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COVER NOTE

From:	Ms E. O'Reilly, European Ombudsman
date of receipt:	3 December 2019
To:	Mr Mário Centeno, President of the Eurogroup

Subject:	Transparency of the Eurogroup Working Group (OI/1/2019/MIG) Strategic inquiry OI/1/2019/MIG: Transparency of the bodies involved in preparing Eurogroup meetings
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Delegations will find in the Annex a letter by the European Ombudsman to the President of the Eurogroup under her Strategic Initiative regarding the Transparency of the Eurogroup Working Group (SI/2/2019/MIG) and the closing note thereof.



European Ombudsman

Emily O'Reilly
European Ombudsman

Mr Mário Centeno
President of the Eurogroup

Strasbourg, 03/12/2019

Re: Transparency of the Eurogroup Working Group (SI/2/2019/MIG)

Dear Mr President,

Thank you very much for your letter of 29 November 2019 informing me about the steps taken by the Eurogroup to enhance the transparency of its own work and of the work of the Eurogroup Working Group (EWG).

I welcome, in particular, the Eurogroup's efforts to make more information available about the EWG's functions, and to publish proactively the EWG meeting calendar and the draft (non-annotated) agendas approved by it.

Please find enclosed my note closing this strategic initiative, which I will also make available on my website.

For your information, I also enclose the decision in my strategic inquiry into how requests for public access to relevant documents have been handled by the Council and the Commission.

Thank you once again for your constructive engagement on this matter of great importance to citizens.

Yours sincerely,

Emily O'Reilly
European Ombudsman

Enclosures:

- Closing note on strategic initiative SI/2/2019/MIG
- Decision on strategic inquiry OI/1/2019/MIG

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Closing note

on the strategic initiative on the transparency of the Eurogroup Working Group (SI/2/2019/MIG)

This strategic initiative concerned the transparency of the Eurogroup Working Group (EWG), which prepares Eurogroup meetings of euro area Finance Ministers. The Eurogroup President announced in September 2018 that the Eurogroup would revise its transparency policy. The Ombudsman therefore wrote to the Eurogroup President inviting him to share his views on the possibility of adopting a more ambitious approach to the transparency of the EWG.

The revised Eurogroup transparency policy, adopted in September 2019, sets out enhanced transparency measures, not only for the Eurogroup itself, but also for the EWG. This is welcome. The Eurogroup also committed itself to revising its transparency policy regularly in the future.

The Ombudsman acknowledges the progress that has been made to date and takes note of the President's statement of the sincere effort that has been made on transparency, under existing constraints. She welcomes the decision to review the transparency policy regularly and, in this context, sets out further ideas to be considered going forward.

Background

1. The Eurogroup Working Group¹ (EWG) is the main preparatory body for Eurogroup meetings. It meets at least once a month ahead of Eurogroup meetings and assists the Eurogroup and its President in preparing the discussions of the Member States' Finance Ministers on Eurozone matters.
2. To this end, the EWG prepares short discussion papers for the Finance Ministers focusing on key policy issues. Where appropriate, the EWG identifies concrete policy implications and suggests appropriate follow-up to Eurogroup discussions. The EWG also prepares brief draft "terms of reference" or "common understandings" with a view to generating Eurogroup views. In the context of the Eurogroup's annual mid-term review of budgetary policies, the EWG is tasked with preparing a document for the Eurogroup with key policy

¹ The Eurogroup Working Group consists of representatives of those EU Member States that are part of the euro area (the 'Eurozone'), of the European Commission and the European Central Bank.



issues. It does this based on input from the European Commission. In addition, the EWG can set up working groups focusing on specific technical items. It is thus clear that the EWG plays a crucial role in preparing the Eurogroup's discussions thereby contributing to the shaping of Eurozone economic policy.

3. Eurozone economic policy has wide-ranging implications for citizens. As such, citizens should be in a position to know how this policy is drawn up and how decisions affecting their daily lives are taken. Greater EWG transparency would also enable interested and engaged members of the public to scrutinise the work of this important body and, potentially, help improve it.

