

[REDACTED]

From: [REDACTED]
Sent: 12 October 2020 16:23
To: O'SULLIVAN Aidan; HICKEY Rosita; [REDACTED]
Cc: BARTOLUCCI Maria Silvia
Subject: RE: Request for a meeting with Ms O'Reilly

Sure will do after I have talked to JURI sec for some more detail

[REDACTED]

From: O'SULLIVAN Aidan [REDACTED] >
Sent: 12 October 2020 13:52
To: HICKEY Rosita <[REDACTED]>; [REDACTED]
[REDACTED]
Cc: [REDACTED] BARTOLUCCI Maria Silvia
[REDACTED]
Subject: RE: Request for a meeting with Ms O'Reilly

Great.

@ [REDACTED] can you draft background notes and speaking points for EOR?

Thanks guys.

<< OLE [European Ombudsman](#)
Object: **Aidan O'Sullivan**
Picture Head of Cabinet
(Device [@EUOmbudsman](#)
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Bitmap Rue Montoyer 30
B-1047 Brussels
) >>

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From: HICKEY Rosita [REDACTED]
Sent: 12 October 2020 13:42
To: O'SULLIVAN Aidan <[REDACTED]> [REDACTED]
[REDACTED]
Cc: [REDACTED]; BARTOLUCCI Maria Silvia
[REDACTED]
Subject: RE: Request for a meeting with Ms O'Reilly

Maybe we could mention the work SI was doing on declarations of interest: basically there was a piece of work where we were trying to develop guidelines to help the screen for Conflicts of interest. I think SIU was also in touch with HATVP about this. We could try to move forward on that and provide the sort of horizontal, more general approach [REDACTED] is talking about;

From: O'SULLIVAN Aidan [REDACTED]
Sent: 12 October 2020 13:16
To: HICKEY Rosita [REDACTED]
<[REDACTED]>
Cc: [REDACTED] BARTOLUCCI Maria Silvia
[REDACTED]
Subject: RE: Request for a meeting with Ms O'Reilly

Thanks a lot.

Good points [REDACTED]

I do fear this JURI MEP would like EO to give advice on specific Cmmrs Col screening, before the hearings take place. That is what JURI does.

But indeed, one option is we say we cannot get into specific cases of Cmmrs but can only give such general advice.

<< OLE **European Ombudsman**

Object: **Aidan O'Sullivan**

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B-1047 Brussels

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From: HICKEY Rosita <[REDACTED]>
Sent: 12 October 2020 13:13
To: [REDACTED]; O'SULLIVAN Aidan
[REDACTED]
Subject: RE: Request for a meeting with Ms O'Reilly

Thanks [REDACTED] I like your thinking.

From: [REDACTED]
Sent: 12 October 2020 12:50
To: O'SULLIVAN Aidan <aidan.osullivan@ombudsman.europa.eu>; HICKEY

Rosita <[REDACTED]>
Subject: RE: Request for a meeting with Ms O'Reilly

Dear both,

Thinking these issues over during the weekend, the following came to mind.

One way of reconciling the wish to have the EO's views on ethics and transparency considered by an IEB, while keeping a distance to preserve the EO's independence, could be via 'general advice'.

This could for example be in the shape of an official reference document written by the EO that would serve as inspiration and frame of reference for the members of the IEB. Such a document could take account of the legal framework, Ombudsman work (ombudsprudence and strategic work), and best practices in the EU administration.

As it is all still up in the air, this could be another idea worth considering..

Best,

[REDACTED]

From: O'SULLIVAN Aidan

<[REDACTED]>

Sent: 09 October 2020 16:13

To: HICKEY Rosita [REDACTED]

Cc: [REDACTED]

BARTOLUCCI Maria Silvia

Subject: RE: Request for a meeting with Ms O'Reilly

Thanks guys, good points.

The IEB is so vague still, it is impossible for us to take hard positions yet. From last I heard, it was moving toward just an expanded Ethics Committee such as in the COM, between EP and COM under an IIA. This is very different from a new body, with binding powers etc. But this is the reason for the EP INI report, to flesh it all out.

JURI will have different views from CONT. JURI will be focused on the Col checks it does on incoming Cmmrs. But again, it is all open. Anything agreed, even as an IIA, is a long way off. In the meantime, it is in our interest to influence the INI report as much as required, without being dragged fully into the debate.

We are in favour of anything which improves the regulation of ethics in the EU, but there are a lot of open questions before we can say much more.

I will discuss within cabinet about the MEP meeting, and with EOR, thanks!

