

European Year of Citizens - Closing conference - Address by European Ombudsman, Emily O'Reilly

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Vilnius, 13 December 2013

I am delighted to be here in Vilnius today to mark the end of the European Year of Citizens particularly as the Year of Citizens was launched last January in my own country at the start of Ireland's EU Presidency.

When the Maastricht Treaty created EU citizenship, one of the key objectives, quite unashamedly, was to encourage the people of Europe to feel a stronger and deeper attachment to the EU. The ambition of the Treaty, as the Court of Justice put it some years ago, is that "*EU Citizenship is destined to be the fundamental status of nationals of the Member States.*" In practice that has not yet happened.

For the vast majority of us, our primary identity continues to be based on national or ethnic considerations. EU citizenship, for most of us, takes second place. In my own country, members of the European Union for forty years, Europe is frequently referred to as "over there". Indeed, when I return to Dublin now in my new role, I am often asked, "How's Europe?" as though I were returning from a strange and distant planet.

EU citizenship is not of course intended to displace or undermine our national citizenship but rather to foster the same notions of rights, responsibilities, values and civic and political engagement which are, or ought to be, features of our national citizenship. And at a time when active citizenship is in decline in many Member States, it becomes even more challenging to promote the idea of EU citizenship.

Indeed we must confront the reality, as expressed by the European Year of Citizens Alliance that "*EU citizenship is now in crisis*".

The EU has been going through not only an economic crisis but an identity and legitimacy crisis over the past few years. This is a time therefore when we need to keep foremost in our minds those values and principles on which the EU was founded, not just the economic ones but also, and more importantly, respect for fundamental rights, for the notion of freedom, solidarity the protection of minorities and respect for cultural and language diversity.



The Irish President Michael D.Higgins has referred to “Human Europe” and when people struggle to describe what is felt to be missing from the current make up of our Union perhaps this precisely is it, the sense of the heartbeat pulsating away and not just the sterile and silent ebbs and flows of the stock market.

On the one hand...

In my brief experience as European Ombudsman I can see that the EU institutions are remote from ordinary people despite the many and genuine efforts being made by the institutions themselves to bridge that gap. Yes, the public can be lethargic and apathetic but the primary initiative to change this must continue to be taken by the institutions themselves.

Next year’s elections to the European Parliament provide us with a real opportunity for citizens to make their voices heard and to exert real influence on the shape of government within the EU. Millions of voters will elect the MEPs of their choice and, through their newly-elected MEPs, help determine the election of the next Commission President.

The perceived remoteness and complexity of the institutions make it difficult for people to understand how they work, how power is divided between them and this in turn leads to a suspicion that they have become too comfortable and too powerful, a self-governing elite communicating in a language often so impenetrable that it appears to be deliberately designed to keep the public in ignorance.

Transparency - the cure for ignorance - is lacking. Our existing EU legislation on access to documents is inadequate and lacks an effective enforcement mechanism. The EU regime falls far short of the Freedom of Information laws which apply in some of the Member States when it should be leading the way. Why should the EU institutions be less transparent and less accountable than are the governing institutions in the Member States?

The institutions need to do much more to counter the suspicion that some senior officials and office holders are far too close to certain business interests. There is public suspicion that the lobbying strength of these insider business interests is disproportionate and insufficiently regulated. I doubt that anyone really believes that a voluntary registration system for lobbyists – which we have at present – is particularly useful.

The public questions the extent to which individuals known to be employed by, or linked to, major business interests find themselves occupying positions of real influence on advisory bodies and working groups in areas such as pharmaceuticals, banking and the environment. And, in what is now referred to as the “Revolving Door” phenomenon, there are real concerns that too many senior people are leaving EU positions and taking up lucrative employment advising private interests on areas in which they have specialist insider knowledge and contacts.



Our EU institutions must behave impeccably and be seen to resist the temptation towards arrogance and self-serving behaviour. Given the perceived lack of political legitimacy, the EU itself must be seen to be the 'gold standard' in these areas .

Some of the suspicions I've just mentioned have been raised by way of complaints made to my Office and I'm not saying that they are all necessarily well-founded. But what I can say at this stage is that the very fact that these suspicions exist, whatever the ultimate truth, is damaging to how the EU institutions are perceived by ordinary people. As European Ombudsman I will continue to support and encourage the Institutions to live to their own best selves, to live up to the obligations placed upon them by the Treaties and by the Charter of Fundamental Rights, and to embrace fully the principles of public service.

On the other hand...

Because the EU is such a wonderful achievement, it is important always to remind ourselves that it is not perfect. It is still a work in progress but its achievements should nonetheless not be forgotten or diminished by poor or unethical behaviour.

Commission Vice-President Sefcovic has been blogging in the course of this year in an attempt to counteract negative perceptions of the EU. He worries that “ *we have been running ourselves down for too long* ” and failing to see what outsiders see more easily.

Many of you will know of that powerful and passionate speech delivered by Polish Prime Minister, Donald Tusk, to the European Parliament in July 2011. Mr Tusk made the point that many EU citizens may have forgotten, or are too young ever to have known, what the EU meant to countries like his own when the struggle to break free of the Communist regime was underway.

" I remember very clearly ", he said, " when the Solidarity movement, the great dream of the Poles – which was also about Europe – was broken by the imposition of martial law in Poland, and a matter of hours later, the European Parliament gave a very clear signal that it had not forgotten those who were not being given the chance to live in freedom. I remember, too, that when, many years later, along with half of Europe, we regained the independence of our countries and the freedom of our citizens, but were in a state of total economic collapse which involved, among other things, a gigantic level of debt, it was once again the European Parliament which issued a very strong signal calling for the radical debt reduction which allowed Poland and many other countries to get back on their feet. It was a decision which showed European solidarity to be of the highest quality. It was a decision which, over the next 20 years, allowed tens of millions of Europeans to escape from an economic crisis and a crisis of civilisation, a crisis which was incomparably deeper than the phenomena which we are calling a crisis today ."

And this is the point which I think is of great importance. This present crisis is, in relative terms, of a different scale to what we in Europe have encountered in the past. As Mr Tusk put it: "*today's crisis is an important challenge, but it is not an insurmountable one, and does not bear*



comparison with the one from which we emerged thanks to the solidarity shown by the whole of Europe ."

Saying this carries the risk of offending and alienating those EU citizens - in Greece, Portugal, Cyprus, Spain, Italy , **Ireland and others** - who are suffering hugely at present. This alienation can be resolved only by action based on solidarity. And solidarity, as Mr Tusk reminded us in his speech, must not be understood as charity but as working together in the common good.

Conclusion

In his Inaugural Address of January 1961 U.S, President John F Kennedy threw down this famous challenge to his fellow citizens:

" And so, my fellow Americans: ask not what your country can do for you--ask what you can do for your country ."

In next year's European Parliament elections I hope the candidates will give that kind of leadership; that they will be courageous enough to challenge EU citizens to look beyond their personal and their national interests. As someone who has been an observer of politics for quite some time, I have no illusions as to how difficult this can be.

We will have a new Commission and a new Parliament next year and it is vital that, whatever the pressures, these bodies should have a clear a mandate from the citizens - a mandate to continue to act, and indeed to act more vigorously, on the basis of the fundamental values of the European Union.

Thank you.