

## European Ombudsman Royal Dublin Society Vision 2030 address

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Good morning everyone and it's a great pleasure to be here with you today and I commend the RDS on this initiative forcing us to think in the medium to long term rather than what lies just directly around the corner even if we have to tread extremely cautiously when making predictions during these most unpredictable of times.

I'll briefly begin by telling you a little bit about my work as European Ombudsman. Essentially, I do the same as I did when I was here as Irish Ombudsman, the difference being that I handle complaints not against the member state administration but against the EU institutions and agencies, such as the Commission, the European Medicines Agency, the European Central Bank and many others.

Typically, the complaints don't involve issues such as health or social protection as they continue to be largely competences of the member states, so I tend to get a lot of complaints concerning transparency, disputes over tenders and grants, alleged conflicts of interest involving EU staff, advisors or Commissioners, how the Commission handles member state infringement allegations, and some human rights complaints if the Charter of Fundamental Rights has been breached by an EU body.

I get about 2,000 complaints a year, in 24 languages. I get a lot of complaints from citizens, but also from business interests, civil society activists, the media and politicians both at national and EU level. The vast majority of my recommendations to the EU administration are accepted, even though I do not make binding decisions. This soft-power approach means in some ways I actually have a lot more room for manoeuvre than other oversight bodies, such as the Courts in Luxembourg.

But the focus of this morning's talk is the EU more generally, and the future prospects both for it and specifically for Ireland so let me give you a general sense of the challenges that the EU is preparing itself for over the coming 10 plus years. And when I say the EU it's important to be aware of the respective roles of the key institutions. Broadly speaking, the European Council, that is the so-called "EU leaders" who have regular summits in Brussels of Presidents, Prime Ministers and one Taoiseach, define the general political directions and priorities of the EU, and the Commission proposes laws that reflect those broad parameters. The majority of laws are then agreed by the co-legislators, the elected European Parliament and the Council, that is the



member states represented by their relevant Ministers. The so called 'faceless bureaucrats' do of course play influential roles, sometimes highly influential, but ultimately it is the elected national politicians and MEPs who take the decisions.

Let me begin with Brexit which hopefully will not take until 2030 to be resolved and how it is being viewed in the EU just a few weeks before the European Parliament elections.

As you know -the EU maintained remarkable unity in the first phase of the negotiations, refusing to discuss the future relationship with the UK until the terms for departure were agreed in relation to budget, citizen rights and the Irish border.

I think we in Ireland all held our breath to see if that unity would crack under pressure but it didn't, and the EU's refusal to do so essentially upended the British negotiating strategy which was to agree the future relationship as quickly as possible. The referendum predictions about a future EU-UK trade deal being concluded rapidly and easily came to nothing, as did the confident expectation that the UK could pick off individual member states to get them on side. And as did the favourite Brexiteer prediction that, the German car industry would rush to save them.

So, from being the forgotten orphan issue of the Brexit referendum debate itself, the Irish border quickly became the cosseted love child of the EU when the negotiations on the withdrawal agreement began. In fact, so confident were the negotiators in their strength relative to that of the UK, that some insisted that these talks could not be described as negotiations, but rather as a simple recital of the terms of exit to the British.

I won't go into the eye watering complexity of what happened next back in London, but now, in late April 2019, almost three years after that referendum, the UK is still a member of the EU and as such taking part in the EP elections unless Prime Minister May manages to get her deal through before that.

French President Macron and others have worried that the political shambles created in London will now migrate to the EU with negative and unanticipated consequences. He will therefore no doubt have been interested in the surge of Nigel Farage's brand new Brexit party which has the great electoral advantages of the simplest possible message to dangle before the electorate, and a very divided remain landscape to bat against.

But whether or not the UK does contest the elections, it is likely that various right wing, populist, and Eurosceptic parties right across the EU will make gains in this election with some predicting that what are generally described as anti EU parties will form the third largest group in the Parliament, after the centre right and centre left groupings. While much divides many of these parties, and not many now advocate exiting the EU, they may win in sufficient numbers significantly to disturb the status quo across a range of issues.

But the predictions become rather hazy at that point as we cannot know, given the multiple political plays right across Europe and the possible impacts of each of them on the politics of



the EU as it moves to elect a parliament, and elect a new Commission President, a new College of Commissioners and appoint a new President of the European Council.

It is important to note however that our individual votes next month have become more meaningful since the development of the so called Spitzenkandidaten – or lead candidate – process in recent years to elect the Commission President via the Parliament elections.

While the European Council correctly claims the right to nominate the Commission President, as it always did in the past, the EP has asserted its right since the Lisbon Treaty to have its preferred candidate elected – that is the one who can command the most votes in the EP having run as a Commission Presidential candidate during the election.

