

Public access to European Parliament, Council and Commission documents

2000/0032(COD) - 10/07/2013 - Follow-up document

This Commission report relates to the application in 2012 of Regulation (EC) No 1049/2001 on public access to European Parliament, Council and Commission documents.

According to the report, in **83%** of cases at the initial stage the requested documents were disclosed. At the confirmatory stage, either full or partial access was granted in **43%** of cases.

- **Analysis of access applications:** in 2012, the flow of access requests at the **initial stage** decreased in number of applications (6014 in 2012 in comparison with 6447 in 2011). The number of replies based on Regulation 1049/2001 was 5274 in 2012 in comparison with 6055 in 2011.

As regards the **confirmatory stage**, the number of the applications received significantly increased by almost 39 % (229 new confirmatory applications in 2012 against 165 in 2011). The total number of responses to confirmatory applications corresponded to the number of applications received (202 cases closed in 2012 in comparison with 162 in 2011). Among those, 160 replies (79 %) have been **confirmatory decisions** on access to documents under Regulation 1049/2001. Their number increased in 2012 by 11% in comparison with 2011 where 144 such decisions were issued.

The **academic world** proved once again to be the most active category of applicants, accounting for 22.70% of initial applications (25.73% in 2011). As in previous years, it was followed by **law firms** with 13.58% (11.30% in 2011) and **civil society** (NGOs, interest groups) with 10.32% (8.59% in 2011) of the total number of applications.

The Commission's Secretariat General and Directorate-General (DG) for Health and Consumers received the highest number of initial requests, closely followed by the Competition and Environment DGs.

- **Application of exceptions to the Right of Access:** in 2012, the proportion of applications that were fully refused in the first instance slightly increased as opposed to the previous year (16.91% in 2012 against 12.18% in 2011). Full disclosure was given in almost three out of every four cases (74.48% against 80.20% in 2011) whereas the percentage of partially disclosed documents slightly increased in comparison to the previous years to reach 8.61 % (in comparison with 7.62 % in 2011).

The number of cases where, following a confirmatory application, the Commission reversed the position taken by its services by fully disclosing previously refused documents, slightly increased (18.75% against 14.58% in 2011). In addition, there was an increase in cases where a refusal was fully confirmed and a significant decrease in the number of cases where wider access was granted following a confirmatory application.

The percentage of cases where the protection of the Commission's decision-making process was invoked as ground for refusal slightly diminished in comparison with the previous year (25.15% against 25.73% in 2011). It nevertheless comes second on the list of most frequently invoked exceptions, just behind the exception aimed at protecting of the purpose of inspections, investigations and audits, which accounted for 25.32% of cases (against 21.90% in 2011).