How the European Investment Bank (EIB) handled a request for public access to the summary of a project it is financing on the modernisation of an electricity distribution network in Poland

Case 3/2023/OAM - Opened on 01/02/2023 - Decision on 17/07/2023 - Institution concerned European Investment Bank (No further inquiries justified)

The complainant, an environmental organisation, asked the European Investment Bank (EIB) to give public access to a summary of a project to be financed by the EIB for the modernisation of an electricity distribution network in Poland. The EIB refused access. In doing so, it invoked an exception under the applicable rules, arguing that disclosure could undermine the commercial interests of the project promoter. The EIB subsequently published the summary, but the complainant considers it should not have initially withheld disclosure. The Ombudsman found that the reasons given by the EIB for denying access were not justified. However, since the project summary has been made public in the meantime, the Ombudsman considered that no further inquiries were justified in this case. However, she made suggestions for improvement to the EIB, for dealing with requests for public access to documents.