



Conference
“Ethics and transparency
Which tools to ensure citizens’ trust?”

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French High Authority for Transparency in Public
Life

Thursday 9 June 2022, 09.30 – 11.00

Maison des Polytechniciens, Hôtel de Poulpry

12 Rue de Poitiers, 75007 Paris

Main messages

- Many thanks for your invitation to take part in this debate. The topic is essential for a good functioning of democratic institutions. Without trust, public institutions have little legitimacy to act. And trust needs to be earned, so it is important that we identify the best ways to earn it.
- According to the last Eurobarometer conducted between 18 January and 14 February 2022, 47% of Europeans tend to trust the EU, the highest level since autumn 2009.
- While the trust of European citizens in the EU is on average higher than for national governments. 44% of Europeans have a positive image of the EU, these figures leave room for improvement.
- I will now touch on a number of topics which are crucial for improving citizens' trust.
- ***The first refers to genuinely listening to citizens', their ideas and concerns.*** In a democracy, citizen participation cannot be limited to casting a vote every four years. Elections are essential but engagement with citizens must happen beyond them, on a continuous basis.

- This is relevant in the context of the Conference of the Future of Europe. On 09 May, we heard their final recommendations.
- On that day, President von der Leyen evoked the words of the late President of the European Parliament, David Sassoli: '*Democracy has not gone out of fashion, but it must update itself in order to keep improving people's lives.*' This is what we need to do, and it is what the European Union is doing.
- The Conference on the Future of Europe has spoken clearly. Through 49 proposals and more than 300 measures, the Europeans have put forward a vision of a Europe that delivers on what matters most and helps to make everyday life better.
- It is a vision of a Europe that pools its strengths and capacities and diversity to tackle the biggest challenges – from climate change or nature loss, to pandemics or security in our region. A Europe that has a stronger capacity to activate and uphold its values and the rule of law.

- The Commission has received the message. The Europeans endowed trust in their Institutions and we must show them this trust is well used. We will deliver. That is what this Commission promised to do since the beginning of this mandate and we have already proven that we can do just that – even amidst the pandemic or a war.
- ***A second topic is that of the behaviour of politicians and staff members serving in the EU institutions.*** Essential obligations and principles for all EU institutions alike have been set out in the founding treaties and further developed by a set of ethical values and rules.
- For the EU civil service, EU legislation -mainly the staff regulations- defines a clear set of rights and obligations of all civil servants working in EU institutions.
- For the politically appointed members of the institutions, like me, all institutions have adopted additional rules, like the one that regulates our professional life as former members of the Commission after our function in the Commission has ceased.
- Commissioners are also required to submit a declaration of interests every year, including assets, properties and other information.

- We also consult with other European institutions and agencies the European Parliament proposal on establishment of an Interinstitutional Ethics Body – a complex and sensitive issue, which may have a positive added value in bringing in more ethical oversight.
- Our relations with interest groups are also regulated. This is important as EU citizens often complain that political decisions are made behind closed doors, under the influence of lobbyists.
- In this regard, I would like to share a few words on the concrete actions the European Union has taken in order to improve lobbying transparency and to make stakeholders' and civil society's participation in the EU democratic decision-making process more visible.
- A Commission's Transparency Register was set up in 2008.
- Since 2021, the register is a common tool of the European Parliament, the Council and the European Commission. It provides EU citizens with transparent information on the interactions between EU institutions and organisations representing vested interests.

- Any representative of vested interests must be registered prior to carry out lobbying activities targeting EU institutions.
- Non-registered interest representatives are banned from meeting decision-makers.
- And being registered further includes to meet the requirements of a robust code of conduct.
- On 20 May 2022, there were 12265 bodies in the register.
- ***A third important topic is that of access to documents***, an important part of the system of checks and balances. The Treaty of Amsterdam provided for a right of access for citizens to documents of the European Parliament, the Council and the Commission.
- The Commission publishes a wide variety of legal, policy, administrative and other documents on different websites and registers.
- Many are available on the Register of Commission Documents, and other corporate tools or our legislation database Eur-lex.
- And the Commission is currently developing a new internet portal to facilitate the submission of citizens' requests for access to documents. It is expected to go live by mid-2022.

Regulating political ads and countering disinformation

- ***Going beyond what the institutions and persons working for them can do, action is needed also to regulate the space for democratic debate.***
- In that sense, EU citizens must be better informed, not dis-informed or brainwashed.
- The Russian aggression is another reminder on what disinformation is used for. Unfortunately, information has been weaponised, it is used to fuel societal divisions or even to influence elections.
- We are responding to the challenge in the European way, with a focus on collaboration and transparency, and in full respect of our fundamental rights, especially freedom of speech.
- We have a whole range of actions. Let me tell you about regulation on political ads.
- All actors contributing to the EU democratic life shall be more transparent towards EU citizens.
- The transparency requirements of this new legislation will apply to the providers of political advertising services.

- This will include not only Big Tech platforms, but also data brokers, marketing agencies, or bloggers and influencers when they are paid to present political messages. It will also cover new websites that provide paid-for political content.
- This could also include, for instance, Google when it targets political ads to specific users thanks to an algorithm.
- With this proposal, we are providing a high standard of transparency for political advertising in the EU. We are bolstering the protection of individuals' personal data when it is used in the targeting and amplification of such messages. In this way, we are supporting accountability in politics. We are empowering citizens and supporting journalists, researchers, authorities and other interested actors to play their vital roles in democracy.
- This initiative will help strengthen the integrity of our political processes and their resilience to interference, and contribute to combating an important vector of disinformation. It will complement our toolbox to address disinformation on the basis of common high transparency standards including in the context of so called "issue based ads" (e.g. messages on migration) and when messages originates from abroad.

Media Freedom

- ***Finally, we need to protect the freedom and pluralism of media, and give protection to journalists themselves.*** Threats to journalists are not theoretical. They are targeted simply for doing their job.
- Journalists are important actors when it comes to informing citizens on what the politicians they elected are doing.
- Journalists can only fulfil their role if they are free of threats.
- The use of so-called SLAPPs (“Strategic Lawsuits Against Public Participation”) is on the rise in the European Union.
- SLAPPs are a particular form of harassment increasingly used against journalists, human rights defenders and others engaged in public participation in a matter of public interest and upholding democratic values and fundamental rights. We have proposed legislation to address the matter.
- Additionally, the Commission has adopted a Recommendation on the protection, safety and empowerment of journalists, and we are working on a European Media Freedom Act that should be tabled during the summer.

- Keeping citizens trust is a constant endeavour. We need permanent work on this, to improve how democratic institutions work and relate to citizens. I am happy therefore to debate with you today.