



Address to European Parliament on Annual Report 2015

European Ombudsman, Ms. Emily O'Reilly

Strasbourg, 24 Nov 2016

Thank you Mr. /Madame President,

Good morning and thank you Mr. Marias and all the shadow rapporteurs for your work on this report.

The text before the chamber today expresses strong support for the work of the Office of European Ombudsman, for which I am profoundly grateful.

I would like to thank in particular the **Petitions Committee**, and its chair Madame WIKSTRÖM, for its engaged co-operation and support over this past year. In our separate but complementary roles, we work directly with European citizens who seek our help.

Honorable Members, this is my third time addressing you in plenary since 2013. Each time I have benefited from your expertise, advice and support and that has fed directly into my work.

My Office is driven by the complaints we receive and as today's report notes, over 22% of complaints concern access to documents requests. **Transparency** and the treaty-based right of access to

documents must continue to play a crucial part in our EU democracy. The EU does set higher standards than many Member States, and given its role and its global reach in many areas, so it should.

The Juncker Commission is, I recognise, working to improve standards in this regard and I welcome the proposal made just yesterday to revise the Commissioners Code of Conduct, as both, I as Ombudsman, and this parliament have urged. This is a positive step, although I think there are other possible future improvements to the Code and how this issue is handled.

In addition, the Juncker Commission, through Vice President Timmermans, it has proposed earlier this year a revised **Transparency Register**, which I welcome. Many Member States do not have a register, while others have been unsuccessful in introducing them.

However, a register is as good only as its capacity to give citizens assurance that law making is not being inappropriately or unduly influenced – and so I look forward to seeing the outcome of the negotiations with the Parliament and Council on this Commission proposal.

Much EU lobbying of course focuses on either the Permanent Representative offices of the Member States in Brussels, or in the national capitals, and so I hope the Member States will reflect on how this can be made more transparent for European citizens.

I am currently working on this issue with my colleagues in the **European Network of Ombudsmen**, both to raise awareness of lobbying transparency and to show the very real way in which lobbying directly affects peoples' lives.

Last June, I hosted a Network conference in Brussels at which we discussed the refugee and migration crisis, lobbying transparency, and the rule of law. I was very pleased that my Ombudsman colleagues were able to have engaged and spirited conversations with EU officials and I believe it was a valuable learning experience for both sides.

This report recognises the work of my Office in several areas in co-operation with the EU administration, and with the support of Parliament, to seek and achieve real improvements.

These include:

- Transparency and balance of Commission **Expert Groups**;
- Commission efforts to make the **TTIP** talks more transparent;
- Commission efforts to implement **Article 16** of the Staff Regulations;
- **Whistleblowing** rules to protect EU staff;
- How fundamental rights are upheld in **EU cohesion policy**;
- UN Convention on the Rights of People with **Disabilities**;
- and the **European Citizens Initiative**;

I also wish to mention three other areas, which I know, are of interest to this house.

Frontex became a particularly critical EU agency in 2015 during the refugee crisis. I welcome its efforts in implementing the Special Report I sent to Parliament concerning a Frontex complaints mechanism, but also the recommendations I made in relation to joint return flights.

The **European Central Bank** has also become a much more familiar institution to EU citizens and I thank it for working with my Office and boosting the transparency of its administration as noted in today's report.

Given the heightened citizen awareness of EU institutions and agencies in the wake of the financial crisis and now of Brexit, none of us can work in the shadows or resist citizen demands for greater transparency and accountability.

In 2015, I also launched an inquiry into the transparency of the **Trilogues** negotiation process and made several proposals concerning transparency while respecting the legislators need to negotiate in

confidence. I thank the three institutions for their good co-operation, and look forward to their responses next month.

Today's report also notes the correspondence we have had with President Dijsselbloem in relation to boosting the transparency of the **Eurogroup**. I welcome his focus on that issue particularly given the increased importance of this group to the lives of citizens within the Eurozone.

The **Dutch Presidency**, which ended this summer, also worked hard to boost transparency in the Council. This is an area I will continue to focus on, as it is important for citizens to be able accurately to disentangle, and understand, the separate lines of decision making at EU and Member State level.

Let me also mention some **examples of the everyday cases** my office deals with which assist in improving the experience of the EU for its citizens. A German citizen complained that the Commission had not properly explained why it was not investigating his infringement complaint about the E-Privacy Directive. I found that the Commission had not provided sufficient reasoning about why it was not taking action on the issues raised by the complainant and the Commission has agreed to take my analysis into account when it reviews the Directive.

Another important individual case involved a Parliament employee, who has a daughter with severe and irreversible brain damage. The employee came to me after Parliament administration had sought to revoke a derogation it had granted her from having to move from her place of work under mobility rules. Happily, parliament agreed to my recommendation to maintain the derogation for as long as the daughter needs her mother's presence and care.

Another case concerned the Education Audiovisual & Culture Executive Agency. A small community group had claimed that it had unfairly shortened the deadline for funding applications for town twinning projects. Following my intervention, the agency clarified its

actions and the complainant will be able to participate in a future twinning project.

Before I finish, I wish to note again the high standards of the EU civil service, of the thousands of dedicated people who work in the EU institutions and agencies all over Europe. Europeans want to see positive changes for their families in their daily lives. This is mainly a political challenge but a strong and ethical public administration is a hallmark of a strong democracy.

To recognise the work of EU staff and share best practice across the institutions, I recently launched the **Award for Good Administration** to acknowledge examples of good service, transparency and ethical behaviour.

This award is open to staff in all EU institutions, agencies and bodies and nominees may be proposed by anyone up until 31st January 2017 and I welcome of course any nominations from Members of this house.

Honorable Members, we live in challenging and even frightening times. We must however not be afraid to ‘connect the dots’ in this new wave of citizen unrest manifested in increasing **populism and nationalism** and we must examine at a deeper level our political and administrative governance structures in Europe. We must also detach our views of the personalities involved in these movements from the genuine citizen concerns and distress that fuel them.

The power and responsibility to do that at EU level lies mainly within the hands of this parliament, the Commission, and the governments of the member states and those are onerous and solemn responsibilities. Those of us who value and support our **pluralist European democracy** need now to redouble our efforts and demonstrate clearly that we serve the public interest and the public interest alone.

Thank you again to the rapporteur, the shadow rapporteurs, their staff and the secretariats for all the work on this year’s report.

Thank you Mr. /Madame President.