

Council fails to accept Ombudsman's recommendation for transparency in EU fishing quota decision-making process

Case 640/2019/TE - Opened on 10/05/2019 - Recommendation on 25/10/2019 - Decision on 29/04/2020 - Institution concerned Council of the European Union (Maladministration found) |

The complaint concerned the decision-making process in the Council of the EU, leading to the adoption of the annual regulations setting total allowable catches (TACs) of certain fish stocks.

The complainant was concerned that the Council (a) fails to record the positions of Member State governments as expressed in Council 'preparatory bodies' or in meetings of the Council of Ministers, (b) failed to provide timely access to legislative documents, proactively and upon request, and (c) has in place an incomplete and unsatisfactory register of documents.

The Ombudsman took the view that, since the documents in question are 'legislative documents' and contain 'environmental information', wider and more timely access should be granted. The Ombudsman therefore recommended that the Council should proactively make available documents related to the adoption of the TAC Regulation at the time they are circulated to Member States or as soon as possible thereafter.

The Council chose not to follow the Ombudsman's recommendation. The Ombudsman therefore confirmed her finding of maladministration, expressing disappointment that the Council did not follow her recommendation.