

The European External Action Service's (EEAS) refusal to give public access to a document concerning the suspension of opposition parties in Ukraine

Case 952/2022/MIG - Opened on 11/05/2022 - Decision on 18/08/2022 - Institution concerned European External Action Service (No maladministration found) |

The complainant asked the European External Action Service (EEAS) for public access to documents concerning a ban on political parties by the Ukrainian president. The EEAS identified two documents as falling within the scope of the complainant's access request, but refused to disclose one of the documents. In doing so, it invoked an exception under the EU's legislation on public access to documents, arguing that disclosure could undermine the protection of defence and military matters and international relations.

The Ombudsman inquiry team inspected the document and obtained additional, confidential explanations from the EEAS. Based on this, and considering the wide margin of discretion that EU institutions enjoy where they consider that defence and military matters and international relations are at risk, the Ombudsman found that the EEAS's decision to refuse access was not manifestly wrong. The Ombudsman found that the EEAS was justified in refusing public access to the requested document, and closed the case.