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From:	Secretariat General of the Council
To:	Delegations
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Subject:	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 - Letter from Antonio Tajani, Chair of the European Parliament's Committee on Constitutional Affairs to H. E. Michael Clauss, Chair of the Permanent Representatives Committee

Delegations will find attached the above-mentioned letter.

Encl.

E-MAIL

Committee on Constitutional Affairs
The Chair

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Received on
15. 09. 2020

H.E. Michael Clauss
Chair of the Permanent Representatives Committee
Council of the European Union

D 102433 15.09.2020

Subject: Draft Regulation of the European Parliament laying down the regulations and general conditions governing the performance of the Ombudsman's duties (Statute of European Ombudsman) and repealing Decision 94/262/ESC, EC

Dear Chair,

I am writing you in order to inform you about the state of discussions on the abovementioned issue in the Committee on Constitutional Affairs and invite you, again, to resume our inter-institutional dialogue on this file according to shared principles and based on common objectives.

First of all, I would like to thank you, on behalf of our Committee, for your efforts made on this file.

Prior to the global health pandemic, at its meeting of 19th February 2020, upon recommendation of the coordinators, our committee mandated the rapporteur, Mr Paulo Rangel together with the shadow rapporteurs, to open a dialogue with the Council in order to reach an informal agreement, which could be translated into a new Parliament proposal. We believe that the Commission should also be associated to such dialogue should both of our institutions agree to its involvement.

The conclusions of your letter of 27th November 2019, as well as the opinion of the Commission issued on 31st October 2019, as well as the meeting of the Rapporteur with the Minister for European Affairs of Finland during the Finish Presidency, led to an important exchange of view at the level of the committee's coordinators and subsequently to the discussion between shadow-rapporteurs on this file, appointed by the political groups.

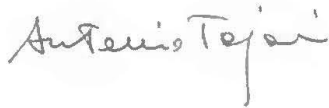
Based on this assessment, our committee wishes to highlight the shared objective of our institutions to update the statute established by the Maastricht treaty, and last amended before the entry into force of the Lisbon treaty, while ensuring its consistency with the current legal framework at the level of the primary law as well as the relevant secondary legislation.

We welcome your indication that preliminary discussions at technical level in the Council generally shown points of convergence. Together with the shadow-rapporteurs of political groups, we have also given a careful consideration of the concerns expressed by the Working Party on General Affairs.

We agree that revised Ombudsman's statute should be fully in line with the principles governing its mandate as enshrined in the Article 228 TFEU. We have taken good note of your concerns and acknowledge the importance of the interaction of the statute with the relevant provisions of the staff regulations and agree that both issues - expressed in your preliminary comments as well as other not explicitly mentioned - will require further discussions in a constructive spirit.

We reiterate that we stand ready to address all issues in constructive and informal discussions at political and technical level in order to lay strong foundations for an agreement on the basis of which the Council would be in position to give its overall consent to the Regulation.

Yours sincerely,



Antonio Tajani
Chair of the Committee on Constitutional Affairs

Copy to:

- Mr Paulo Rangel, MEP, Rapporteur on the statute of European Ombudsman, Member of the AFCO Committee
- Mr Maroš Šefčovič, Vice-President of the European Commission responsible for Inter-Institutional Relations and Foresight