

## **The European Commission's failure to reply to a request for public access to documents concerning the negotiations on the modernisation of the Energy Charter Treaty**

**Case 777/2022/ABZ - Opened on 11/04/2022 - Decision on 15/07/2022 - Institution concerned** European Commission ( Settled by the institution ) |

The complainant asked the European Commission to grant public access to documents concerning the negotiations on the modernisation of the Energy Charter Treaty. The Commission failed to reply to the request within the applicable deadline. As this is considered a tacit refusal to grant access, according to the applicable legislation, the complainant requested that the Commission review its decision. The Commission also failed to reply to this request for review within the applicable deadline. The Ombudsman opened an inquiry and asked the Commission to reply to the complainant's request. Following the Ombudsman's second request, the Commission replied. The Ombudsman therefore closed the case but expressed regret about the delay.