



EUROPEAN COMMISSION
Secretariat-General

The Deputy Secretary-General

Brussels, **24 -07- 2017**
SG.C4/HS/rr

Ms Emily O'Reilly
European Ombudsman
1, avenue du Président Robert
Schuman
CS 30403
F – 67001 Strasbourg Cedex

Subject: Complaint 64/2017/NF

Dear Ms O'Reilly,

Thank you for your letter dated 20 June 2017 in which you asked in which languages the Commission's public consultation on Excise duties applied to manufactured tobacco would have been made available, were it to be launched under the new rules for translating public consultations. The President has asked me to answer on his behalf.

The public consultation in question took place between November 2016 and February 2017. The questionnaire was available in English, whereas the consultation page was available in English, French, and German. Answers could be provided in any of the 24 official EU languages.

In line with the Commission's own commitment¹ to engage better with citizens and stakeholders and as indicated in my letter of 16 February 2017², we have developed new rules for translating public consultations which took effect at the end of April 2017. These new rules have also been included in the revised Better Regulation Toolbox.

According to the new rules, all public consultations need to be made available in English, French, and German. The public consultation on excise duties applied to manufactured tobacco would thus have – at least – been made available in these three languages.

In addition, public consultations linked to new initiatives included in the Commission Work Programme (Annex I) now need to be made available in all official languages³. The public consultation on excise duties applied to manufactured tobacco does not fall

¹ As stated in the Better Regulation Agenda of 19 May 2015. See http://europa.eu/rapid/press-release_IP-15-4988_en.htm.

² Ref. Ares(2017)859296

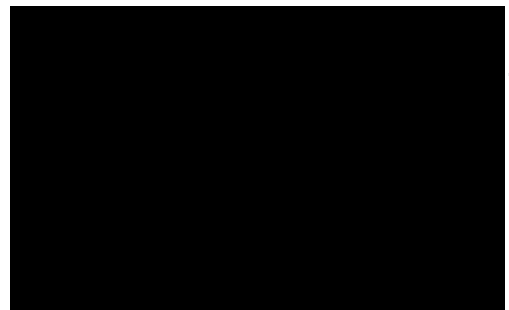
³ Until the capacity to translate into Irish has been fully built up, translation of public consultations into Irish will be assessed on a case-by-case basis.

within this category as it was included in the REFIT section of the 2016 Commission Work Programme (Annex II).

However, public consultations of broad public interest should – according to the new rules – be translated into additional languages. Had the new rules already applied to the public consultation in question, the Commission services would have discussed and agreed on the most appropriate language coverage which would also have been indicated in the consultation strategy and thus in the inception impact assessment. This, in turn, would have allowed citizens and stakeholders to suggest a different language coverage during the four-week feedback period. Given the broad public interest of this initiative, the public consultation might very well have been translated into additional, if not all, official EU languages.

Furthermore, the consultation page or a summary thereof would have been translated into all official EU languages to allow citizens and stakeholders to easily identify public consultations of interest.

Yours sincerely,



Jean-Eric Paquet