

# Jo?o Sant`Anna: Citizens should know their rights; rights should be respected in everyday life

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**Europe Gateway's blitz interview with Mr. Joro Sant`Anna – Head of the Legal Department of the European Ombudsman.**

***Mr. Sant`Anna was special guest to the International conference "Europe 2020 – Civic Visions", held in Sofia on January 29-30, 2010, within the "Interacting with the European Parliament" project, financially supported by the EP through DG "Communication".***

**Mr. Sant`Anna, what is the vision of the European Ombudsman for Europe 2020?**

The European Ombudsman thinks that the implementation of the Lisbon Treaty and of the legally binding Charter of Fundamental Rights marks a further step in the Union towards more transparency and openness in the functioning of his institution and the overall democratic accountability of the European Union. He acknowledges that the Treaty of Lisbon commits the Union to enhancing democratic functioning and the efficient functioning of the institutions, requires and commits itself to observing the equality of its citizens; requires and encourages every citizen and the civil society to participate in formulating the policies of the European Union. Therefore, this Treaty represents a milestone for bringing together the citizens and the European institutions – this was the goal which was pursued when the European Ombudsman's institution was established back in 1992.

**What are the most urgent problems the European Ombudsman deals with in the disputes between European institutions and citizens?**

The mandate of the European Ombudsman is limited to the functioning of the institutions of the European Union, so most of the cases and complaints he receives from citizens, from associations and NGOs are related to transparency problems. Citizens have a right of access to documents, there is a principle, which is laid down in the treaties, that EU institutions should work in a transparent and open way and that citizens are allowed to have access to the document of the Union for rendering the Union accountable to its citizens. Almost 40 percent of the complaints he receives concern either refusal of information or of access to documents. The complaints are usually by citizens, journalists, enterprises and NGOs. Then there are other subjects that he deals with. There can be problems related to contracts, tenders by the Union with suppliers, with companies that work with the Union, problems concerning the correct implementation of community law, as well as, what we call, the 258 Article procedures, by

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which the Commission controls the implementation of the Union law in the Member States. That activity of the Commission can also be the object of a complaint by the citizens to the European Ombudsman. And of course, there are some cases of staff problems, labor problems in the Union.

### **What are the priorities of the second term of the European Ombudsman Mr. Diamanduros who was just recently re-elected? Do these priorities reflect the changes coming with the Lisbon Treaty?**

For his next mandate he has set himself exactly the goal of making sure that the citizens's rights, enshrined in the Treaty and in the overall European Union legislation, become a reality in the daily life of citizens. There are many rights for citizens which derive from Community law. It is important to have those rights being known to citizens and it is very important to have those rights implemented and guaranteed in practice in their daily lives. So they have to know that they have means of redress and that the European Ombudsman and the EP committees exist as means of redress. So if citizens have a problem, they can address the European Ombudsman who will advice them how to deal with their problems and how to solve them.

#### ABOUT

*Mr. Joro Sant's Anna is a former civil servant of the European Parliament, working in the Directorates-General for Information and Public Relations, for Research, for Personnel and Finance, and finally, in the Legal Service of the European Parliament. He joined the European Ombudsman's Office as Head of the Administration and Finance Department in 2000. He was appointed Head of the Legal Department on 1 July 2007. In this function, he manages and leads the Department in its complaint-handling activities. The Head of the Legal Department also advises the Ombudsman on the legal strategy and direction of the institution and fulfils representative functions.*