



Insights Note 47

EU Ombudsman Review of Commission’s Omnibus, “urgency” procedures

The European Ombudsman has identified significant procedural shortcomings in the European Commission’s handling of several urgent legislative proposals, echoing concerns previously raised by ERIF. In a [report](#) issued on 25 November 2025, the Ombudsman found that the Commission bypassed key steps such as impact assessments and public consultations in three Omnibus proposals—covering corporate sustainability due diligence, measures against migrant smuggling, and Common Agricultural Policy adjustments—by invoking urgency. This approach was deemed inadequately justified, lacking transparency and accountability.

Key Findings:

- **Bypassing Standard Procedures:** The Commission omitted impact assessments and broad consultations, fast-tracking proposals without sufficient analysis or stakeholder input.
- **Overuse of “Urgency”:** The criteria for urgent action were applied too broadly, with insufficient public justification.
- **Inadequate Documentation:** There was a lack of internal records explaining decisions to waive regulatory requirements, including missing documentation of climate consistency checks required by the European Climate Law.
- **Limited Stakeholder Engagement:** Consultations were narrow, often limited to specific groups, with minimal involvement from civil society.
- **Rushed Internal Review:** In one case, the internal review period was reduced to less than 24 hours, with no record of justification, compromising internal oversight.

Collectively, these issues constituted maladministration, falling short of EU standards for transparency, evidence-based policy-making, and public participation.

Ombudsman Recommendations:

1. **Clarify and Document Use of “Urgency”:** The Commission should define what constitutes an urgent situation and ensure any derogation from standard procedures is fully documented and justified, including who requested and approved the exemption and the rationale provided in the proposal’s explanatory memorandum.
2. **Maintain Transparency and Inclusion:** Even under urgent circumstances, the Commission should uphold core principles of good law-making by ensuring evidence-gathering and stakeholder engagement continue as far as possible. A formalised urgent procedure checklist is recommended to ensure transparency and compliance.

The Commission is required to **respond to these recommendations by 25 February 2026**, detailing its implementation plans.



Some additional Suggestions for Improvement:

- **Timely Publication of Evidence:** Analytical documents substituting for impact assessments should be published immediately upon proposal adoption to enable scrutiny.
- **Consultation Standards:** Even expedited consultations should adhere to EU principles, seeking balanced stakeholder input and avoiding bias.
- **Justification for Accelerated Reviews:** Any reduction in internal review periods should be exceptional, justified, and properly recorded.

The recommendations and suggestions by the Ombudsman echoes very much what ERIF has advocated for years and highlights the risk we currently face where past legislation is being fixed through hasty action which may well result in poor quality outcomes.