



Council of the
European Union

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NOTE

From: General Secretariat of the Council
To: Delegations

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), delegations will find enclosed a draft letter drawn up by the General Secretariat. After consulting the WPI, that draft will 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 comforts us that the Council has made important efforts to ensure in these difficult times, a similar level of transparency as is provided for in normal circumstances.

We are aware of the importance of your suggestions for improvement and are prepared to take immediate action to remedy shortcomings you identified at the start of the COVID-19 crisis.

These concern the publication of all relevant documentation, including a record in its meeting calendar, of all 'informal ministerial meetings' that took place between March and June 2020 as well as the publication of the internal guidance issued by the Council's General Secretariat on the organisation of the work of the Council and its preparatory bodies during the COVID-19 crisis.

The implementation of your suggestion related to the wider use of written comments, prior to or following working party meetings, also beyond the COVID-19 context, could have an impact on the working methods of the Council and affect the speed of its decision-making. This suggestion would require further reflection and discussions.

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
