opportunity to have the maladministration "*a la carte*", and be in a position to choose when to get engaged. This brings uncertainty and unpredictability to the work of the institution.

Last but not least, the right to good administration, although very broad, is just one of the rights regulated by the Charter of the Fundamental Rights of the EU. The mandate of the EO is linked to the EU citizenship but the citizenship itself is tightly linked to the EU concept of human rights protection. **This fact shows the EO in a different light: it indicates that the scope of its powers is very limited compared to the large number of possible infringements of the human rights of the European citizens.** The commitment of the EU to human rights protection became visible since the entry into force of the Treaty of Maastricht (Art. 2) but was developed as a concept in the case-law of the Court of the EU as early as 1962. The debate about the accession of the EU to the European Convention for Human Rights (ECHR) and the entry into force of the Charter of the EU define the EU as a union in which human rights protection is deeply rooted. This is why the concept of an EO who does not have a mandate covering if not all, then the greater part of human rights, and who is strictly focused on maladministration, stays a bit awkward in the general trends influencing the EU in the recent years (including the entry into force of the Lisbon Treaty).

4. The procedure for considering complaints by the European Ombudsman

When approached with a complaint the EO **determines whether a complaint is within his/her mandate** and if so, whether it is admissible.

A complaint is deemed inadmissible or out of the mandate of the EO if the complainant is not eligible, the infringement time limits are not met, the complaint is not aiming at a European institution or body or the subject of the complaint is not related to maladministration. **This indicates how the scope of eligibility criteria for the EO is very tight which limits its possibility to respond to all types of violations included in the Charter of the EU.**

Moreover, the EO is authorized to act upon its own motion to make **inquiries in case of maladministration.** This power gives the EO the possibility to adopt **a wider systematic perspective and develop broader recommendations** to the European institutions (Diamandouros 2008, 5). The EO may even inform the EU institution to which the official or member of staff is answerable and against whom certain disciplinary measures should be taken. Nevertheless, in all cases the EO remains limited within the scope of maladministration.

At the end of the procedure the EO can decide to **make critical remarks** if it is no longer possible for the institution concerned to eliminate the instance of maladministration. According to the European Ombudsman's Guide to Complaints (Guide 2011), if the institution or body does not comply with the recommendation, the EO may send a special report to the European Parliament about it. In case of inadmissibility the EO may advise the complainant to refer to another authority where to lodge the complaint.

According to the Annual report of the European Ombudsman a total of 2,181 complaints were lodged with the EO's institution in 2017 and 1,430 of them were out of the scope of its mandate. In the context of a Union of more than 513 million citizens this number is not very impressive[2]. This means that the number of citizens who approached the EO with a complaint represents only 0.00000425% of the total population of the EU (for example in 2017 the Bulgarian Ombudsman has received 12,635 complaints from approx. 7 million citizens). **This means that either the European citizens are not very clear about the concept of maladministration or that they need support which surmounts the current mandate of the EO.** According to the statistics, the highest number of complaints are targeted against the European Commission (57.3%). The EO found maladministration only in 6.6% of the cases while in 45.2% of the cases no maladministration was identified.

[2] The current population of the EU is 512,647,966 as of 1 January 2018, based on the latest Eurostat estimates (Population on 1 January). This calculation is estimate and is based only on the number of EU citizens. It does not take into account the number of legal persons based on the territory of the EU. If we take them into account as well, the number of annual approaches to the EO will be even less.

5. The relevance of the limits of the powers of the European Ombudsman

As seen from the above the EO has an ambiguous and quite limited mandate which makes the institution stay focused on cases of maladministration only.

Some of the limitations of its powers can be found in the mandate of the national ombudsmen as well and can be accepted as relevant. For example, the EO is not authorized to examine **complaints regarding the judicial activities of the Court of Justice of the EU acting in its judicial role**. However, the EO can deal with complaints related to **its non-judicial activities** (such as tenders, contracts and staff cases).

In addition, the EO is not competent to review the **political work of the European Parliament** and to deal with complaints against legislative acts adopted by the institutions. It cannot annul unlawful acts and his/her views on the correct interpretation and application of the law are not obligatory. The EO cannot investigate the conduct of individual EU officials or criminal acts.

One of the main deficiencies in the mandate of the EO is the vague legislative framework. The first weakness is that the intervention is limited only to cases of maladministration. Second, as mentioned above, there is no definition of maladministration in the Treaties or the Charter of the EU. Therefore, the EO is granted a significant liberty to decide on its own which can make the concept of maladministration broader or tighter depending on the vision of the relevant person which acts as an EO. A person with a more proactive approach can make more of its mandate while a person with a more conservative approach can use the limitation of its mandate as an excuse not to act.

