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European Union

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From: General Secretariat of the Council
To: Delegations

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Subject: Follow-up to the European Ombudsman Own Initiative Inquiry
- Transparency of Council decision-making during COVID-19 crisis
(OI/4/2020 TE)

As a follow-up to the Ombudsman's conclusions on 24 March 2021 on the above-mentioned Inquiry (doc. 7314/21), and following WPI consultation, delegations will find enclosed a revised draft letter drawn up by the General Secretariat, to be submitted to the Permanent Representatives Committee for approval at one of its future meetings.

**Ms Emily O'Reilly
European Ombudsman
1, Avenue du Président Robert Schuman
B.P. 403
F-67001 Strasbourg Cedex**

Subject: OI/4/2020/TE - Transparency of decision making by the Council of the EU during the COVID-19 crisis

Dear Ms O'Reilly,

Thank you for your letter of 24 March 2021 transmitting your Decision on your strategic inquiry on the above-mentioned matter.

First, I wish to thank you for the good cooperation between our services on this inquiry and I note with pleasure the overall positive tone of your Decision. This reassures us that the Council has made important efforts to ensure institutional continuity of Council decision-making under the exceptional circumstances caused by the COVID-19 pandemic including, to the extent possible, appropriate transparency levels provided for under normal circumstances.

At the same time, we are prepared to take appropriate measures in order to address your important suggestions for improvements, especially in relation to the very beginning of the COVID-19 pandemic, when we faced an unprecedented situation and significant uncertainties about the extent and duration of the pandemic, which required our prompt response.

These include making public relevant documentation in the Council's General Secretariat meeting calendar, concerning all "informal ministerial meetings" that took place between March and June 2020 as well as further reflection on the modalities to give account of the different adaptation measures in the organisation of the work of the Council and its preparatory bodies that were taken during the COVID-19 crisis to best respond to the situation while remaining fully active.

We also take note of your suggestion to list in the Council's public register all types of documents at the time they are issued, regardless of their designation and whether it is possible to access the document (or parts thereof) or not. Internal reflection on this complex issue is already ongoing in the Council's General Secretariat but any final decision can only be envisaged after further detailed examination.

Yours sincerely,

The President of Coreper
