

"The European Ombudsman's new mandate - What to expect?"

Speech - **City** Brussels - **Country** Belgium - **Date** 12/03/2010

Introduction

Ladies and Gentlemen! I would like to welcome you to this seminar and to thank you for your interest in the European Ombudsman's new mandate. You represent citizens, businesses, NGOs, regional offices and other associations and organisations in the European Union. I am, therefore, very much looking forward to hearing your contributions, ideas and feedback on what priorities the European Ombudsman institution should have over the next five years.

I am delighted to share the podium with Commission Vice-President Maroš Šefcovic. As the Commissioner responsible for Inter-institutional relations and administration, he will be my most important interlocutor in the Commission in the coming years. I am also honoured that Pat Cox has joined us here today. Without the support of the European Parliament, I cannot conduct my work. Furthermore, Pat knows the Ombudsman's work very well.

I am also very happy that we have two stakeholders of the Ombudsman's institution, Mr de Clerck and Mr Benassi. I am persuaded that organisations like yours help the Ombudsman to identify how the EU administration can further improve.

I will now briefly focus on what I consider should be among the priorities of the European Ombudsman's office for the coming years. Many of these priorities are closely linked to the enhanced provisions on citizens' rights introduced by the Lisbon Treaty and the conversion of the Charter of Fundamental Rights into a legally binding document for the Member States, when applying Union law.

The Treaty of Lisbon and the Charter of Fundamental Rights

The entry into force of the Treaty of Lisbon and the legally binding nature of the Charter of Fundamental Rights mark a crucial stage in the long process of empowering European citizens and other stakeholders. The Charter, in particular, gives a strong signal regarding the importance the Union attaches to citizens' rights.



The section of the Charter entitled 'Citizens' Rights' contains, of course, the right to complain to the Ombudsman. It also contains the right to good administration, a right which is at the heart of what the European Ombudsman does. Elements of the right to good administration which are specifically mentioned in the Charter include:

- the right to have one's affairs handled "impartially, fairly and within a reasonable time by the institutions, bodies, offices and agencies of the Union";
- the right of every person to be heard;
- the right of every person to have access to his or her file;
- the obligation of the administration to give reasons for its decisions;
- the right to have the Union make good any damage caused by its institutions;
- the right to write to the institutions of the Union in one of the Treaty languages and to be provided with an answer in the same language.

My first priority over the next five years is to help citizens make full use of their rights, as provided for under the Treaty of Lisbon and the Charter of Fundamental Rights. I am committed to informing citizens about these rights and, to this end, look forward to working with the European Parliament, as well as with national and regional ombudsmen in the Member States.

Strengthen citizens' participation in the democratic life of the Union

The Lisbon Treaty also strengthens the right of citizens and associations to participate in the democratic life of the Union. It requires the Union institutions to maintain an open, transparent and regular dialogue with representative organisations and civil society.

Thanks to the "European Citizens' Initiative", one million citizens from a significant number of Member States will have the possibility to call on the Commission to bring forward new legislative proposals. This Initiative should make a vital contribution to the empowerment of European citizens. The Ombudsman participated in the public consultation concerning this initiative, with a view to ensuring that it will function in the most transparent way possible and with a minimum of bureaucracy.

It is important to highlight that a "regular dialogue" - as it is laid down in the Treaty - implies a genuine debate on policy, with representative organisations and civil society, which may criticise and oppose the institutions' initiatives as well as support them. I am convinced that this new provision will also impact substantially on the Ombudsman's work.

To give you an example: I recently opened an investigation into how the Commission conducted a study into the use, for research purposes, of non-human primates, such as chimpanzees. The complaint was submitted by the European Coalition to end Animal Experiments. It alleged that the relevant Commission working group lacked expertise in the area and that it failed to take certain evidence into account. I have not drawn any conclusions yet. The Commission should submit its opinion by 30 April 2010. The case highlights, however, the role that the Ombudsman



can play in promoting effective and transparent policy-making in the EU institutions. I am keen to build on this role in the coming years.

Openness and transparency

A range of other articles in the Lisbon Treaty provide for greater openness and transparency in the activities of EU institutions, bodies, offices, and agencies. They include a provision for the Council to meet in public when it deliberates and decides on draft legislation - something I have repeatedly called for. But the Treaty also requires other Union institutions, bodies, offices and agencies to conduct their work as openly as possible, in order to promote good governance and ensure the participation of civil society.

Article 42 of the Charter of Fundamental Rights is especially important for the Ombudsman's work. It provides that citizens shall have a right of access to documents of the Union institutions, bodies, offices and agencies. This constitutes a significant improvement, extending the right of access to not only documents of the European Parliament, Council and Commission but to all EU institutions, bodies, offices, and agencies, including, for the first time, the European Council.

Given that more than a third of all inquiries the Ombudsman carries out every year concern "lack of transparency", one of my key priorities is to ensure that the EU administration follows the highest transparency standards possible.

A culture of service in the EU administration

All of these new Treaty provisions are geared towards making the EU administration more open, accountable and citizen-friendly. And it is my task to ensure that a culture of service will indeed be the guiding principle for the EU institutions.

In this context, I am keen to enhance my institution's proactive participation in public debates on proposed legislation relevant to the work of the Ombudsman, such as the reform of the Regulation on Access to Documents or the reform of the EU's Financial Regulation.

As part of my contribution to the public consultation on the reform of the Financial Regulation, I stressed that the relevant rules should provide guidance to officials as to how they can combine both sound financial management and good administration in carrying out their work. By way of example, I have suggested that the Financial Regulation should, in exceptional cases, provide for *ex gratia* payments, as a redress for serious inconvenience or severe distress caused by maladministration. To my mind, the reform of the Financial Regulation offers an excellent opportunity to put the fundamental right to good administration into practice.

Further improve the efficiency of the Ombudsman's office



Regarding the functioning of my office, my intention is to continue to improve the quality of our services by achieving results more quickly in our investigations and by rigorously self-assessing our handling of citizens' complaints. I am happy to report that the time taken to complete inquiries fell from an average of 13 months in 2008 to nine months in 2009. We aim to reduce even further the time taken to achieve results through inquiries.

I will also seek to enhance the Ombudsman's public visibility. The aim here is to reach out even more effectively to potential complainants, in the Member States as well as in Brussels. Our meeting today is an important part of this effort.

It is crucial for citizens, NGOs and other organisations to know where to turn if they encounter problems with the application of EU law, be it at the regional, the national or the European level. I am, therefore, keen to increase cooperation with other information and problem-solving mechanisms, such as Europe Direct, SOLVIT and the European Network of Ombudsmen.

Conclusion

Improving the quality of the EU administration for the benefit of citizens and other stakeholders has been at the centre of my work for the past seven years. Whilst I am proud of the results that the Ombudsman has achieved so far, I am conscious that much remains to be done in order for citizens to be both fully informed of their rights and of how to best exercise those rights.

In embarking on a new term in office, I will continue to strive for a more open, accountable, service-minded, and citizen-centred EU administration and, more generally, to act in line with the goals and aspirations of the Ombudsman's mission statement with which I would like to conclude my introductory remarks.

“ The European Ombudsman seeks fair outcomes to complaints against European Union institutions, encourages transparency and promotes an administrative culture of service. He aims to build trust through dialogue between citizens and the European Union and to foster the highest standards of behaviour in the Union's institutions. ”

I now look forward to hearing your reflections on how best to achieve these goals.