

The European Data Protection Supervisor's (EDPS) refusal to grant public access to documents related to a report concerning the Schrems II ruling on international data transfers

**Case 274/2021/TE - Opened on 12/02/2021 - Decision on 20/08/2021 - Institution
concerned** European Data Protection Supervisor (Solution achieved) |

The complainant sought public access from the European Data Protection Supervisor (EDPS) to documents related to a report concerning the Schrems II ruling on international data transfers. The EDPS refused access, invoking an exception under the EU's rules on public access to documents, and arguing that disclosing the documents risked undermining an ongoing investigation into the EU institutions' compliance with the Schrems II ruling.

The Ombudsman's inquiry team inspected the documents and considered that parts of the documents could be disclosed without undermining the investigation. The Ombudsman therefore proposed that the EDPS review its position on the complainant's request, with a view to granting the widest possible public access. [In its reply \[Link\]](#), the EDPS agreed to grant partial public access to some of the documents identified. Based on this, the Ombudsman considered that the EDPS has resolved the complaint and closed the case.