This is how Jean Claude Juncker, running as the candidate for the centre right – the European People's Party – was appointed Commission president in 2014 and this is why several contenders are now taking part in debates across Europe stating their claim to the position.

Therefore, a vote in Ireland for a Fine Gael candidate implies also a preference for the EPP Commission president candidate Manfred Weber, and a vote for Labour for the socialist grouping candidate Frans Timmermans, and others for the smaller groups or even some that have yet to be formed until the results are out and new parliamentary alliances formed.

But beyond Brexit and the imminent elections, the EU is also attempting to identify longer term challenges and to orient its work to deal with them.

And within the EU institutions, just as it is elsewhere, the quite literally existential problem of climate change is moving centre stage. Earlier this month, I attended an interview with our former President Mary Robinson who founded and heads up a climate justice foundation. As you will recall, this is not a woman given to drama and hyperbole but just half an hour in her company as she recounted the already catastrophic effect of global warming on communities in vulnerable parts of the world, was enough to convince even the most sceptical of the urgency of her cause.

Many of you will have seen the recent very high profile visits of the teenage climate activist Greta Thunberg to Brussels and to London, and the degree to which she was feted and 'selfied' by the most senior politicians is a particularly strong indicator of the new political mainstreaming of this issue.

Another recent EU research paper, setting out a range of global trends, again identified global warming as the most significant global challenge and proposed a range of policies that need to be adopted if we have any hope, it says as others do, of preventing temperatures going beyond a critical tipping point.

But while the targets might seem doable and rational, they also involve policy choices which will be difficult for many member states including our own no matter how strong the public welcome they afford to young activists.



The Gilets Jaunes protests in French were ostensibly caused by President Macron's attempt to impose environmental taxes on car fuel, specifically diesel, the fuel used by many French people who want cheaper transport or who live in areas where long commutes and high living costs are a feature. While that protest has much more complex roots, the problem generally for those who have to propose the policies to match the rhetoric is that transition implies politically challenging choices.

Another problem is the politicisation of the climate change issue itself, particularly noticeable in the United States where it is tossed into the liberal left grab bag of issues and mediated as an elitist attack on poorer workers, and particularly those in some traditional industries.

In Ireland, agriculture and specifically the dairy industry is vulnerable to similar pressures. The EU paper notes that if cattle were a country, it would be the 3<sup>rd</sup> biggest after the US in China in terms of greenhouse gas emissions. Other forces are also coming into play, such as a possible move away from meat eating generally and a greater health awareness around what we put into our mouths.

Many of you will have noticed a significant shift taking place in many of our supermarkets, from the lower cost to the high end, with shelves packed with foods marketed specifically on their health benefits, clearly reflecting changing public mindsets about the link between what we eat and the health and environmental outcomes of those choices.

It strikes me however, and while making no claim whatsoever to expertise, that Ireland is particularly well placed in this emerging market. Our branding as a clean country that produces food of high quality is an established one and, while not underestimating the political, social and economic challenges in transitioning from our more traditional agricultural base, good policy options at this stage of rising public consciousness around what we produce and its impact on the environment, could not alone soften the impact of that transition but also position us to take advantage of the commercial implications of increased climate change awareness.

For decades Ireland has been very deliberately branding itself globally as 'clean and green' a brand that now finds a corresponding contemporary global echoing demand.

Less closer to home, climate induced drought and other disasters will also push more and more people into cities where the pressures on resources will be obvious. These pressures in turn may also further increase migration flows as people very obviously seek shelter in Europe and elsewhere to escape devastation in their own homes.

We have already seen the outlines of this problem over the last few years as tens of thousands of desperate people both risked and lost their lives crossing the Mediterranean to seek a safer haven than those they had left.

But globalisation and other factors mean that we can no longer comfort ourselves by viewing these problems as the problems of over there, of somewhere else. Some have traced the



uprisings in Syria and elsewhere – the impact of which we have felt right across Europe – to climate change, with people forced from the countryside and into cities where scarce resources or restrictive regulation and corruption forced unrest with devastating consequences.

The Arab Spring uprisings began in 2010 when a young Tunisian Mohamed Bouazizi set himself on fire after he struggled to set earn a living as a street trader. This cued the first open protests against the Tunisian government, which in turn set off demonstrations around the Arab world including in Syria with particularly devastating consequences.

The Syrian civil war then cued a refugee and migration crisis which arrived very visibly in Europe. Anti migrant feeling in turn became an easy populist weapon reaching a peak in 2016 just as the UK began its Brexit debate and where the imagery of displaced people in European towns cities and transport hubs was used very skilfully by those seeking to exit.

