



Request for an inspection in Strategic inquiry OI/1/2019/EA on transparency of the bodies involved in preparing Eurogroup meetings

Correspondence - 05/12/2019

Case OI/1/2019/MIG - **Opened on** 13/05/2019 - **Decision on** 03/12/2019 - **Institutions concerned** Council of the European Union | European Commission (No further inquiries justified) |

Mr Jeppe Tranholm-Mikkelsen

Secretary-General

Council of the European Union

Strasbourg, 13/05/2019

Strategic inquiry OI/1/2019/EA: Transparency of the bodies involved in preparing Eurogroup meetings

Dear Mr Tranholm-Mikkelsen,

In 2016, I raised the issue of the lack of transparency of bodies involved in preparing Eurogroup meetings with the Eurogroup President. [1] In the meantime, the Commission has noted that completing the Economic and Monetary Union requires greater transparency about who decides what and when at every level of governance. [2]

I have therefore decided to launch a strategic inquiry into the transparency of the bodies involved in preparing Eurogroup meetings, namely the Eurogroup Working Group (EWG), the Economic and Financial Committee (EFC) and the Economic Policy Committee (EPC).

The confidentiality of these bodies' proceedings [3] makes it particularly important to examine how requests for public access to relevant documents [4] have been handled by the Council and the Commission. It is not possible for me to reach an independent view on how the Council and the Commission apply Regulation 1049/2001 in relation to such documents, without having had sight of how requests have been dealt with in practice. Accordingly, I would be grateful if the Council would facilitate an inspection [5] by my Office of its files relating to requests for public access to Eurogroup, EFC, EPC, and EWG documents, including the requested documents, which were submitted after the Eurogroup adopted



proactive transparency measures in February 2016.

I believe it would be helpful also, in conjunction with our inspection of these files, for my representatives to meet with relevant Council officials to discuss issues arising. By way of example, it would be useful to know what kind of Eurogroup, EFC, EPC, and EWG documents are published or listed on the Council's register.

Please note that, in accordance with Article 4(8) of the Implementing Provisions of the European Ombudsman, my Office will not disclose to the public any information that the Council identifies as confidential during the inspection/meeting, without the prior agreement of the Council.

I should be grateful if the Council would contact Ms Elpida Apostolidou in order to agree on a convenient date for the meeting. Depending on the Council's availability, I would envisage the meeting taking place in the coming weeks. For your information, you can also find attached my letter to President Juncker.

Finally, given the relevance of this matter to the Eurogroup President, I have also written to him today inviting his input (letter also attached).

Yours sincerely,

Emily O'Reilly

European Ombudsman

[1] The correspondence is available at:
<https://www.ombudsman.europa.eu/en/case/en/48285>

[2] Commission's reflection paper on the deepening of the Economic and Monetary Union, COM (2017) 291 of 31 May 2017.

[3] The Eurogroup President referred at the time to Article 12 of Council Decision 2012/245 on a revision of the Statutes of the EFC, which states that "*the proceedings of the (EFC) Committee shall be confidential. The same rule shall apply to the proceedings of its alternates, subcommittees or working parties*". Council Decision 2000/604 on the composition and the statutes of the EPC contains a similar provision (Article 12).

[4] Regulation 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents:
<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32001R1049&from=EN> .

[5] In accordance with Article 3(2) of the Statute of the European Ombudsman.