



New European Ombudsman fast-track procedure for access to documents complaints

Letter - 02/02/2018

European Ombudsman 'Fast-Track' - Help in accessing EU documents faster

EU institution/body confirms it will not give you access to a document

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You submit a complaint to the European Ombudsman

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The Ombudsman decides within five working days if she can inquire into it

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The Ombudsman aims to take a decision within 40 working days

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Are you facing difficulty in accessing a document or documents held by an EU institution or body?

In some cases, EU institutions or bodies are entitled not to give access to EU documents by relying on exceptions under the EU's rules on access to documents . If you have gone through the procedure for requesting access to a document and the EU institution or body has confirmed its decision to partially or completely refuse access, or has not responded to you within the permitted time limit, you can turn to the European Ombudsman for help.

To do so, you need to submit a complaint to the Ombudsman , following the standard procedure.

As access to public documents requests often come from individuals or organisations that urgently need to view the documents, the Ombudsman has decided to introduce a fast-track procedure for handling these 'access to documents' complaints.



Once the Ombudsman has acknowledged that she has received the complaint, she will then take a decision within five working days on whether or not she can open an inquiry into the complaint. This depends on several factors, including whether a complaint is admissible (for example, whether the complainant has exhausted the procedure for requesting documents from the EU body in question) or whether the explanation given for refusing access is reasonable.

The Ombudsman aims to take a decision on 'access to documents' inquiries within 40 working days (from when she received the complaint). During this time, she may consult with the institution or body in question, and/or inspect the documents in question.

If the Ombudsman finds the EU institution or body was wrong to have refused access to the document(s) she may recommend that it grant either full or partial access to the documents in question immediately. While they are not legally binding, the Ombudsman expects that her recommendations will be accepted.

If an EU institution or body fails to comply with her recommendations, she can refer the issue to the European Parliament with a Special Report.