



## Ombudsman to examine Commission evaluation of Special Advisers

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The European Ombudsman, Emily O'Reilly, has opened a [strategic inquiry \[Link\]](#) into how the European Commission carries out conflict of interest assessments for its Special Advisers.

The Commission has approximately 40 Special Advisers, chosen because they can provide particular expertise, as it is needed, directly to a Commissioner. This high-level access, coupled with the fact that many of the advisers have outside interests, heightens the importance of anticipating any possible conflict.

The aim of the inquiry, opened following individual complaints related to Special Advisers, is to ensure that rules are sufficiently robust in order to avoid inappropriate influence on policy-making. An Adviser's mandate and their outside activities should be fully clarified before appointment, while conflict of interest assessments should be updated if the person takes up a new outside activity.

Ms O'Reilly stated: "*My inquiry will not focus on any individual, but rather on the system of Special Advisers, which is provided for in EU law. My aim is to ensure that the public can be confident, from a conflicts of interest perspective, about the choice of expert and to ensure that the advisers themselves can be confident that the system works well by being made fully aware of the rules concerning their appointments.*"



She added: *"Most of these Advisers who have direct access to Commissioners are part-time, some are unpaid and some are retired, however many do work elsewhere in a private capacity. In order to manage any potential conflicts of interest, each Adviser's mandate should be examined to make sure that these do not arise."*

### **Transparency Register - 'central transparency hub'**

Ms O'Reilly has also written to Commission President Juncker to present her ideas on making the Transparency Register the 'central transparency hub' for EU institutions, bodies, offices and agencies.

*" I welcome the progress so far on the EU's Transparency Register, with due credit to the parliament and Commission as not many Member States have a functioning lobbyist register. It now should be strengthened and extended to the Council. To be a truly effective tool, I believe the Register should become the 'central transparency hub' for all EU institutions and agencies ."*

*Ultimately, the Register should provide as comprehensive picture as possible of how exactly a particular organisation seeks to influence policy-makers. The Register should reveal not only how much money is being spent on lobbying but details such as what expert group an organisation has sat on; who its representatives met and about what; and what public consultations it contributed to ,"* said Ms O'Reilly.

The Ombudsman makes a number of suggestions in her letter including that there should be full funding transparency for all interest groups; that improvements be made to the accuracy of data, to monitoring and to sanctioning; that law firms that lobby must declare their clients; that lobbying of Member State officials should be governed and that all meetings with tobacco lobbyists be published.

Ms O'Reilly also proposes that the right to complain to the Ombudsman be included in the final agreement on the Register. Organisations should know that they can turn to the Ombudsman if they are removed from the Register, believe another organisation should be removed from it or if they are dissatisfied with how the Register is functioning.

*"In future the Register should be more firmly grounded in legislation and include the possibility to impose financial sanctions on organisations, in the meantime I welcome this revision."* said Ms O'Reilly. The letter to President Juncker can be found [here \[Link\]](#).

### **Ombudsman's Annual Report 2015 - 90% compliance**

Concerns about transparency in the EU administration accounted for the biggest proportion of the Ombudsman's cases (22.4%) in 2015. The year also saw the Ombudsman open strategic inquiries into key issues, such as the transparency of EU law-making. Reform proposals for the European Network of Ombudsmen were launched and it was revealed that EU institutions' **compliance with the Ombudsman's recommendations reached a record 90 percent** . The



complete Annual Report 2015 is available [here \[Link\]](#).

[Strategic inquiry into conflict of interest assessments for Special Advisers \[Link\]](#)

[Letter on the Transparency Register \[Link\]](#)

[European Ombudsman Annual Report 2015 \[Link\]](#)