

Public access to European Parliament, Council and Commission documents

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The Commission presented a report on the application in 2015 of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents.

The importance of the right of access to documents within the Commission's transparency policy is immediately apparent from the 2015 statistics, as the requested documents were **fully or partially disclosed in 84% of cases at the initial stage**, and wider or even full access was granted in 41% of cases reviewed at the confirmatory stage.

In 2015, **18 945 new documents were added** to the register of Commission documents.

In 2015, the Commission continued to put into practice its commitment to enhanced transparency, as illustrated by:

- its systematic publication of information on who meets its political leaders and senior officials;
- enhanced access to and publication of documents relating to the **negotiations for a Transatlantic Trade and Investment Partnership (TTIP)** with the United States;
- an improved version of the **Transparency Register**;
- progressive implementation of the Better Regulation Agenda.

Analysis of access applications: in 2015, the inflow of access-to-documents requests at the initial stage increased by more than 8% (6 752 applications in 2015 compared to 6 227 in 2014). As regards confirmatory applications for a review, by the Commission, of the initial full or partial refusal, the number of applications received slightly decreased (284 new confirmatory applications in 2015 against 300 in 2014).

- The Directorate-General for **Health and Food Safety** received the highest proportion of initial requests (9.2% of the total), whilst the **Secretariat General** occupied the second rank, with a decrease from 11.6% in 2014 to 8.7% in 2015. Initial requests for documents held by the Directorate-General for **Internal Market, Industry, Entrepreneurship and SMEs** increased from 5% to 8.6%, putting it in third place. Four other Directorates-General received a number of requests representing more than 5% of total requests (Competition, International Cooperation and Development, Environment, and Taxation and Customs Union).
- Most applications in 2015 originated from citizens that did not specify their socio-professional profile (23% of the total number of applications). Amongst those who did, the **academic world** was the most active category of applicants, accounting for 22.3% of initial applications (in comparison with 19.8% in 2014), whilst the third rank was occupied by civil society, with 15.6% of total applications. Applications by lawyers, occupying the fourth place, decreased significantly, from 18.3% in 2014 to 13% in 2015.
- the largest proportion continued to originate from **Belgium** (26.8%) and **Germany** (11.7%). Applications from Spain increased significantly, from 6.2% in 2014 to 9.9% in 2015, putting it in third place. That Member State was followed by France and the United Kingdom (both 7.6%), Italy (7.3%) and the Netherlands (5.5%).

Application of exceptions to the right of access: in 2015, **full disclosure at the initial stage continued to be given in more than two out of every three cases** with a slight decrease. The percentage of partially

positive replies remained largely identical (15.3% in 2015 compared to 15.4% in 2014), up from a relatively lower percentage in the three previous years.

As regards the exceptions invoked, the protection of privacy and the integrity of the individual continued to be the main ground for (full or partial) refusal at the initial stage (with an increase from 21% in 2014 to 29.4% in 2015). It came ahead of the exception aimed at protecting the **purpose of inspections, investigations and audits**, which was invoked less frequently than in previous years (20.9% in 2015, against 25% in 2014 respectively).

The protection of the decision-making process, occupying the third place, was also less frequently invoked. The relative use of the protection of commercial interests as an exception remained almost identical, whilst the exception based on the protection of international relations was less frequently invoked than in previous years.

Conclusions: with regard to the right of access to documents, the Commission continued to pro-actively publish a wide range of information and documents on its various, legislative and non-legislative activities.

The right to access documents upon request, subject to specific, limited exceptions, as provided by the Treaties and Regulation 1049/2001, continued to be an important instrument through which the Commission delivers on its transparency commitment. The Commission's objective is to respond to such requests in the most timely and resource-efficient manner possible.