<< OLE **European Ombudsman**

Object: **Aidan O'Sullivan**
Picture: Head of Cabinet
(Device: aidan.osullivan@ombudsman.europa.eu
Indepe
ndent: Rue Montoyer 30
Bitmap: B-1047 Brussels
) >> www.ombudsman.europa.eu

From: HICKEY Rosita <[REDACTED]>
Sent: 09 October 2020 15:30
To: [REDACTED]
O'SULLIVAN Aidan <[REDACTED]>
Subject: RE: Request for a meeting with Ms O'Reilly

Thanks a lot [REDACTED]

Devil's advocate: we could consider this as a meaningful way of exercising direct impact – imagine our Office being closely involved in all of these decisions before they are taken. We could really shape the administration for the better. We shouldn't forget that only some of these issues end up on our desk (as not all problematic ones are known or pursued) and often it is too late. You are right that we couldn't subsequently deal with complaints brought to us about cases we had previously advised on. And what if our advice in a particular case is not followed up on? But worth exploring I think.

Bw
Rosita

From: [REDACTED]
Sent: 09 October 2020 10:15
To: O'SULLIVAN Aidan <[REDACTED]>
Cc: HICKEY Rosita [REDACTED]
Subject: RE: Request for a meeting with Ms O'Reilly

Sorry, small correction to the text below,
[REDACTED]

From: [REDACTED]
Sent: 09 October 2020 10:00
To: O'SULLIVAN Aidan <[REDACTED]>

Cc: HICKEY Rosita <[REDACTED]>
Subject: RE: Request for a meeting with Ms O'Reilly

Good morning both,

Thanks Aidan, for giving me the opportunity to reflect on the invitation you shared below.

I'd say, there are two issues to consider:

-) whether or not to respond positively to the invitation; and
-) the idea expressed as regards the Independent Ethics Body (IEB) and a potential future advisory role for the Ombudsman for "*the evaluation of conflicts of interests of higher EU officials both before and after their mandate as well as more generally transparency in the EU and within the EP*".

As regards the invitation, seeing that it concerns a JURI opinion which, I take, is yet to be voted in committee, I think it would be good to respond positively to the invitation.

It would allow the Ombudsman to exchange views with MEP Séjourné and provide a good opportunity for the MEP and the Ombudsman to get to know each other better.

As regards the idea that is expressed, presumably because it is considered for the JURI opinion, here I feel inclined to express caution.

I got reminded of some internal exchanges on the issue of the IEB at the end of 2019 when reading this invitation.

While I believe that there could be a lot of merit to an IEB, I believe that the Ombudsman should arguably not be involved in it, even if 'just' in an advisory capacity.

In the current legal setting, an IEB would fall under our mandate. That means that decisions an IEB would take, including as regards:

- i. evaluations of c.o.i. of incoming our outgoing senior officials, and
- ii. transparency more generally, including decisions pertaining to the EP's administration,

would also fall within the mandate.

Should the EO be involved in providing advice before such type of decisions are taken, it could be argued that – should the Ombudsman later (be made to) inquire into these decision – the EO's independence could be compromised, or be perceived to be. (I realise it is not exactly comparable, but I get reminded of the arguments and suggestions in the EMA pre-submission activities inquiry.)

If agreed, a meeting with MEP Séjourné could thus serve to express:

1. support for the idea of a stronger 'EU ethics mechanism' that could clearly be in the public interest, and
2. concerns as regards the involvement of the EO, who is there to inquire into administrative matters, including those related to a future IEB should it be agreed, in full independence and in second instance.

Best,

■

-----Original Message-----

From: O'SULLIVAN Aidan <■>

Sent: 08 October 2020 21:17

To: ■

Cc: HICKEY Rosita <■>

Subject: FW: Request for a meeting with Ms O'Reilly

■

See below.

Your obs please on the idea?

Thanks.

European Ombudsman

Aidan O'Sullivan

Head of Cabinet

■

Rue Montoyer 30

B-1047 Brussels

www.ombudsman.europa.eu

-----Original Message-----

From: JURI Secretariat <juri-secretariat@europarl.europa.eu>

Sent: 08 October 2020 17:22

To: O'SULLIVAN Aidan <■>

Cc: ■

■

Subject: Request for a meeting with Ms O'Reilly

Dear Mr O'Sullivan,

I am contacting you on behalf of Mr Stéphane Séjourné, MEP, to request a meeting with Ms O'Reilly, preferably in the course of the next two weeks.

Mr Séjourné is the rapporteur for the JURI opinion on "Strengthening transparency and integrity in the EU institutions by setting up an independent EU ethics body" (2020/2133(INI) [https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2020/2133\(INI\)&l=en](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?reference=2020/2133(INI)&l=en)) and he would like to discuss with Ms O'Reilly the possibility for the Ombudsman to take up an advisory role for the evaluation of conflicts of interests of higher EU officials both before and after their mandate as well as more generally transparency in the EU and within the EP.

I would thus be grateful if you could inform me of the possibility to organise such a bilateral meeting at your earliest convenience.

I remain at your disposal for further clarifications.

With many thanks and kind regards,

[REDACTED]

[REDACTED]

Administrator for a parliamentary body

European Parliament
Directorate-General for Internal Policies of the Union
Directorate for Citizens' Rights and Constitutional Affairs
Secretariat of the Committee on Legal Affairs
BRU - SQM08Y014 - Tel. [REDACTED]
STR - G06029 - Tel. [REDACTED]

[REDACTED]

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