



Emily O'Reilly
European Ombudsman

[REDACTED]
ALLEMAGNE

[REDACTED]
Strasbourg, 16/10/2013

Complaint 1007/2013/LP

Dear Mrs [REDACTED]

I am writing in reply to your e-mail of 4 July 2013 concerning the decision of the Head of the Registry that the European Ombudsman is not competent to deal with your complaint because it did not concern a possible instance of maladministration.

I would first of all like to apologise for the delay in replying to you.

Your e-mail has been treated as a request for review of the decision of the Head of the Registry.

Your complaint alleged that, by adopting a declaration on Syria on 27 May 2013, the Council of the European Union breached the EU's obligations under international law, in particular, the "UN Disarmament Resolutions". You considered that, by doing so, the Council committed an instance of maladministration.

Your e-mail of 4 July 2013 stated that *"the European Ombudsman misunderstood the situation with regard to the European Union, the Council and Syria."* Furthermore, you expressed the view that *"[t]here very much is maladministration within EU administration when United Nations Resolutions and Law are broken by EU countries"*.

After considering the points you made, I consider that the decision that your complaint falls outside the mandate of the European Ombudsman was correct. Your complaint concerns the substance of EU foreign policy towards Syria. It does not raise any issue of possible maladministration by the Council



which could be investigated by the Ombudsman. For the sake of completeness, I would also point out that the Ombudsman has no mandate over the Member States.

The Head of the Registry informed you of your right to submit a petition to the European Parliament. The right to petition the European Parliament is broader than the right to complain to the Ombudsman because a petition may be submitted on "*a matter which comes within the Union's fields of activity*" whilst the mandate of the European Ombudsman is limited to maladministration.

If you wish to petition the European Parliament, you may do so by writing to this address:

European Parliament
The President of the European Parliament
Rue Wiertz
B-1047 Brussels

<https://www.secure.europarl.europa.eu/aboutparliament/en/petition.html>

As a European citizen, you are fully entitled to seek to influence EU foreign policy and to make known your views on the relevant decisions of the Council and the Member States. I hope you will agree that the right to petition the European Parliament constitutes a more appropriate mechanism to do so than the right to complain to the Ombudsman.

Yours sincerely,

Emily O'Reilly

WALRAVENS Christophe

From: Euro-Ombudsman
Sent: 16 October 2013 16:03
To: [REDACTED]
Subject: Complaint 1007/2013/LP
Attachments: 1007-2013-LP-S2013-182401.pdf

Dear Mrs [REDACTED],

Please find attached a letter from the European Ombudsman related to your complaint.

The Registry