

How the European Commission dealt with a request for public access to documents concerning the Dutch national plan under the Recovery and Resilience Facility

Case opened

Case 1079/2022/MIG - **Opened on** 14/06/2022 - **Decision on** 31/08/2022 - **Institution concerned** European Commission |

Secretariat-General

Head of Unit - C2

European Commission

Dear Mr Y,

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

The complaint concerns the Commission's failure to reply within the deadlines established by Regulation 1049/2001 to the complainant's confirmatory application for access to documents registered under GestDem 2022/654. The Commission extended the time limit for its reply to 2 May 2022, but has not provided the complainant with a reply within the extended time limit.

The complainant is also concerned that the Commission, in its initial decision dated 24 February 2022, did not address the arguments he had put forward in his public access request concerning the application of certain exceptions set out in Articles 4(1)(a) and (3) of Regulation 1049/2001.

We would suggest, if you have not done so in the meantime, that you now reply to the complainant and inform us when it is done. The reply to the complainant should also address the arguments he has put forward to the Commission. We would be grateful if you could send your reply as soon as possible, and not later than 4 July 2022.



Please note that, at this stage, our inquiry is focused on securing the confirmatory decision on the complainant's request. However, should the delay persist, we might need to ask the Commission to share a copy of the relevant documents with us.

Attached to this email, please find a copy of the complaint.

Yours sincerely,

Rosita Hickey

Director of inquiries

Strasbourg, 14/06/2022