



P. NIKIFOROS DIAMANDOUROS

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Ombudsman: Information concerning MEPs' allowances should be publicly accessible

The European Ombudsman, **P. Nikiforos Diamandouros**, has asked the European Parliament (EP) to accept a request for public access to details of the payments received by Members of the European Parliament (MEPs), including general expenditure, travel and subsistence allowances, as well as allowances for the MEPs' assistants. This follows a complaint from a Maltese journalist, whose request for details of certain MEPs' allowances was rejected by the EP. The EP justified its refusal on the grounds of data protection.

After consulting the European Data Protection Supervisor (EDPS), the Ombudsman has concluded that the public has the right to access information about MEPs' allowances.

The case

In August 2005, a journalist for *MaltaToday* asked the EP for access to data detailing the EP's payments to its five Maltese MEPs. The request was rejected and the journalist lodged a complaint with the European Ombudsman, arguing that taxpayers should have a right to scrutinize the use that MEPs, who are public persons, make of their contributions.

In its opinion on the complaint, the EP said that its Committee on Budgetary Control and the Court of Auditors carry out public scrutiny of the use of EU funds. The EP explained the refusal to give public access to the payment details by invoking data protection.

The Ombudsman consulted the European Data Protection Supervisor (EDPS) who advised that, whilst MEPs are entitled to protection of their privacy, the basic consideration in a transparent and democratic society must be that the public has a right to be informed about their behaviour, especially in relation to the expenditure of public funds. The EDPS considered it obvious that the data must be disclosed.

Taking into account the observations of the EDPS, the Ombudsman has asked the EP to grant access to the requested data, while deleting the names of the MEPs' assistants.

"This case is important because it highlights the need to carefully balance the right to privacy with the public interest in openness when deciding whether the public has a right to access information of this kind. MEPs have to be aware of the public interest in their use of public funds. That is why I have decided to explain my findings publicly at this stage of the inquiry," said Mr Diamandouros. He has invited the EP to submit a detailed opinion by 31 December 2007.

To read the full text of the Ombudsman's findings in this case, please visit:

The European Ombudsman investigates complaints about maladministration in the EU institutions and bodies. Any EU citizen, resident, or an enterprise or association in a Member State, can lodge a complaint with the Ombudsman. The Ombudsman offers a fast, flexible and free means of solving problems with the EU administration. For more information: <http://www.ombudsman.europa.eu>

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