



Council of the
European Union

Brussels, 5 May 2021
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COVER NOTE

From:	Ms E. O'Reilly, European Ombudsman
date of receipt:	29 April 2021
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

Subject:	Complaint 360/2021/TE to the European Ombudsman
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Delegations will find in the Annex a copy of a letter sent by the European Ombudsman to the Council concerning complaint 360/2021/TE.

Personal data have been blanked out.



E MAIL

European Ombudsman

Emily O'Reilly
European Ombudsman

Received on 29. 04. 2021

IM 004721 2021
03.05.2021Mr Jeppe Tranholm-Mikkelsen
Secretary-General
Council of the European Unionjur.ombudsman@consilium.europa.eu
therese.blanchet@consilium.europa.eu

Strasbourg, 29/04/2021

Complaint 360/2021/TE

Subject: Inspection¹ concerning the Council of the EU's refusal to provide full public access to documents related to trilogue negotiations on motor vehicle emissions

Dear Mr Tranholm-Mikkelsen,

I refer to my Office's letter of 26 February 2021, in which we notified the Council of having received a complaint from [REDACTED]. The complaint concerns the Council of the EU's refusal to provide full public access to documents related to trilogue negotiations on motor vehicle emissions.

In this earlier letter, my Office asked the Council to provide us with copies of the unredacted versions of the six documents at stake in this inquiry. We also invited the Council to provide additional views, further to its position set out in its confirmatory decision of 16 February 2021, to be taken into account during my inquiry.

The Council provided my Office with the requested documents on 1 March 2021 and with its additional views on 20 April 2021.

After a careful examination of the requested documents and the Council's additional views, I have now decided that, for the purposes of my inquiry, it is necessary to inspect the following additional documents:

¹ Information gathering and inspections of documents are carried out on the basis of Article 3(2) of the Statute of the European Ombudsman (<http://www.ombudsman.europa.eu/en/resources/statute.faces#h12>) and Article 4 of the European Ombudsman's Implementing Provisions: <http://www.ombudsman.europa.eu/en/resources/provisions.faces#h13>.



Four-column documents that the Council shared with Parliament during the trilogue negotiations in question, including the dates on which these documents were transmitted.

I would be grateful if the Council could provide my Office with copies of the above documents, preferably in electronic format, by Friday, 7 May 2021.

Information or documents that the Council considers to be confidential will not be disclosed to the complainant or any other person without the prior agreement of the Council.²

Please note that the inquiries officer responsible for this inquiry is [REDACTED]

Yours sincerely

Emily O'Reilly
European Ombudsman

² Please clearly mark such material 'Confidential'. Encrypted emails can be sent to our dedicated mailbox eo-secem@ombudsman.europa.eu. Please contact eo-secem@ombudsman.europa.eu beforehand. Information and documents of this kind will be deleted from the European Ombudsman's files shortly after the inquiry has ended.