



P. Nikiforos Diamandouros
European Ombudsman

"Is the Lisbon Treaty delivering for citizens?"

Report on the seminar organised by the European Ombudsman

On 18 March 2011, the European Ombudsman organised a seminar in the European Parliament in Brussels entitled "Is the Lisbon Treaty delivering for citizens?". The event was held as part of the Ombudsman's efforts to reach out to his target groups, such as associations, NGOs, companies, civil society organisations, journalists, regional and national representations, and representatives of other EU institutions, with the aim of enhancing the visibility of the Ombudsman institution. It was the Ombudsman's third "March event". The dialogue with stakeholders is an important priority in the strategy for the Ombudsman's mandate 2009-2014.

The keynote speaker was the President of the European Council, Herman Van Rompuy. The discussion panel included the European Ombudsman, P. Nikiforos Diamandouros, the Vice-President of the European Commission, Viviane Reding, the Vice-President of the European Parliament, Diana Wallis, and the Head of the European Policy Centre, Hans Martens. Ann Cahill, President of the International Press Association, chaired the event.

More than 200 representatives of the Ombudsman's target groups participated in the seminar. Some took the opportunity to submit their views and questions prior to the seminar. The event was webstreamed live and several European Parliament, Europe Direct, European Commission, and other offices across the EU helped to publicise the link.

More than a year after the Lisbon Treaty came into force, the Ombudsman was keen to stir a debate concerning its successes and the challenges still lying ahead. The Treaty has been praised as "The citizens' Treaty" because it provides for more citizen participation, an enhanced dialogue between the EU and civil society organisations, and increased rights, such as the new right to good administration. The questions to be answered by the speakers and the participants included: Has the Lisbon Treaty really delivered on its promises? What concrete improvements has the Lisbon Treaty brought for citizens? What mistakes, if any, have been made? And what remains to be done?

The Ombudsman, P.N. Diamandouros, cited the first results of a survey concerning citizens' rights which was commissioned by the European Ombudsman and the European Parliament. According to this survey, 72% of the respondents did not feel well informed about the Charter of Fundamental Rights, and 13% had never even heard of it. In the Ombudsman's view, this lack of knowledge is disconcerting, especially given that the Charter is the key instrument developed by the Union to protect and promote citizens' rights.

The Ombudsman explained that many of the new provisions in the Lisbon Treaty and the Charter of Fundamental Rights are clearly geared towards making the EU institutions and bodies more open, accountable, and citizen-friendly. They allow citizens to monitor more effectively the work of the EU institutions, but also of the governments they have elected at the national level.

However, in the Ombudsman's view, a lot remains to be done before the Union and its citizens can reap the full benefit of many of these provisions, particularly those concerning increased transparency and a stronger involvement of civil society. He stated that the Ombudsman's office, together with the other EU institutions and the European Network of Ombudsmen, have to step up their efforts in order to inform citizens better and to help them make use of their rights.

President Van Rompuy stressed that post-Lisbon Europe is facing severe challenges, including questions about the future of the Euro, the need for a common response to the issue of nuclear safety, and the implications for the EU of the events in North Africa.

According to Mr Van Rompuy, the Lisbon Treaty gives the EU a stronger capacity to act, not only in foreign policy issues, but also as regards more efficient decision-making. However, increased efficiency also highlights the need for greater legitimacy. In his view, the main improvements as regards legitimacy include the enhanced powers of the European Parliament, a stronger involvement of national parliaments, the Charter of Fundamental Rights, the possibility to lodge a complaint with the Ombudsman, and greater transparency concerning the work of the EU institutions.

Mr Van Rompuy shared the Ombudsman's concern about a lack of awareness amongst the European citizens. However, he said that even if citizens sometimes have difficulties following the complex debates about the Euro or budgetary reforms, the Union has to keep on doing its work, for the sake of the citizens.

The Vice-President of the European Commission, Viviane Reding, stressed that, following the introduction of the Lisbon Treaty, the Commission already undertook a number of measures to put "citizens at the heart of Europe". She gave a list of concrete examples, such as EU-wide rules for international marriages and divorces, cross-border shopping, and medical advice. She also underlined the importance of the one-stop shop *Your Europe* to explain citizens' rights.

The Vice-President of the European Parliament, Diana Wallis, praised the European Citizens' Initiative (ECI) as the first instrument of direct democracy. She expressed her hope that the ECI would create a "virtuous cycle of political involvement". Ms Wallis also underlined the strengthened powers of the European Parliament as legislator, thanks to the Lisbon Treaty. She admitted, however, that the Parliament still needs to develop greater transparency in this respect.

The Head of the European Policy Centre, Hans Martens, warned that the EU has a tendency to "oversell the Treaties to the people". He praised the introduction of the ECI, but highlighted that other topics would set the discussions of the future, such as the shrinking welfare states and the demographic developments in the EU. He

warned that the main danger for Europe comes from an increased nationalism in the Member States.

During the debate with the participants, the issue of the ongoing reform of the access to documents rules was raised. The Head of the EU office of Transparency International, Jana Mittermaier, expressed the fear, which she said is felt by many civil society groups, that the current access to document rules might be watered down. She also voiced concerns as to the long delays in the reform process.

The Ombudsman agreed that the reform process of the access to documents rules is indeed taking very long to complete. Ms Reding stressed that no other international institution is as transparent as the Commission. Ms Wallis acknowledged that more transparency is needed in the Parliament.

The Belgian Federal Ombudsman, Catherine De Bruecker, praised the value of the European Network of Ombudsman in directing citizens to the right place with their questions and concerns. Mr Diamandouros welcomed her remarks and stressed the importance of the Network in transmitting knowledge and best practice.

Magda Stoczkiewicz, the Director of Friend of the Earth Europe, raised concerns that financial interest groups such as BusinessEurope get too strong a voice in EU decision making. The Ombudsman answered that business interests are legitimate but that, of course, the representation of different interests must be balanced.

Ms Stoczkiewicz was also interested in the level of the EU institutions' compliance with the Ombudsman's recommendations. The Ombudsman answered that there are certainly frictions with other EU institutions from time to time, but that most of his recommendations are indeed accepted by the institutions.

Ms Stoczkiewicz, furthermore, voiced her concern that the ECI had been narrowed. Ms Wallis replied that the ECI has not been narrowed, but has rather been simplified. The Ombudsman added that the ECI should be allowed the necessary time to see how it works in practice.

Another participant raised the issue of European flags and symbols which have been deleted from the final Lisbon Treaty text. Ms Wallis suggested that the participant might wish to launch an ECI on this topic but doubted that there would be enough interest. Ms Reding pointed out that it would be up to the Member States to change the Treaty.