The subsequent impact on UK politics was dramatic and let us never forget – in the middle of all of this – the unspeakable murder of MP Joe Cox – knifed and shot to death in an English town by a man screaming out the rhetoric of white supremacy.

To suggest that one small event – like the flutter of a butterfly wing – can upend so much or cause so much to happen is of course simplistic but not inherently untrue either as that small event often serves to give focus to the wider dynamics at play.

And therefore even as nationalist sentiment and populism is having a moment right around the world including within the EU, our hyper connected world means that the possibility of individual countries erecting barriers – political or physical – to protect themselves either from migrants or climate change is slim. The global genie is out of the bottle and is unlikely to be put back in.

And the world continues to reshape itself in ways that also force us to abandon conventional thinking both about the world and our place within it.

China is a different country to that which presented itself to the world even ten years ago, spreading global power quite literally through bricks and mortar as it rolls out its infrastructural investment plans not only in Asia or Africa, but also in EU member states, the so-called silk road of the 21<sup>st</sup> century. The challenge for the EU is to manage this challenge through unified action without further arousing the nationalist impulses that – as I said earlier – are having a moment.

China's Belt and Road Initiative aims to connect Asia with Africa and Europe via land and maritime networks along six economic corridors with the objective of improving regional integration, increasing trade and stimulating economic growth. Recently, Latin American countries Chile and Panama also joined. The Belt and Road Initiative is described as Beijing's instrument for global leadership and a way to reshape the international system with China at its centre.

How one handles this surge of expansionist influence on the part of China is an obvious



concern for the EU. One can only play against a big player if one is a big player oneself but if that implies the pooling of greater sovereignty in more and more areas of combined EU action, then the current political challenges are obvious.

The extent to which one small country like ours can influence this play of the world's biggest boys and girls is obviously limited but not necessarily so within the EU itself. We can never match the power of France and Germany, or to succeed with our own vision of Europe as President Macron is seeking to do. But we managed nonetheless to shape the Brexit negotiations, catapulting the border issue beyond everything else – at least for the moment- and while the border issue was undoubtedly a useful one from the EU negotiating perspective, even small countries should never underestimate their capacity to influence and to provoke dynamic change within the EU.

We should never underestimate either the value of our general political stability over many years. Unity around Brexit, the way in which two potentially highly divisive referendums were dealt with through the citizens assembly, are often remarked upon by commentators in the EU, seen as antidotes to the divisive, polarising, and ultimately self defeating politics emerging in many parts of the world.

But we cannot be too Pollyannaish about this either. Brexit could still go horribly wrong and more than rhetoric will then be needed from the EU to protect us from the worst. The EP elections, the UK's continued presence in the UK three years after a decision to leave, may yet have unimagined consequences and to the extent that we can, these need to be anticipated.

I'm proud now to say that I've reached this point in my talk without once mentioning Donald Trump but he continues to be impossible to ignore. The EU, like many countries worldwide, struggles to anticipate his policy moves despite having a pretty firm understanding of his motivation.

Doomsday threats about trade wars and painful tariffs haven't yet fully materialised but he has rattled the multilateralist cages and that is unnerving for a Union founded on rules and on stable, predictable, co-operation, on trusting that in general the world will continue to work as it has done over the last few decades.

How the Trump period will ultimately play out, whether he will get a second term further to embed his protectionist and other beliefs, we cannot say. But while this is troubling, it does force perhaps more nimble thinking, shakes us out of complacency, of group think, forces us to realise that the tried and tested narrative of Europe, of the EU, of the global order is never a settled thing, if only because of the simple human fact that people forget, that the moment we live in is the moment we live in and not the moment that meant so much to a previous generation.

One founding rationale for the EU – the holocaust – is even now being forgotten, even in those countries most directly affected by it. 'Never again' has not prevented the modern re-emergence of anti-semitism, of islamophobia, of xenophobia, and rising levels of intolerance.



History teaches us that while we may live in the grey zone of compromise we are judged by it – by history – in black and white. Take any historical event, whether institutional abuse of children in this country, or genocides in other, and you will see the wide arc of compromise and expediency that enabled them to happen. This generation looks back at the two world wars with incomprehension yet so many acts that led to those two events were seen as politically reasonable at the time. Equally, if catastrophe ultimately strikes as a result of global warming, it's doubtful if there will be too much sympathy for the retrospective difficulties faced by this generation in balancing out our contemporary competing interests.

So big challenges as ever, a fractured political landscape and a battle for hearts and minds as the populist wave disrupts business as usual. The EP elections are normally seen as a lower tier contest by citizens and even by many politicians, but this time is possibly different, perhaps not the flap of a butterfly wing leading to chaos, but certainly an indicator of direction of travel for the EU as a whole.