



Brussels, 22 August 2025
(OR. en)

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INF 140
API 80
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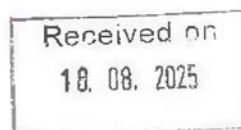
From:	Ms Teresa ANJINHO, European Ombudsman
date of receipt:	18 August 2025
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. prev. doc.:	8181/1/25 REV 1
Subject:	Own initiative inquiry OI/4/2023/MIK from the European Ombudsman

Delegations will find in the Annex a copy of a letter from the European Ombudsman to the Secretary-General of the Council of the European Union concerning the own initiative inquiry OI/4/2023/MIK.

Personal data have been redacted.



IM 8313 2025
21-08-2025



Ms Thérèse Blanchet

Secretary-General
Council of the European Union

jur.ombudsman@consilium.europa.eu

CC: emer.finnegan@consilium.europa.eu

Strasbourg, 18/08/2025

Complaint OI/4/2023/MIK

Subject of case: Follow-up to the suggestions in the above-mentioned inquiry on how the European Parliament, the Council of the European Union and the European Commission handle requests for public access to legislative documents

Dear Secretary-General,

Thank you for your letter of 2 May 2025 informing me about the Council's response to the Ombudsman's suggestions in the above case.

It is encouraging to note that the Council has circulated the Ombudsman's decision to all delegations and to all departments of its General Secretariat along with a reminder of the main transparency requirements in relation to legislative documents. It is also encouraging to note that the Council is preparing a revised 'Transparency Guide' for all matters related to access to documents. I would be grateful if you could share with my Office, for information, a copy of this guide once it is finalised.

Moreover, I welcome the Council's commitment to provide the applicants with a more complete explanation of how the Council has analysed whether any overriding public interest in disclosure of the requested legislative documents exists.

I note with particular interest the Council's efforts to improve its proactive transparency, in particular its decision to make further legislative documents publicly available upon circulation, publishing references to 'working papers' ('WK documents') to facilitate public access, and the Council's participation in the project on the 'EU Law Tracker'.

I would reiterate that this inquiry found that, in cases in which public access was refused or only partial access granted, the Council did not provide sufficiently concrete arguments and evidence justifying non-disclosure of legislative documents or their parts. In this context, I encourage the Council to further reflect on the kind of arguments it advances when it refuses public access to legislative documents, taking into account the case law of the EU Courts.

Brussels
Rue Fossart 67
B-1000 Brussels

Strasbourg
Hôtel Building - Allee Spaher
F-67000 Strasbourg

Postal address
1 Av. du Président R. Schuman
CS 30403
F-67001 Strasbourg Cedex

+33 (0)3 68 17 23 13
ombudsman.europa.eu



Please note that I intend to monitor how the Council implements the suggestions made in the context of this inquiry based on any future complaints.

Thank you once again for your good cooperation in this case.

Yours sincerely,



Teresa Anjinho
European Ombudsman