4. The Ombudsman therefore decided to look into the extent to which the public can inform itself about the EWG's work, including the procedures it uses, and the specific input it provides to the Eurogroup.

5. The Ombudsman has previously looked into the transparency of the Eurogroup in general and has welcomed the improvements that were made.² One outstanding matter, however, was the transparency of the bodies involved in preparing Eurogroup meetings, and, in particular, the EWG.

6. In May 2019, the Ombudsman wrote to the Eurogroup President to obtain his views on the possibility of adopting a more ambitious approach to the transparency of the EWG.

7. The Eurogroup President replied, informing the Ombudsman that a review of the Eurogroup's transparency policy was being carried out³ and that he had included the issue on the agenda of the September 2019 Eurogroup meeting.

8. The Eurogroup President sent the Ombudsman a substantive reply on 29 November 2019. In that letter, the President noted that *"the Eurogroup takes transparency matters very seriously and will continue to do so in future"*. The President set out the changes that had been made to the Eurogroup's transparency policy, which are detailed below.

Revised transparency policy

9. In its September 2019 meeting, the Eurogroup decided to take further steps to enhance the transparency of its discussions, including by proactively providing more information on the EWG and its preparatory work. Amongst other things, the Eurogroup agreed:

- to improve the EWG webpage, providing more information on the EWG's functions, membership and former Presidents,

² See strategic initiative SI/5/2018/EA: <https://www.ombudsman.europa.eu/en/case/en/48285>.

³ The Eurogroup President announced in September 2018 that the Eurogroup would revise its transparency policy.



- to publish the dates on which the EWG meets, and
- to publish the draft (non-annotated) agendas of the Eurogroup meetings, which the EWG approves, *some days ahead* of Eurogroup meetings.

Regarding the Eurogroup itself, the decision was taken to make Eurogroup summing-up letters more detailed, where appropriate, and to create an online repository of publicly available Eurogroup documents to facilitate citizens' access to information.

In addition, the Eurogroup committed to reviewing its transparency policy on a regular basis in the future.

10. The Ombudsman welcomes the steps which the Eurogroup has taken, under the leadership of its President, to enhance the transparency of its work and that of the EWG, which should allow for a better understanding of the Eurogroup's discussions.

11. The Ombudsman further welcomes the commitment of the Eurogroup to regularly revise its transparency policy going forward.

12. Regarding possible issues to be considered for the future, the Ombudsman notes that, even under the revised transparency policy, the (provisional) agendas of EWG meetings are still not made public. As the Ombudsman has said previously, publishing (provisional) agendas of meetings is not a measure that is likely to undermine automatically the protection of internal consultations, deliberations and the confidentiality of proceedings.⁴ The Ombudsman further notes that the agendas of the EWG's meetings closely mirror those of Eurogroup meetings. Making this information available as early as possible would enable interested members of the public to inform themselves in good time about the working agenda of this influential body.

13. In addition, as it moves to prepare the next iteration of its transparency policy, the Eurogroup should examine the extent to which it might proactively make public the concrete input which the EWG provides to it, such as the EWG's opinions on draft budgetary plans, the follow-up to Eurogroup meetings suggested by the EWG, or the documents the EWG prepares to help shape the Eurogroup's view. As set out in the Ombudsman's letter opening this strategic initiative, it is important to consider *"the possibility of adopting a more ambitious approach to the transparency of the EWG, extending for example to the proactive publication of EWG meeting documents. Unless interested third parties have an opportunity to inform themselves at an early stage of the matters being discussed, they cannot provide the input and expertise that is so necessary to ensure high quality output in the area of economic policy for the Eurozone."*

⁴ See the Ombudsman's reply to the Eurogroup of 30 August 2016 in her strategic initiative SI/5/2016/EA: <https://www.ombudsman.europa.eu/en/correspondence/en/70708>.



This having been said, the Ombudsman acknowledges the progress that has been made to date and takes note of the President's statement of the sincere effort that has been made, under existing constraints. On this basis, the Ombudsman concludes this strategic initiative.

Emily O'Reilly
European Ombudsman

Strasbourg, 03/12/2019