

Council's refusal to grant access to legal opinions related to the Regulation Proposals on the establishment of the European Public Prosecutor's Office and on the European Union Agency for Criminal

Case opened

Case 21/2016/JAP - Opened on 08/02/2016 - Decision on 07/03/2019 - Institution concerned Council of the European Union (No maladministration found) |

Allegation(s)

- 1) The Council incorrectly applied the relevant provisions of Regulation 1049/2001 on access to documents when dealing with the complainant's request.
- 2) The Council's arguments as regards the exceptions relied upon when refusing full access to the requested documents were not convincing.

In support of his allegations, the complainant argued that :

while public scrutiny and transparency of the decision-making process in the Council are an essential factor in legitimising the decisions taken, improving the quality of the law-making process, the Council, acting in its legislative capacity, should enable citizens to participate more closely in the decision-making process and guarantee that the administration enjoys greater legitimacy.

Claim(s)

The Council should revise its decision and grant full access to the requested documents.