

# Public access to European Parliament, Council and Commission documents

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The Commission presents a report on the application in 2014 of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents.

The 2014 statistics show the importance of the right of access to documents within the Commission's transparency policy. The documents requested were **fully or partially disclosed in 88% of cases at the initial stage**, and wider, additional, access was granted in **43%** of cases at the confirmatory stage.

In 2014, the Commission's **public register** covered the following documents: COM, SEC, C, JOIN, SWD, OJ and PV series. No sensitive documents were created or received by the Commission in 2014, which would fall within one of these categories of documents.

**Analysis of access applications:** in 2014, **the flow of access requests at the initial stage decreased slightly** (6,227 in 2014 in comparison with 6,525 in 2013). The number of replies based on Regulation (EC) No 1049/2001 was 5,637 in 2014 in comparison with 5,906 in 2013.

As regards the **confirmatory stage**, **the number of applications received increased significantly** by 27% (300 new confirmatory applications in 2014 against 236 in 2013). 327 cases were finalised in 2014 in comparison with 252 in 2013. This constitutes a significant increase of 30%.

**The Commission remains by far the institution handling the largest number of both initial and confirmatory requests** pursuant to Regulation (EC) No 1049/2001. The Commission handles more than twice as many requests as the Council and the European Parliament together.

In 2014, as in 2013, the **Secretariat General** received the highest proportion of initial requests (11.6% of the total). Initial requests for documents held by the Directorate-General for **competition** increased from 5.1% to 7.6%, putting it at the second rank., whilst requests for documents held by the Directorate-General for **Health and Consumers**, occupying the third rank, decreased from 8.3% to 7.2%. Six other Directorates-General received a number of requests representing more than 5% of total requests (Agriculture and Rural Development, Enterprise and Industry, Environment, Internal Market and Services, Taxation and Customs Union, and Trade).

- The **academic world** proved once again to be the most active category of initial applicants, accounting for 19.8% of initial applications (in comparison with 22.1% in 2013). It was followed by **law firms** with 18.3% and only then by **civil society** (interest representatives, NGOs) with 16% (as compared to respectively 14.5 and 16.6% in 2013) of the total number of applications. Applications by **other European institutions** increased significantly from 8.8% in 2013 to 12.8% in 2014.
- The largest proportion of applications continued to originate from **Belgium** (29.3%). Aside from Belgium and Germany (11.9%) none of the Member States exceeded 10% of applications. Italy, France, the United Kingdom and Spain follow these two countries.

**Application of exceptions to the right of access:** in 2014, **the proportion of applications that were fully refused at the initial stage decreased** in comparison with the previous year (11.9% in 2014 against 14.5% in 2013). Full disclosure continued to be given in almost three out of every four cases (72.8% against 73.4% in 2013) whereas the **percentage of partially disclosed documents increased** in comparison with previous years, to reach 15.4% (compared to 10.7% in 2013).

The most frequently invoked ground for confirming a refusal of access was, as in previous years, the **protection of the purpose of inspections, investigations and audits**, even if it has decreased somewhat (33% in 2014 compared to 36.9% in 2013). The application of the **protection of privacy** and the integrity of the individual as an exception increased (18.1% in 2014 against 16.1% in 2013), as did the frequency of the exception based on the **protection of commercial interests** (16% in 2014 against 12% in 2013).

Globally, **the proportion of decisions invoking the protection of the Commission's decision-making process decreased** from 16.1% in 2013 to 14.5% in 2014. The protection of court proceedings and legal advice was invoked more frequently than in the previous year (10.3% in 2014 against 6.9% in 2013), whilst the frequency of application of the exception based on the protection of the financial, monetary or economic policy decreased from 7.4% in 2013 to 4.6% in 2014.

**Policy of the new Commission:** the report concludes that the volume of access requests and the high rate of disclosure of documents show that European citizens actively use the right of access to documents. The Commission's objective is to respond to such requests in the most timely and resource efficient manner possible.

The new Commission led by President Juncker is committed to enhanced transparency. This commitment is being delivered through:

- publication of information on who meets its political leaders and senior officials;
- greater access to documents relating to the **negotiations for a Transatlantic Trade and Investment Partnership (TTIP)** with the United States;
- revision of the transparency register, and
- adoption of the Better Regulation Agenda.

The new Commission also decided that Commissioners, Cabinet members and Directors General should only meet representatives of interest groups who have signed up to the transparency register.