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COVER NOTE

From: General Secretariat of the Council
To: Delegations
Subject: Follow up letter from the European Ombudsman in case OI/8/2015/JAS
concerning the Transparency of Trilogues

Delegations will find attached a follow up letter from the European Ombudsman in case OI/8/2015/JAS concerning the transparency of trilogues



European Ombudsman

Emily O'Reilly
European Ombudsman

Mr Jeppe Tranholm-Mikkelsen
Secretary-General
Council of the European Union

Strasbourg, 26/01/2017

Strategic inquiry OI/8/2015/JAS concerning the transparency of Trilogues

Dear Mr Tranholm-Mikkelsen,

Thank you for your letter of 21 December 2016 informing me about the Council's actions in response to my proposals following strategic inquiry OI/8/2015/JAS on the transparency of Trilogues¹.

I welcome the Council's engagement on this important matter. However, I think you will agree that there has never been a more critical time for the European democratic process to be seen by EU citizens as open and accountable.

While I welcome the fact that the Council has decided to initiate, both internally and with the other institutions, discussions on the implementation of a number of my proposals, it is imperative that a strong focus be maintained on this matter and particularly at a time when the Union is likely to be under an exceptionally high level of scrutiny.

I would therefore be grateful if the Council could inform me by **30 November 2017** of the progress made in the discussions related to my strategic inquiry.

As regards the case pending before the General Court, *De Capitani v Parliament* (T-540/15), I would also be grateful if, once the Court rules on that case, you would inform me of the conclusions the Council draws from that ruling in relation to my proposals. As this case may take some time to conclude, it is important nonetheless that transparency issues that are not contingent on it be dealt with within a reasonable timeframe.

I am taking a particular interest in the ongoing work on the development of the joint legislative database provided for in the new

¹ Decision of the European Ombudsman setting out proposals following her strategic inquiry OI/8/2015/JAS concerning the transparency of Trilogues, available at: <http://www.ombudsman.europa.eu/en/cases/decision.faces/en/69206/html.bookmark>



Interinstitutional Agreement on Better Law-making² and intend to follow this matter closely in the coming months.

Yours sincerely,

Emily O'Reilly
European Ombudsman

² Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making, OJ 2016 L 123, p. 1, available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016Q0512%2801%29>