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Ombudsman: Commission should publish public consultations in all EU languages

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The European Ombudsman investigates complaints about maladministration in the EU institutions and bodies. Any EU citizen, resident, or an enterprise or association in a Member State, can lodge a complaint with the Ombudsman. The Ombudsman offers a fast, flexible and free means of solving problems with the EU administration.

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The European Ombudsman, **P. Nikiforos Diamandouros**, has called on the European Commission to publish its public consultation documents in all 23 EU languages or to provide translations upon request. This follows a complaint from a Spanish lawyer, criticising the fact that many public consultation documents are only available in English or in a limited number of EU languages, even if they are intended for the general public. The Ombudsman concluded that European citizens cannot exercise their right to participate in the EU's decision-making process, if public consultation documents are not available in all official languages. He asked the Commission to draft clear guidelines as regards its language policy in public consultation procedures.

Citizens cannot participate in a consultation if they do not understand it

The European Commission regularly carries out public consultations in order to allow citizens, associations, and other stakeholders to participate in the EU's decision making process. All public consultation documents are listed on its "Your Voice in Europe" webpage.

In October 2010, a Spanish lawyer turned to the Ombudsman, complaining that a public consultation on financial sector taxation was only published in English, French, and German. He also submitted other examples of consultations, which were only published in English, including consultations concerning a new partnership to help SMEs, the reduction in the use of plastic bags, and the freedom of movement for workers. The complainant argued that the Commission's language policy was arbitrary and contrary to the principles of openness, good administration, and non-discrimination.

In its opinion, the Commission acknowledged that the language barrier may constitute a hindrance for citizens to participate in its public consultations. However, it also argued that the principle of multilingualism in consultations depends on time constraints and available resources. According to the Commission, its 2002 Communication on public consultations does not require it to publish consultation papers in all EU languages.

The Ombudsman did not accept the Commission's arguments. He shared the complainant's view that European citizens cannot be expected to participate in a consultation which they are unable to understand. According to the Ombudsman, multilingualism is essential for citizens to exercise their right to participate in the democratic life of the EU, which is guaranteed by the Lisbon Treaty. He concluded that the Commission's restrictive language policy constitutes maladministration and called on the institution to publish its public consultation documents in all 23 EU languages or to provide translations upon request. The Commission must submit a detailed opinion on the recommendation by 29 February 2012.

The full text of the Ombudsman's recommendation is available at:

<http://www.ombudsman.europa.eu/cases/draftrecommendation.faces/en/11043/html.bookmark>