



Council of the
European Union

174105/EU XXVII. GP
Eingelangt am 21/02/24

Brussels, 21 February 2024
(OR. en)

6844/24

API 32
INF 43
OMBUDS 1
JUR 117
INST 68

COVER NOTE

From:	European Ombudsman
date of receipt:	20 February 2024
To:	Council of the European Union
Subject:	Complaint 185/2024/SF to the European Ombudsman - Decision

Delegations will find in the Annex a copy of a letter received from the services of the European Ombudsman on the Complaint 185/2024/SF concerning confirmatory application No 37/c/01/23 (see documents ST 16102/23 and ST 16104/23).

Personal data have been blanked out.

Further to a complaint by the applicant in confirmatory application No 37/c/01/23, the European Ombudsman decided that there were insufficient grounds to open an inquiry and closed the case.



Ms Emer Finnegan
Director-General of the Legal Service
Council of the European Union

+cc: [REDACTED]

Strasbourg, 20/02/2024

Decision of the European Ombudsman concerning complaint 185/2024/SF against the
Council of the European Union

Dear Ms Finnegan,

Please find enclosed the decision in the above case, which was sent to the
complainant today.

The complaint concerned the Council's reply of 17 January 2024 (SGS 24/00002) to
the complainant's confirmatory application of 24 November 2023 (37/c/01/23). The Council
maintained that all documents that are in its possession and concern the complainant's
public access request are available for download in the Council's register of documents.
The complainant considered that there must be more documents and turned to the
Ombudsman.

After a careful analysis of all the information submitted to our Office, we
concluded that there were insufficient grounds to open an inquiry and therefore closed the
case. We consider that the complainant did not put forward sufficient evidence to rebut
the presumption of lawfulness attached to the Council's statements that it does not hold
any additional documents falling within the scope of the complainant's public access
request.

Yours sincerely,

[REDACTED]
Rosita Hickey
Director of Inquiries

Enclosure: Copy of complaint 185/2024/SF

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