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Ombudsman calls on Commission to release Dalli documents

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The European Ombudsman investigates complaints about maladministration in the EU institutions and bodies. Any EU citizen, resident, or an enterprise or association in a Member State, can lodge a complaint with the Ombudsman. The Ombudsman offers a fast, flexible and free means of solving problems with the EU administration.

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The European Ombudsman, Emily O'Reilly, has asked the European Commission to publish letters and internal notes concerning the resignation of former Commissioner John Dalli in October 2012. The Ombudsman inspected the documents as part of her inquiry into a complaint from an NGO whose request to get access to them was refused by the Commission.

Emily O'Reilly commented: "The Commission's arguments for refusing to give access are not convincing. Releasing the documents would reassure the public that the Commission dealt very seriously with this case and set an example of transparency for future cases of great public interest."

Commission's arguments for non-disclosure "not convincing"

In January 2013, *Corporate Europe Observatory* lodged a complaint with the Ombudsman about the Commission's refusal to release two letters from former Commissioner Dalli to Commission President Barroso and two internal notes concerning meetings between Barroso and Dalli.

The Commission explained its refusal with the need to protect an investigation by the Maltese authorities and its own follow-up actions.

The Ombudsman inspected the documents and concluded that the Commission's arguments were not convincing. The documents had not been sent to the Maltese authorities as evidence for their investigation, nor did they contain any information that was not already in the public domain. The Ombudsman concluded that the Commission has failed to explain how the disclosure of the documents would have undermined the

investigation by the Maltese authorities and its own follow-up actions. The Commission has to respond by 31 July 2014.

Her full recommendation is available at:
<http://www.ombudsman.europa.eu/en/cases/draftrecommendation.faces/en/54021/html.bookmark>