



Opening Speech for the Annual Conference of the European Network of Ombudsmen

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Good morning everyone and a very warm welcome to all of you today. I am very grateful to all of you for taking the time to be with us and I look forward to a useful and lively two days.

Every time I have greeted you in this forum over the past few years I have remarked that we are gathering at a challenging time for the European Union and I've come to realise that there is never a time that isn't challenging for the EU, the only thing that changes is the nature of the challenge at any particular time.

Last year, and the year before, we spent a lot of time discussing the Rule of Law, the refugee crisis and the implications of the U.K.'s decision to leave the Union. This year we have decided in a sense to go back to basics, to examine the everyday work that we do as we help our citizens to deal with the challenges they face in their daily lives.

What has prompted this to some degree has been the joint proclamation late last year by the EU's Parliament, Council, and Commission of the so-called European Pillar of Social Rights. These are 20 principles and rights concerning three broad categories: equal opportunities and access to the labour market, fair working conditions, and social protection and inclusion. The stated aim of the Pillar is towards social progress and full employment.

A lengthy consultation identified the main issues that the Pillar is intended to address including the social consequences of the economic crisis, inequalities and unemployment, the future of work, the ageing of the EU's population and the economic divergence across Member States. In other words, those issues that many citizens feel were set aside or ignored since the crisis hit approximately ten years ago.

The renewed political focus on social inclusion and on tackling inequalities does not emerge of course from an exclusively charitable impulse but rather the political imperative to protect the Union at a time of challenge by addressing in a more focused and concrete way the direct concerns of its citizens. It is also part of the wider debate on the future of the European Union.

At its launch Commission President Juncker said: *Today we commit ourselves to a set of 20 principles and rights. From the right to fair wages to the right to health care; from lifelong learning, a better work-life balance and gender equality to minimum income: with the European Pillar of Social Rights, the EU stands up for the rights of its citizens in a fast-changing world.*



So what is the specific relevance of this to Ombudsmen and to civil society organisations?

The relevance is that the new rights are not currently enforceable within the EU unless the Pillar itself becomes enforceable in the application of EU law as the Charter of Fundamental Rights eventually did; unless the EU or the Member States brings forward specific laws that would make them enforceable or unless national or EU Courts begin to use the so-called rights contained within the Social Pillar to support future rulings in these areas.

They are not therefore rights that are fully-formed but rather in gestation. To use a different analogy, the EU has created a machine that cannot be operated without a key and – in the absence of the Pillar being afforded the same legal weight as the Charter of Fundamental Rights – that key lies in all of our hands.

The EU Commission has said: “Delivering on these principles and rights is a joint responsibility. Most of the tools required to deliver on the Pillar are in the hands of local, regional and national authorities, as well as the social partners, and civil society at large. The European Union – and the European Commission in particular – can help by setting the framework, giving the direction and establishing a level-playing field, in full respect of specific national circumstances and institutional set-ups. While this is essential, action at EU level will need to be supported and followed up at all levels of responsibility.”

Or, as one commentator put it, “The Social Pillar is a window of opportunity, whose impact largely depends on whether relevant actors will take it seriously.”

So gathered together in this room today are, I believe, some of those relevant actors. As Ombudsmen, we may be able individually or collectively to draw on the so-called Pillar rights in support of our work and our recommendations and the role of civil society is an obvious one. Like any new instrument it takes time even for knowledge or awareness of it to become embedded and I have no doubt but that the process of giving concrete reality to this Pillar may be slow.

But as an Ombudsman, I see that role as an influencer and it is clear from the statements about the Pillar by the EU institutions that it will remain an inanimate document, a simple collection of words, unless people decide to animate it, to breathe life into it, and we have to decide whether we want to do that, to use our soft powers, our influence to begin that process.

That will be the central topic of this morning’s discussion with our expert panel and then taking from the views and experiences of all of you. We will also look at the wider issues concerning the Future of Europe and where the current debate at Member State and institutional level is likely to lead. Will it lead to a fairer and more inclusive society for citizens?

Later sessions will explore that work more concretely and particularly the tools that we as Ombudsmen can use to help our citizens in their own countries, when experiencing cross-border issues, or in helping those from outside our borders who seek our protection.



I want this conference to remind us again of the powers that we have. Yes, we work from different mandates, different cultural expectations of our work, different political circumstances and we also, as individuals, have our own unique personalities which impact on the way in which we do our work and how we see our role. But the people who come to us don't spend too much time considering those differences, they see, us, no matter what country we work in, as someone who is there simply to help them and that is the obligation that binds all of us.

A few weeks ago, I was talking to a politician from a member state, a young man, talented and ambitious and I remarked that he had a lot of power. He responded that he didn't really have power, but rather influence. But that is, I said, exactly what power means.

And this is important for Ombudsmen. Few of us can make binding decisions, few of us can force things through simply by ordering an institution or an agency to act. But what we can do is summon all of the soft powers at our disposal, join that to our own obligation to the public, see our role in its fullest manifestation, and attempt to bring about important change as a result. It is said that you begin to lose power the first time you think you don't have any so all of us have to remind ourselves of the power we do have.

The Social Pillar I believe is there to be used in that way, as are many other EU instruments, including my office, the EU Parliament's Petitions Committee, agencies such as Solvit, the Charter of Fundamental Rights, and the rights contained in the Treaties themselves.

And of particular relevance to this vital issue for citizens is the European Economic and Social Committee, the voice of civil society throughout the EU and deeply involved therefore in social Europe. And I am therefore very grateful for the presence here today of EESC President Mr George Dassis and greatly look forward to his contribution.

It is said that many rights are not enforced simply because people don't realise they have them or know how to engage them. Rather they rely on us as Ombudsmen and on many of the civil society and other actors represented in this room to make those rights a reality.

So thank you once again for coming and I hope you will both enjoy and profit from our gathering here this week.