



OGP Global Summit, Paris

“The future of open government and renewing democracy”

December 7th 2016

I am honoured to have been asked to address this important forum today and particularly at a time of European and global uncertainty as we await the fallout from the decision by the United Kingdom to leave the European Union, by the election of Donald Trump as President of the United States, and, at European level, by the political responses to migration, financial instability, terrorism and the prospect in 2017 of a series of elections that may further threaten EU stability.

While some parts of the world may be more directly affected by these events than others, none of us can escape their impact in this increasingly tightly connected and globalised world. A contested US Supreme Court decision in 2000, for example, gave a tight election win to George W Bush. His subsequent decision to invade Iraq contributed to the destabilisation of that region, to the refugee crisis, and to the placing centre stage in Brexit and in the US election of the migration issue. The effect of the collapse of US banks in 2007 sent shockwaves far beyond that country's shores and also contributed to EU instability.

My role as European Ombudsman - dealing with citizen and other complaints against the administration of European institutions - is to encourage greater citizen trust in those institutions and that is why I have a particular interest how a global initiative such as the OGP can play an important role in this matter.

But it is challenging, and let us not pretend that transparency or the encouragement of greater openness in government will be sufficient to tackle those problems. We need to keep our work aligned with the actual needs of citizens and understand the impulses that lead to the disruptive changes that we have recently witnessed and may continue to witness in the months and years ahead.

The political choices made by the citizens of the United Kingdom and the United States respectively, and others around Europe, have at their core deep contradictions that defy either simple or coherent analysis.

The results could be seen as the angry frustrated response of those who have not shared the benefits of liberal democracy and globalisation yet as the aftermath begins to play out, we see a landscape that may be very different to that which many of the angry and frustrated voted for.

The road to Brexit is not yet clear and there is increasing public confusion over what seemed so straightforward during the campaign.

Meanwhile, the number of billionaires and bankers now gathering around the President elect in New York and Washington suggests a u turn by Mr Trump from his campaign promise to end the inappropriate influence of private interests.

The end result of both electoral adventures could be an even sharper decline in public trust in government and that is a problem for all of us.

Adding to public distrust is the increasingly opaque distinction between public service and private interests where politicians or senior officials at times move into lucrative jobs in the private sector, which they themselves have previously regulated. People may begin to see that corruption, as they would perceive it, is not always like that portrayed on the TV and cinema screens.

Because when we speak about public trust we are actually talking about power and powerlessness and the desire of the economically or politically disenfranchised to punish or to radically change a system that they believe has let them down.

And the rule of law is gradually affected. We have seen in the UK, unprecedented attacks on its independent judiciary, challenging it, as some have put it, to defy the will of the people vis a vis the Brexit vote. We have also seen in other parts of Europe a retreat to old ways and growing authoritarianism. Our democratic norms are being challenged and that is a threat that we should not attempt to normalise or dismiss.

We need also to remind ourselves that Donald Trump hid very little in relation to his views on race, women, Islam, migration and other sensitive touchstones. Many were there on his personal Twitter feed yet transparency was no barrier to his election, such was the desire of his supporters to use him as a weapon to punish those they had

previously trusted. The trouble will come if and when that weapon turns out to be a boomerang.

Brexit and the Trump election may deepen voter distrust rather than alleviate it if what was promised turns out to be a mirage.

Yet, ironically, this moment of crisis, may provide an important opportunity for the OGP to advance its agenda. The work showcased in Paris this week shows the very real impact open government can have on quality of life; from examples of citizens using open data to effect change in their communities to their organising data that makes government cheaper and more effective.

But we have a lot of history to live through before open government can solve what is described as the existential crisis that the EU in particular is currently facing.

Austerity, the migration crisis and now Brexit, continue to threaten the legitimacy of the EU institutions. Member states and many other at times pander to citizen dissatisfaction by blaming 'Brussels' alone. Ultimately, providing safe and secure employment is one of the most direct ways to engage citizen trust but greater openness and transparency in relation to EU decision-making processes is also vital.

Since taking office I have tried to demystify EU administration and to encourage it to be more outwardly facing through higher levels of transparency and accountability. In response to concerns about undue corporate influence, I looked into the extensive system of external expert groups that the European Commission uses in advance when drawing up policy and legislation. I inquired into the transparency of the process the EU institutions use to negotiate laws

for the EU's 500 million citizens. And I have been working more recently with the European Central Bank and European Investment Bank to see to it that their rules and policies in the area of transparency and ethics are fit for purpose.

But let us be realistic about its limits and let us not over promise or predict unrealistic outcomes for the work that we do. Perhaps it is also time to re-evaluate the language that we choose to describe what we are trying to achieve and do it in a way that connects more viscerally with the day to day lives of the people.

As European Ombudsman, I have been engaging with the OGP, and I feel encouraged by the 20 EU Member States that now participate in it and I believe that at EU level, if the political will is there, the European Commission could for example become a leading voice within the OGP and encourage other institutions to take inspiration from its work.

But to conclude I want briefly to address another issue, and that is citizens' concern at how private interests increasingly exert control over our daily lives in this globalised world and limit the public interest role and effect of governments and public administrations. And if we are to come to terms with these new norms and find new ways of reinforcing the public interest, then those private interests, big corporations, and other entities, will also have to become part of the open government conversation because inequality and political instability ultimately damage the interests of everyone on this planet.

Thank you.