



## Public access to documents of the European Ombudsman

Document - 17/11/2020

Transparency and accountability to the public are core priorities that the European Ombudsman tries to promote in the EU administration, but which also guide the work of the European Ombudsman's Office.

According to the Treaty on the Functioning of the European Union (Article 15), citizens and legal persons residing in the EU have a right to access any document held by almost all EU institutions. This is also a fundamental right recognised in the Charter of Fundamental Rights of the EU (Article 42). The right of access applies to written documents (physical and electronic) and audio/audiovisual recordings related to policies, activities or decisions of the EU institutions.

Under the EU's rules on public access to documents ( Regulation 1049/2001 ), members of the public may contact the institutions to request access to specific documents (where they are aware of their existence) or to ask that the institution identify documents on a specific matter to which they want access. The institutions can refuse access only in exceptional circumstances, where disclosing the documents would undermine certain interests set out in Regulation 1049/2001.

Access to documents held by the European Ombudsman

According to Regulation 1049/2001, institutions should create a public register of documents. To this end, the Ombudsman publishes core business documents on the online cases section of our website, as well as all documents adopted in relation to strategy , policy and management . This is done on the basis of the Ombudsman's Decision on Records Management and document filing plan .

The European Ombudsman has adopted a Decision setting out how the Office deals with access to document requests. If you would like to request access to other documents held by the European Ombudsman, you can submit a request for access to documents in **any of the official EU languages** :

- by **post** at: 1 avenue du Président Robert Schuman CS 30403 F-67001 Strasbourg Cedex,
- though the **contact form** available on our website.
- or by **fax** : +33 388179062,

When can I expect to receive a reply to my request?

- Applications for access to documents should be handled promptly. We will acknowledge receipt of the request and, **within 15 working days** of registering it, we will either **grant or refuse access** to the document and will explain the reasons for our decision.
- If a request concerns a very large number of documents or is more complex, we may need



to extend the deadline for processing the application **by another 15 working days** . If that is the case, we will let you know.

What if I am unhappy with the outcome?

If you are unhappy with the decision on your request, you may request that we review our decision (a so-called 'confirmatory application'). The Secretary-General will make a new assessment and will reply to you within **15 working days** of your request being registered. In exceptional cases, we may extend the time limit by **another 15 working days** . If that is the case, we will let you know.

If we refuse access, and you wish to contest this decision, please note that you may bring proceedings before the **General Court** under the conditions specified in the Treaty on the Functioning of the European Union (Article 263).

Annual report on the implementation of Regulation 1049/2001 on public access

- Annual report on access to documents requests under Regulation 1049/2001 in 2019 and 2020