



Council of the
European Union

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COVER NOTE

From:	Ms Emily O'Reilly, European Ombudsman
date of receipt:	15 February 2023
To:	Secretary-General of the Council of the European Union
Subject:	European Ombudsman's Strategic inquiry SI/3/2022/LDS concerning transparency as regards documents on sanctions

Delegations will find in the Annex a copy of the letter sent by the services of the European Ombudsman to the Council closing the strategic inquiry SI/3/2022/LDS.



Emily O'Reilly
European Ombudsman

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E-MAIL

Ms Thérèse Blanchet
Secretary-General
Council of the European Union

jur.ombudsman@consilium.europa.eu

jean.baptiste.laignelot@consilium.europa.eu

Strasbourg, 15/02/2023

SI reference number: SI/3/2022/LDS

Strategic initiative SI/3/2022/LDS on how the Council of the EU ensures transparency of the decision making concerning sanctions against Russia

Dear Ms Blanchet,

I refer to your reply of 18 October 2022 to my letter, in which I asked the Council to consider whether it could make proactively available to the public additional documents related to the adoption of restrictive measures.

I would like to thank the Council for examining in detail the matters raised in my letter. I am pleased that the Council agrees with me that there is a strong and legitimate public interest in the restrictive measures it adopts, which are in this case aimed at putting an end to the unjustified Russian war of aggression against Ukraine.

I take note that the Council considers that the special nature of the decision-making process leading to the adoption of restrictive measures, the need to protect the interests recognised under the EU legislation on public access to documents (Regulation 1049/2001) and the very specific circumstances of the current war situation do not enable the Council to make proactively available more documents pertaining to the adoption of sanctions.

I understand that the explanations provided by the Council are without detriment to the requests for public access to documents it may receive on this subject. In the event of receiving such requests, I trust the Council will assess them on their own merits. More generally, I encourage the Council to continue its efforts to inform the public adequately about the restrictive measures, to the greatest extent possible.

Thank you again for your reply and for your cooperation on this initiative, which is hereby closed. Please note that I intend to publish this letter.

Brussels
Rue Fossart 57
B-1000 Bruxelles

Strasbourg
Hôtel Building - Allee Späth
F-67000 Strasbourg

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

+33 (0)3 88 17 23 13
ombudsman.europa.eu



Yours sincerely,

DELETED

Emily O'Reilly
European Ombudsman