

Letter from the European Ombudsman to the European External Action Service (EEAS) on its refusal to grant public access to documents concerning EU-funded security projects in Mali

Correspondence - 02/08/2021

Case 1366/2021/MIG - Opened on 02/08/2021 - Decision on 01/12/2021 - Institution concerned European External Action Service (No maladministration found) |

Head of Division

EEAS SG.AFFGEN.2 "Parliamentary Affairs"

Dear Mr Y,

The Ombudsman has received a complaint from Mr X against the European External Action Service. She has asked me to deal with the case on her behalf.

The complaint concerns the refusal by the EEAS to give public access to documents related to training provided to security forces in Mali. The EEAS identified three documents as falling within the scope of the complainant's access request. It has given access to parts of one document and refused access to the other two documents in their entirety, relying on the need to protect the public interest as regards public security and international relations, and the need to protect personal data. The complainant considers that the EEAS should provide increased access to the documents at issue.

We have decided to open an inquiry into this complaint against the EEAS' decision to refuse access to parts of one document and to two documents in their entirety under Regulation 1049/2001.

Regulation 1049/2001 states that applications for access should be handled promptly. It is in line with this principle that we also seek to deal with cases such as this as quickly as possible.

As a first step, we consider it necessary to review the documents at issue in the complainant's request. I would be grateful if your services could provide those documents, preferably in



electronic format through encrypted e-mail, [1] by 12 August 2021.

The documents subject to the public access request will be treated confidentially, along with any other material the EEAS chooses to share with us that it marks confidential. Documents of this kind will be handled and stored in line with this confidential status and will be deleted from the Ombudsman's files shortly after the inquiry has ended.

The EEAS' position has been set out in its confirmatory decision of 27 May 2021. However, should the EEAS wish to provide additional views, to be taken into account by the European Ombudsman during this inquiry, I would be grateful if they could be provided to us within one month from the receipt of this letter, that is, by 2 September 2021.

If you consider this to be helpful, we would also be happy to schedule a meeting between your services and the Ombudsman's inquiry team at which we can discuss this case. In that case, could you please be in touch with my colleague, Ms Michaela Gehring, to arrange the details of this meeting, ideally to take place in September 2021.

Yours sincerely,

Rosita Hickey Director of Inquiries

Strasbourg, 02/08/2021

[1] Encrypted emails can be sent to our dedicated mailbox.