This freedom of choice goes beyond the concept of independence of a body. It might lead to lack of predictability which is a key feature of every administrative body and is in itself part of the concept of good administration.

Moreover, the EO has no competence over the activities of the **national authorities of the EU Member States** at national, regional or local level, as well as against **national ombudsmen, legal or natural persons** even if the complaints are about EU matters. Some consider this as the most serious limitation of the EO's powers (Craig, De Búrca 2015, 56).

One of the options of the EO to overcome the limitations of its mandate is to refer the case to the **competent national authorities** (for example in cases related to criminal law) via the Permanent Representatives of the Member States and a competent EU institution or directly through the European Network of Ombudsmen. However, it is of great importance that the EO follows the way in which the national institution is handling the case and at least requires information on the outcome of the procedures. This will increase the efficiency of its work.

On the other hand, the mandate of the EO has limits which prevent it from taking action in cases which are out of the scope of maladministration. It is clear that as a watchdog for the EU institutions the EO will always be approached with cases of maladministration. However, the right to good administration is just one of the human rights provided for in the Charter of the EU. All other fun-

damental rights are left out of the mandate of the EO although the EU institutions could infringe a great number of them. Examples are the right to human dignity (Art. 1), right to integrity (Art. 3), right to security (Art. 6), respect for private and family life (Art. 7), protection of personal data (Art. 8), integration of persons with disability (Art. 26), etc.

It goes without saying that the concept of human rights has always been that they are **indivisible, interdependent and interrelated**. In view of this they should be treated as a whole also from the perspective of the EO.

All these arguments give rise to a serious consideration on the relevance of the scope of competence of the EO, in particular in the light of the Charter of the EU. Such a debate can yield important conclusions about possible amendments to the mandate of the EO.

Conclusion

It could be concluded that the status of the EO has been designed so as to serve best the interests of the EU. However, the EU citizenship is linked to the concept of human rights protection and its legal framework has been subject to important developments in the last 20 years. The scope of rights of the EU citizens has been clearly defined by the Charter of the EU, and it is definitely much larger than the current mandate of the EO.

The EU law is a legal order which is very different from the international law - however, some parallels can still be made. The powers of the EO can be considered in the light of the contemporary international principles of the work of the national human rights protection institutions elaborated by the UN in the **Principles Relating to the Status of National Institutions** (Paris Principles).

The change in the global approach towards human rights institutions affects national ombudsmen. A lot of them are undergoing a process of evaluation to amend their national legal framework and involve action against the private sector, promotion of human rights and compliance with international conventions. All this links the concept of the ombudsman to the human rights protection even more. All this is actually making the mandate of national public defenders much broader than it used to be in the past. Although not directly subject to the universal standards of the UN, the EO should at least follow the new developments in the mandates of human rights institutions which are in line with the trends of the contemporary concept of human rights protection. In this respect, the EO is definitely lagging behind.

References

Adoption Implementing Provisions: Decision of the European Ombudsman Adoption Implementing Provisions, adopted on 8 July 2002 and amended by decisions of the Ombudsman on the 5 April 2004 and 3 December 2008. Available from: https://www.ombudsman.europa.eu/en/legal-basis/implementing-provisions/en [Accessed: 9 October 2018].

Charter of the EU: Charter of fundamental rights of the European Union. - Official Journal of the European Union, C 326/2, 2012. Available from: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2012.326.01.0391.01.ENG&toc=OJ:C:2012:326:TOC [Accessed 22.10.2018].

Code 2001: Code of Good Administrative Behaviour, A5-0245/2001, a Code of Good Administrative Behaviour. - Official Journal of the European Communities, C5-0438/2000, 2000/2212 (COS). Available from: https://www.ombudsman.europa.eu/en/publication/en/3510 [Accessed: 22 October 2018].

Code 2013: The European Code of Good Administrative Behaviour. European Union, 2013. Available from: https://cpvo.europa.eu/sites/default/files/documents/lex/Ombudsman_European_Code_of_Good_Administrative_Behaviour.pdf [Accessed: 22 October 2018].

Craig, De Búrca 2015: P. Craig, G. De Búrca. EU Law. Texts, Cases and Materials. Oxford, 2015.

Decision of the European Ombudsman 2010: Decision of the European Ombudsman concerning complaint 2576/2009/MHZ against the European Commission, Opened on Monday | 09 November 2009 - Wednesday | 21 July 2010, https://www.ombudsman.europa.eu/en/decision/en/5136 [Accessed: 9 October 2018].

