

EU Ombudsman concludes Martin Selmayr appointment probe

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News

European Ombudsman Emily O'Reilly says she has concluded her long-running investigation into the appointment of Martin Selmayr to the European Commission's top civil service job in February last year.



Photo Credit: European Commission Audiovisual

The appointment of Selmayr as Commission Secretary General caused an outcry particularly among MEPs, some of whom branded it as “nepotism.”

Selmayr had previously been head of cabinet for Commission President Jean-Claude Juncker and, it was claimed, was fast tracked into the prestigious post.

O'Reilly, in her non-binding conclusions, has largely repeated what she had said about the appointment in an earlier statement.

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The Irish official said it was her belief that the Selmayr decision was not taken in an appropriate way.

In response, the Commission's human resources commissioner Gunther Oettinger repeated its position on the controversy, saying in a statement that the two sides will "continue to disagree" on the matter.

Following the Ombudsman's initial findings, the European Parliament passed a resolution in December, calling on Selmayr to resign, but the German lawyer is still in post as head of the Commission's 3,000-strong civil service workforce.

On Thursday, one MEP, who did not wish to be named, questioned if the ombudsman's findings carried any real weight, saying, "You have to ask if, going forward, this [O'Reilly's report] will make any difference?"

"The Ombudsman in her decision said it was highly regrettable that the Juncker Commission chose not to implement her recommendation and that she looks forward to it being implemented by the next Commission" **Office of the EU Ombudsman**

A source in the Ombudsman's office in Brussels responded by telling this website, "The inquiry is now closed and the Ombudsman's findings - as in all ombudsman inquiries - are not binding.

"The Ombudsman in her decision said it was highly regrettable that the Juncker Commission chose not to implement her recommendation and that she looks forward to it being implemented by the next Commission."

SPECIAL REQUIREMENTS

Despite widespread criticism of his appointment last year, Selmayr has remained in post and, during the protracted Brexit negotiations with the UK, is widely seen to have been a close confidant of both Juncker and Michel Barnier, the EU's chief Brexit negotiator.

However, it is uncertain whether he will still be in post after the European elections in May when a new Commission, including a new President, will take effect.

The Commission has stated to Parliament that the "the Secretary-General of the Commission is not an

ordinary job”.

It said it is a job which “requires not only special experience with regard to the functioning of the Commission, its working methods, its decision-making process and its inter-institutional role, but also a particular level of trust that the President can place in the Secretary-General” and that there is “only a handful of people at most who fulfil these special requirements.”

The Commission did not agree with O’Reilly’s recommendation to publish a vacancy notice for the post of secretary-general.

MALADMINISTRATION

In what she says will be her final report on the Selmayr saga, O’Reilly said she had carried out an “extensive” inspection of Commission documents and forwarded written questions to the executive as part of her inquiry.

She said she had identified no less than four instances of maladministration in the handling of the appointment and made a recommendation. She added that the Commission’s reply to her recommendation “presents no new information and does not alter the inquiry findings.”

She says that these showed in detail how Selmayr’s appointment “did not follow EU law, in letter or spirit, and did not follow the Commission’s own rules.”

The EU watchdog has recommended that the Commission should develop a specific appointment procedure for its secretary-general, separate from other senior appointments.

She said that such a procedure should include the publication of a vacancy notice and the placing of the appointment on the college agenda in a “timely manner”.

In addition, she says that the “Consultative Committee on Appointments”, for future appointments of the secretary general, should be “broadened” to include members from outside the Commission.

About the author

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