

## **The European Central Bank's (ECB) refusal of public access to documents concerning an alleged violation of EU law by a bank**

**Case** 1990/2020/MIG - **Opened on** 24/11/2020 - **Decision on** 19/02/2021 - **Institution concerned** European Central Bank ( No maladministration found ) |

The complaint concerned a request for public access to documents held by the European Central Bank (ECB) related to a bank covered under its supervisory role. The complainant had reported an alleged breach of EU law by the bank. The ECB refused access invoking a 'general presumption of non-disclosure' under the applicable rules, which it said applies due to the confidential nature of the documents.

The Ombudsman found that it was reasonable for the ECB to consider that the documents at issue are confidential and protected by law. The Ombudsman concluded that the ECB was justified in refusing to give the complainant access to the requested documents and closed the inquiry finding no maladministration.