



## European Ombudsman

**Emily O'Reilly**

European Ombudsman

GONG

represented by Ms Oriana Ivaković Novokmet

oriana@gong.hr

Strasbourg, 14/07/2020

Decision of the European Ombudsman on complaint 1141/2020/MIG against the European Commission concerning statements by its President in the run up to the Croatian elections

Complaint 1141/2020/MIG

Dear Ms Ivaković Novokmet,

On 5 July 2020, you submitted a complaint on behalf of GONG to my Office concerning the participation of the Commission President in a video clip supporting the election campaign of a Croatian political party. You questioned whether this was in line with the Commission's Code of Conduct for its Members. Your concerns are well-founded.

I note that the Commission, during its midday press briefing of 6 July 2020, acknowledged that mistakes had been made and stated that procedures would be put in place to ensure that such mistakes would not be made again. Thus, the Commission is already looking into how best to address this matter.

In addition, one of the main issues you raised is whether, generally, Commissioners should get involved in national politics. This is largely a political matter. It is, however, understandable that the public asks to what extent Members of the Commission can or should be involved in political campaigns, bearing in mind the diversity and reach of the Commission's roles, which are political, legal, executive, regulatory and more.

There can be confusion in the public mind about the respective roles and competences of the main EU institutions and I think that citizen trust can be strengthened through clarity in this regard.

I have therefore concluded that the most appropriate way to deal with the matters raised, at this stage, is to signal them to the Commission and to the appropriate body within the European Parliament, to take the necessary measures.<sup>1</sup>

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<sup>1</sup> Full information on the procedure and rights pertaining to complaints can be found at <https://www.ombudsman.europa.eu/en/document/70707>.



You have raised legitimate concerns about the Code, which echo some of the shortcomings that I have identified in the past<sup>2</sup>. These include the Code not being sufficiently clear, in parts, and the need to strengthen independent oversight.

For example, it is unclear to whom the President would have to declare her intention to participate in a national election campaign. This suggests that there may be a need for a separate code of conduct for the President.

In light of the disquiet and concerns raised, including by the wider public, I consider it important that the Commission clarifies these issues. I have therefore decided to forward your complaint, along with another similar complaint I received, to the Commission so that it can take your concerns into account when considering possible measures.

Given that the European Parliament was asked to give its opinion on the current version of the Code when it was drafted, I also consider it important to signal these issues to Parliament's Committee on Budgetary Control. I will therefore send copies of this decision and your complaint to the Parliament.

This decision is communicated to you in English given that your complaint to the Commission was written in English. However, we are happy to provide you with a translation into Croatian, should you so wish.

Thank you for having raised these legitimate concerns.

Yours sincerely,

Emily O'Reilly  
European Ombudsman

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<sup>2</sup> See, for example, my decisions: <https://www.ombudsman.europa.eu/en/decision/en/68762> and <https://www.ombudsman.europa.eu/en/decision/en/99946>.