



How the European Commission dealt with a request for public access to messages sent by Commissioners to the Commission President concerning Poland's national plan under the Recovery and Resilience Facility

Case 2186/2022/SF - Opened on 15/12/2022 - Institution concerned European Commission |

The complainant, a journalist, asked the European Commission for public access to letters, e-mails and notes sent by EU commissioners to the Commission President concerning Poland's national plan under the Recovery and Resilience Facility (RRF). The Commission refused to disclose the documents. In doing so, it invoked an exception under the EU legislation on public access to documents, arguing that disclosure could undermine an ongoing decision-making process. The Commission then failed to reply to the complainant's request that it review its decision ('confirmatory application') within the applicable timeframe, which is considered as an implicit refusal of access under the legislation.

The Ombudsman opened an inquiry and sought to inspect the documents in question.