



P. NIKIFOROS DIAMANDOUROS

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Ombudsman launches EU-wide consultation on access to databases

The European Ombudsman, **P. Nikiforos Diamandouros**, has launched a consultation process within the *European Network of Ombudsmen* on access to information contained in databases. This follows a complaint from a Danish journalist about the refusal of the European Commission to disclose data on beneficiaries of EU agricultural subsidies. The Commission justified its refusal on grounds of confidentiality. Furthermore, it argued that the EU's rules on access to documents apply to databases only if the data can be easily retrieved.

The Ombudsman was not convinced by this approach. He therefore contacted his colleagues in the Member States to find out about "best practices" at the national level aiming to ensure maximum public access to databases. This consultation is particularly important given that this issue at stake forms part of the current debate on the reform of the EU's rules on access to documents.

Unjustified secrecy concerning beneficiaries of EU agricultural subsidies

In 2005, a Danish journalist asked the Commission to disclose data on beneficiaries of EU agricultural subsidies. The Commission refused access, arguing that the data were confidential. It also stated that the EU's rules on access to documents apply to databases only if the data concerned can be easily retrieved, using existing search tools.

The Ombudsman criticised the Commission for failing to provide adequate justification for its refusal to disclose the data. He also expressed concerns over the Commission's practice of applying the access to documents rules only when the data can be easily retrieved. Given the vast amount of information stored in databases maintained by the EU administration, such a practice would seriously endanger the public's right of access to documents or information.

In light of the anticipated reform of the EU's rules on public access to documents, the Ombudsman has decided to consult his national colleagues in the *European Network of Ombudsmen* on how the issue of access to information in databases is dealt with in their respective countries. The Ombudsman himself has already proposed a general obligation for the EU administration to make new databases as easily accessible as possible. He hopes to be informed until the end of May by his colleagues of national "best practices" aimed at guaranteeing maximum public access to information stored in databases.

The European Network of Ombudsmen

The *European Network of Ombudsmen* was set up in 1996 to help ensure that citizens' complaints are dealt with as quickly and effectively as possible. The Network consists of 90 offices in 31 European countries. Within the Network, ombudsmen transfer complaints to the body best placed to deal with the relevant issue, exchange information on legal issues and promote best practice.

To read the Statement setting out the Network's aims, please go to:

<http://www.ombudsman.europa.eu/liaison/en/statement.htm>

The letter launching the consultation process is available under:

<http://www.ombudsman.europa.eu/letters/en/20080319-1.htm>

The European Ombudsman investigates complaints about maladministration in the EU institutions and bodies. Any EU citizen, resident, or an enterprise or association in a Member State, can lodge a complaint with the Ombudsman. The Ombudsman offers a fast, flexible and free means of solving problems with the EU administration. For more information: <http://www.ombudsman.europa.eu>

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