Decision of the European Ombudsman 2011: Decision of the European Ombudsman closing his inquiry into complaint 2073/2010/AN against the European Commission, Decision - Case 2073/2010/An - Opened on Thursday | 28 October 2010 - Decision on Thursday | 01 December 2011. Available from: https://www.ombudsman.europa.eu/en/decision/lv/11071 [Accessed: 9 October 2018].

Decision of the European Ombudsman 2012: Decision of the European Ombudsman closing his inquiry into complaint 292/2011/AN against the European Commission, Opened on Friday | 11 March 2011 - Decision on Tuesday | 16 October 2012. Available from: https://www.ombudsman.europa.eu/en/decision/nl/12048 [Accessed: 9 October 2018].

Decision of the European Ombudsman 2015: Decision of the European Ombudsman closing the inquiry into complaint 995/2011/KM against the European Commission, Opened on Monday | 06 June 2011 - Recommendation on Wednesday | 21 May 2014 - Decision on Tuesday | 30 June 2015. Available from: https://www.ombudsman.europa.eu/en/decision/en/60417 [Accessed: 9 October 2018].

Decision of the European Parliament 94/262: Decision of the European Parliament on the Regulations and General Conditions Governing the Performance of the Ombudsman's duties 94/262. - Official Journal of the European Union, L113/15, 1994, amended by Decision of 14 March 2002 (Official Journal of the European Union, L92, 9 April 2002) and 18 June 2008 (Official Journal of the European Union, L189, 17 July 2008). Available from: https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:52005XX0226(01) [Accessed: 9 October 2018].

Diamandouros 2005: N. Diamandouros. Forward. - In: The European Code of Good Administrative Behaviour. Luxembourg, 2005, 4.

Diamandouros 2008: N. Diamandouros. The European Ombudsman and the application of EU law by the member states. - Review of European Administrative Law, 1, 2008, 2, 5-37.

European Ombudsman: European Ombudsman. - In: An official website of the European Union. Available from: www.ombudsman.europa.eu [Accessed: 22 October 2018].

Guide 2011: The European Ombudsman's guide to complaints. European Union, 2011. - In: European Ombudsman website. Available from: https://www.ombudsman.europa.eu/en/resources/staffguide.faces#/page/9 [Accessed: 9 October 2018].

Lewis 2003: C. Lewis. Coping with changes on all fronts: Reaffirming the Ombudsman's powers and adapting its actions. - Occasional Paper of International Ombudsman Institute, 77, 2003, 1-2.
Lihr 2015: A. Lihr. The European Ombudsman: Giving voice to civil society actors in the European Union. - Juridisk Publikation, 2015, 1, 145-146.
Mendes 2009: J. Mendes. Good administration in the EU law and the European Code of Good Administrative Behaviour. - European University Institute Working Paper Law, 09. 8-9. Italy, 2009.
Paris Principles: Principles Relating to the Status of National Institutions, adopted by the General Assembly Resolution 48/134 of 20 December 1993. Available from: https://www.ohchr.org/en/professionalinterest/pages/statusofnationalinstitutions.aspx [Accessed: 9 October 2018].
Population on 1 January: Population on 1 January. - In: Eurostat. Available from: https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&pcode=tps00001&plugin=1 [Accessed: 9 October 2018].
Public Service Principles 2012: Public service principles for the EU civil service. European Union, 2012. - In: European Ombudsman website. Available from: https://www.ombudsman.europa.eu/en/document/en/11650 [Accessed: 22 October 2018].
Statute of the European Ombudsman: Statute of the European Ombudsman, adopted by the European Parliament on 9 March 1994. - Official Journal of the European Union, C286E/172, 18 June 2008. Available from: http://ec.europa.eu/dorie/fileDownload.do;jsessionid=79N7fVpvJuBAhnojAEhA19ODHfz1aziAh4kQpQoqRyyN7QNz_21_!2052287358?docId=736262&cardId=736260 [Accessed: 9 October 2018].
TFEU: Treaty on the functioning of the European Union. Consolidated version. - Official Journal of the European Union, C 326/1, 2012. Available from: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:C:2012:326:TOC [Accessed: 22 October 2018].

Assoc. Prof. Diana Kovatcheva, PhD
Deputy-Ombudsman of the Republic of Bulgaria
Member of the Most Excellent Order of the British Empire (MBE)
Institute for Legal Studies
Bulgarian Academy of Science
22 George Washington Str.
1000 Sofia, Bulgaria
Email: dkovatcheva@abv.bg