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## Ombudsman report

### excellent work on transparency, citizen rights, good administration and conflicts of interest

The Greens/EFA group in the European Parliament is a big supporter of the work done by the European Ombudswoman, Emily O'Reilly, to ensure oversight over the EU administration and defend transparency and ethical behaviour in the institutions.

A draft report reviewing the work done by the Ombudswoman and her team over the course of the year 2015 was adopted in the Petitions Committee last week with the support of all political groups except for the conservative EPP.

The report is due to be adopted by the full Parliament in plenary on Thursday 24th. It commends her independence, commitment and new Strategic Inquiries; and it highlights the fact that the compliance rate with her (non-binding) recommendations has risen up to 90%.

Thanks to the Greens/EFA group, a number of specific amendments and recommendations have been included in the draft report. Hot topics include:

**Ethics:** The report criticises the potential conflicts of interest created by the revolving door phenomenon, among other practices within the EU institutions and bodies, and it specifically mentions the case of Barroso. Greens/EFA are also calling on the Ombudsman's office to inquire about the suitability of the Commission's ethics code, in a new amendment that we have tabled before the upcoming plenary vote.

**Whistleblower protection:** The report highlights the crucial role played by whistleblowers to uncover maladministration and corruption, and regrets that those speaking out to defend the public interest "often face severe trouble in the aftermath and are too often exposed to negative personal consequences at many levels, not only professionally but even criminally". It points out that, in the absence of proper safeguards, reprisals against whistleblowers tend "to dissuade individuals from following the ethical path of whistleblowing in the future" and then specifically calls for a European directive to protect whistle-blowers against retaliation when they expose information in the public interest.

**Transparency and the right to information:** So far the draft includes a criticism of the opacity of the Commission when it comes to its handling of infringement procedures and EU Pilot proceedings, as these

are notoriously opaque, and there is even a lack of information when it comes to reporting back to the Parliament, particularly when it comes to existing petitions.

The report also calls for the Ombudsman to be given the power to issue a statement of non-compliance with the right of access to documents (Regulation 1049/2001 regarding public access to European Parliament, Council and Commission documents) and to take a decision on the release of the relevant documents if it is found that they should have been made public in the first place.

Mentions of the need to increase transparency in trilogues and transparency of the Eurogroup meetings were also included in the draft adopted by the petitions (PETI) committee. In addition, there is a specific call for a mandatory lobby register, to be introduced by 2017.

However, two references against the increasing proliferation of “secure reading rooms” did not make it through the Petitions committee, so once again we are reintroducing text to criticise the fact that important information that MEPs need to do their work is hidden behind walls of secrecy that have extremely restrictive provisions on accessing the information. Some even forbid MEPs from sharing anything about what they read inside the rooms. It remains to be seen if the full Parliament will eventually endorse this amendment.

**Good Administration:** the Greens/EFA also included specific text calling for the current Code of Good Administrative Behaviour to be transformed into a binding instrument within this legislative term.

The final report will be available after the vote in plenary, which is scheduled for Thursday 24th November.

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Pam Bartlett Quintanilla

Team leader - Outreach and campaigns

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