

The European Commission's refusal to grant access to preparatory documents relating to anti-dumping measures on imports of steel fasteners from China

Case 1379/2020/MAS - Opened on 24/08/2020 - Decision on 06/09/2021 - Institution concerned European Commission (Solution partly achieved) |

The complainant sought public access to documents held by the European Commission concerning the imposition of anti-dumping tariffs on imports to the EU from China of certain iron or steel fasteners. The Commission refused access, invoking the exceptions provided for in the EU's rules on public access to documents for protecting commercial interests and protecting inspections. The Ombudsman proposed as a solution that the Commission should provide the complainant with a list of the documents it identified as falling under the request, and examine each of the documents individually, with a view to disclosing some of them. The Commission replied and made available a list of documents. However, it maintained its decision not to examine the documents individually, and to withhold access to all of them. The Ombudsman closed the inquiry, expressing regret at the Commission's decision.