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European Ombudsman

Mr José Manuel Barroso  
President  
European Commission  
1049 BRUSSELS  
BELGIQUE

Strasbourg, 12/05/2014

Own-initiative inquiry OI/7/2014/BEH concerning the composition of civil dialogue groups hosted by DG Agriculture

Dear Mr President,

In December 2013, the Commission adopted Decision 2013/767/EU setting up a novel framework for civil dialogue in matters covered by the common agricultural policy (henceforth referred to as the 'Commission's Decision'). According to DG AGRI's website, 14 civil dialogue groups covering different aspects of the common agricultural policy will be created on this basis.

On 1 April 2014, the Commission opened calls for non-governmental organisations' membership in 14 civil dialogue groups, setting a deadline for applications of 30 April 2014. Both the Commission Decision and the 14 calls for non-governmental organisations' membership underscore the requirement of a balanced membership in these 14 groups.

Considering that civil dialogue groups are tasked with assisting and advising the Commission on all matters relating to the common agricultural policy, they will be active in a highly sensitive area impacting on a significant share of the Union budget. Taking furthermore into account that appointment for membership will be for seven years, it is crucial for the Commission to give effect to this requirement of a balanced composition when appointing members.

Against this background, I consider it imperative also for the Ombudsman to monitor the selection process with the utmost care.

Given that this process is currently on-going and that any decision on appointment is indubitably with the Commission, it would not be appropriate for me to try and review the Commission's approach before the selection process has been completed.

However, this does not prevent me from closely following the selection process, in particular as regards the requirement of a balanced representation of all expressed interests referred to in Article 4(2) of the Commission Decision.



I would like to point out that I am ready to support this process and give advice, if the Commission so requests. In this regard, I recall the Ombudsman's rich experience in dealing with cases concerning the composition of expert groups hosted by the Commission and other bodies or agencies (see, for instance, complaints 1682/2010/BEH and 1966/2011/LP).

Moreover, I intend carefully to review the outcome of the selection, as soon as it is known.

In view of these considerations, I have decided to launch an own-initiative inquiry into the issue of the balanced composition of civil dialogue groups hosted by DG AGRI. I consider that the Ombudsman's proactive intervention through launching the present own-initiative inquiry at this stage appears to be in the interest of all the parties involved and will in all likelihood strengthen citizens' trust in the outcome of the selection, also considering that appointment will be for seven years.

This inquiry complements my own-initiative inquiry concerning the composition of Commission expert groups in general (OI/6/2014/BEH), which is being launched simultaneously and foresees a public consultation of stakeholders.

I fully trust that, in deciding on the composition of civil dialogue groups, the Commission will properly implement the requirement of a balanced composition. However, it would be prudent for the Commission to leave itself the possibility to take appropriate action in response to possible future results of the Ombudsman's inquiry. Therefore, in the interests of good administration, I would invite the Commission to consider informing selected members that their appointment may be reviewed in light of the Ombudsman's future findings as to whether the appointment is in conformity with the requirement of ensuring a balanced representation of all expressed interests referred to in Article 4(2) of the Commission Decision.

Please note that, at this stage of my inquiry, it is not necessary for the Commission to submit an opinion. However, I would appreciate if you could inform me as soon as the selection for the 14 civil dialogue groups has been completed. I would moreover appreciate if, in accordance with Article 3(2) of the Statute of the European Ombudsman, you could allow my services to inspect the relevant file after the selection of members of civil dialogue groups has been completed. I should be grateful if your services could contact Mr Bernhard Hofstötter (+33 388 17 81 05) of my Office in order to agree on a convenient date for the inspection of the documents.

Yours sincerely,

Emily O'Reilly