

European Ombudsman

For a transparent, ethical and
accountable EU-administration



European Ombudsman

Introduction



- Former journalist & Irish Ombudsman
- Open to all, in 24 languages
- Ensure EU administration adheres to highest standards of transparency, ethics, accountability
- Inspects EU documents
- Issues recommendations



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European Network of Ombudsmen

- 95 offices from 36 European countries
 - EU Member State, EEA, candidate countries
- Shared expertise:
 - best practice exchange
 - parallel inquiries
 - Open Government Partnership
- Annual Network conference
 - In Brussels
 - 2017 - Brexit: maximising transparency & certainty for citizens



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Most complaints are about alleged lack of transparency



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Top complaint types

- **Transparency**

- Refused access to documents or information (Brexit, TTIP documents, Commissioners' travel expenses, etc)
- EU decision-making behind closed doors
- Lack of lobbying transparency (tobacco lobbyists)

- **Ethics**

- Alleged conflicts of interest among EU staff or Commissioners
- Alleged conflicts of interest in expert groups
- Stronger Code of Conduct for Commissioners

- **Problems with EU-funded projects or programmes**

- Late payments
- Alleged discrimination in tender procedures
- Contractual conflicts



Top complaint types II

- **Fair and good administration**
 - Lack of good explanations for Commission's actions
 - Citizen-friendliness
 - Use of EU languages
 - Get an answer in your own language
- **Respect for fundamental and procedural rights**
 - Right to be heard
 - Timeliness
 - Persons with disabilities
 - Alleged discrimination
- **Complaints by EU staff or candidates for EU jobs**
 - Alleged discrimination
 - EPSO procedures



Danish case example I - EMA overhauled its transparency policy



- Complaint from Danish researchers (Cochrane Institute)
- EMA refused access to clinical trials (slimming pills)
- EO: No commercially sensitive information, they should be released



Danish case example II: ECB and G30 Membership

- Complaint filed by a Danish researcher (CEO)
- Functioning of the Group of 30 and ECB's involvement
- EO asked 16 questions, including about:
 - Composition and financing of the G30
 - Publication of agendas, contents of meetings
 - Number of meetings attended by ECB presidents
- Reply due by the end of September



Strategic pro-active work



- Strategic inquiries in case of systemic problems, e.g.:
 - Revolving doors
 - Conflicts of interest
 - Lack of transparency
 - Lack of “lobbying transparency”
- Deals behind closed doors?



Transparency & citizens' rights in Brexit negotiations



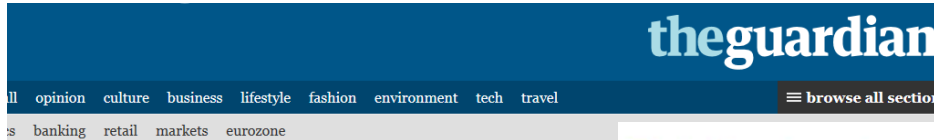
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EO initiative on Brexit negotiations

1. EO wrote to Commission & Council in February
2. Commission promised in April “***unique and unprecedented transparency***”; published draft negotiating directives
3. EO also asked for publication of timeline, recommendations, reports on negotiation rounds, position papers, stakeholder input, etc.
4. Very positive start – to be monitored
5. Cooperation with Network of Ombudsmen on citizens’ rights



Push for reform of Commissioners' ethics



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EU ethics watchdog intervenes over Barroso's Goldman job

Ombudsman Emily O'Reilly writes to Jean-Claude Juncker of the public's 'unease' about the appointment

EU Ombudsman tells Juncker to clarify his stance on Barroso's new job

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By Daniela Vincenti | EurActiv.com

06 Sep 2016 (updated: 07 Sep 2016)



FINANCIAL TIMES
US COMPANIES MARKETS OPINION WORK & CAREERS LIFE & ARTS
José Manuel Barroso + Add to myFT

EU ethics watchdog intensifies pressure on Barroso

Ombudsman voices concern over Goldman job



Emily O'Reilly, EU Ombudsman, with EU Commission president 2009-2014, José Manuel Barroso. [European Commission]



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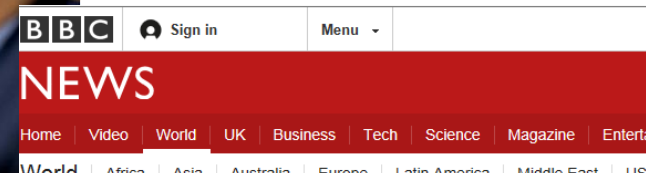
Barroso chez Goldman Sachs: la Commission devrait changer son code de conduite



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NEWTICKER UNTERNEHMEN

EU-Ombudsfrau nach Fall Barroso für Reform von Verhaltenskodex der Kommission



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EU ombudsman questions Barroso's Brexit role at Goldman Sachs



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New Commissioners' Code of Conduct

- Longer cooling-off periods (two years for Commissioners, three years for Presidents)
- Tightened rules on declarations of interest
- 'Independent' ethics committee
- Regular information about Commissioners' travel expenses



Strategic inquiry - Council transparency

What positions are governments taking in Brussels?



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Inquiry into Council transparency

- Need for public scrutiny during discussions on draft EU laws
- Concerns transparency of COREPER (ambassadors) and over 150 other committees/working parties
- EO asks for info on completeness of Council register of documents, accessibility
- Progress: New recording system
- Open questions: e.g. about transparency of Member States positions



Trilogues transparency

How the deals are done

Trilogues: What goes on behind closed doors?



Opinions in this column reflect the views of the author(s), not of EurActiv.com PLC.

Agency International

15 Sep 2015



Carl Dolan

[Europe]

Comments



As a young institution, it is important that the European Parliament acts swiftly to make its talks more democratic before they become ingrained as a tradition, argues Carl Dolan

Ombudsman opens investigation to promote transparency of 'trilogues'

EU Reporter Correspondent | May 28, 2015 | 0 Comments



Ombudsman to probe EU's secret law-making



Secret EU lawmaking could be put in the spotlight by the ombudsman (Photo: European Union)

(pictured) has opened an investigation into the transparency of secret law-making in the EU. Trilogues are informal negotiations between the Council and the Commission aimed at reaching early agreements

stitutions for information about their disclosure policies on trilogue documents relating to ongoing trilogues, minutes or notes drawn up by participants. She is expecting a reply by 30 September 2015. In order to ensure that the rules have not changed during trilogue negotiations, the Ombudsman will inspect the files she has chosen are those concerning the large Credit Directive.



The EU's transparency watchdog is poised to launch a new wave of investigations into secret EU lawmaking in May.

Gundi Gadesman, the spokesperson for European Ombudsman Emily O'Reilly, told this website that further 'systemic investigations' would be launched at the end of May after O'Reilly announces her office's annual report.



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Trilogue transparency - EO inquiry

- 2016: EO proposed improvements to trilogues transparency
- EP, Council, Commission committed to work on:
 1. Trilogues calendars, agendas, list of participants
 2. Agreed in IIA to joint database for trilogues
 3. Council to discuss publishing its opening mandate
- Four-column documents: ongoing Court case
- EO asked for update by November 2017



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