



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 - Decision on 17/07/2023 - Institution concerned European Commission (No further inquiries justified) |

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 complainant contested this and also took issue with how the Commission limited the scope of the request, excluding certain documents.

The Ombudsman considered that the Commission defined the scope of the complainant's request narrowly, and that how it engaged with the complainant's attempts to clarify the request was problematic. In view of this, the Ombudsman suggested that the Commission deal with the request without delay.