



Council of the
European Union

Brussels, 14 October 2014
(OR. en)

14281/14
ADD 1

INF 292
API 118

COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	8 October 2014
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union

No. Cion doc.:	COM(2014) 619 final ANNEX 1
Subject:	ANNEX to the REPORT FROM THE COMMISSION on the application in 2013 of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents

Delegations will find attached document COM(2014) 619 final ANNEX 1.

Encl.: COM(2014) 619 final ANNEX 1



EUROPEAN
COMMISSION

Brussels, 8.10.2014
COM(2014) 619 final

ANNEX 1

ANNEX

to the

REPORT FROM THE COMMISSION

**on the application in 2013 of Regulation (EC) No 1049/2001 regarding public access to
European Parliament, Council and Commission documents**

ANNEX

Statistics relating to the application of Regulation (EC) No 1049/2001

1. NUMBER OF DOCUMENTS ENTERED IN THE REGISTER

	COM	SEC	C	JOIN	SWD	OJ	PV	Total
2013	2,170	1,591	15,196	76	863	125	87	20,108

INITIAL REQUESTS

2. APPLICATIONS RECEIVED AND HANDLED

	2011	2012	2013
Applications received	6,477	6,014	6,525
Replies given ^{1 2}	7,075	6,334	7,659
Replies given based on Regulation 1049/2001	6,055	5,274	5,906

3. RESULT

	2011		2012		2013	
	No	%	No	%	No	%
Access granted	4,856	80.20	3,928	74.48	4,400	73.43
Access refused	737	12.18	892	16.91	866	14.45
Partial access	462	7.62	454	8.61	640	10.68
total	6055	100	5274	100	5906	100

¹ Please note that a single request can concern several documents and can consequently give rise to several different replies

² Please note that the category "Replies given" includes the replies given outside the scope of Regulation 1049/2001, for example replies given under Regulation 45/2001

4. BREAKDOWN OF REFUSALS BY EXCEPTION APPLIED (%)

	2011	2012	2013
4.1.a. 1st indent – Protection of public security	2.40	1.34	1.53
4.1.a. 2nd indent Protection of defence and military matters	0.39	0.11	0.26
4.1.a. 3rd indent - Protection of international relations	12.02	3.58	6.19
4.1.a. 4th indent – Protection of the financial, monetary or economic policy	1.88	1.40	1.66
4.1.b. Protection of privacy and the integrity of the individual	8.90	14.65	16.26
4.2.1st indent - Protection of commercial interests	16.83	16.94	16.14
4.2 2nd indent - Protection of court proceedings and legal advice	6.76	9.84	5.42
4.2 3rd indent - Protection of the purpose of inspections, investigations and audits	21.90	25.32	23.60
4.3 subparagraph 1– Decision-making process, no decision yet taken	17.15	20.23	20.60
4.3. subparagraph 2- Decision making process, decision already taken: opinions for internal use as part of deliberations and preliminary consultations	8.58	4.92	6.51
4.5. Refusal by Member State/third author	3.18	1.67	1.85
total	100	100	100

CONFIRMATORY REQUESTS

5. APPLICATIONS RECEIVED AND HANDLED

	2011	2012	2013
Applications received	165	229	236
Replies to applications	162	202	252
Decisions on confirmatory applications based on Regulation 1049/2001	144	160	189

6. RESULT

	2011		2012		2013	
	No	%	No	%	No	%
Confirmation	61	42.36	91	56.88	106	56.08
Partial revision	62	43.05	39	24.38	45	23.81
Full revision	21	14.58	30	18.75	38	20.11
total	144	100	160	100	189	100

7. BREAKDOWN OF REFUSALS BY EXCEPTION APPLIED (%)

	2011	2012	2013
4.1.a. 1st indent – Protection of public security	1.33	1.31	0.92
4.1.a. 2nd indent - Protection of defence and military matters	2.00	0.65	3.69
4.1.a. 3rd indent - Protection of international relations	4.67	7.19	0
4.1.a. 4th indent – Protection of the financial, monetary or economic policy	3.34	0	7.37
4.1.b. - Protection of privacy and the integrity of the individual	20.67	10.46	16.13
4.2. 1st indent - Protection of commercial interests	14.66	11.76	11.98
4.2. 2nd indent - Protection of court proceedings and legal advice	1.33	7.84	6.91
4.2. 3rd indent - Protection of the purpose of inspections, investigations and audits	32.68	45.10	36.87
4.3 subparagraph 1 – Decision-making process, no decision yet taken	15.33	6.54	10.60
4.3. subparagraph 2 - Decision making process, decision already taken: opinions for internal use as part of deliberations and preliminary consultations	4.00	9.15	5.53
4.5. Refusal by Third Party / Member State	-	-	-
total	100	100	100

BREAKDOWN OF INITIAL REQUESTS

8. ACCORDING TO SOCIAL AND OCCUPATIONAL PROFILE OF APPLICANTS (%)

	2011	2012	2013
Academics	25.73	22.70	22.08
Lawyers	11.30	13.58	14.46
Civil society (interest groups, industry, NGOs, etc.)	8.59	10.32	16.62
Public authorities (other than the EU institutions)	8.20	7.12	8.24
Other EU institutions	8.15	7.64	8.76
Journalists	3.25	4.81	4.58
Not specified	34.78	33.83	25.26
total	100	100	100

9. ACCORDING TO GEOGRAPHICAL ORIGIN (%)

	2011	2012	2013
Austria	1.38	1.78	1.73
Belgium	21.42	21.85	24.23
Bulgaria	0.93	0.70	0.54
Cyprus	0.25	0.08	0.17
Croatia	-	-	0.14
Czech Republic	0.93	2.01	1.39
Denmark	2.11	1.58	3.12
Estonia	0.19	0.17	0.11
Finland	1.57	0.55	0.64
France	8.90	7.53	7.27
Germany	12.27	14.04	12.96
Greece	1.10	1.73	1.67
Hungary	0.96	0.63	0.86
Ireland	1.02	1.50	0.84
Italy	12.37	7.54	5.91
Latvia	0.15	0.17	0.12

Lithuania	0.42	0.30	0.78
Luxembourg	2.12	1.79	1.50
Malta	0.12	0.17	0.20
Netherlands	4.18	4.62	3.80
Poland	2.68	2.79	3.95
Portugal	1.15	1.11	0.98
Romania	0.87	0.91	0.67
Slovakia	0.56	0.81	0.35
Slovenia	0.31	0.22	0.29
Spain	7.16	5.70	6.54
Sweden	1.81	2.16	2.19
United-Kingdom	8.59	10.17	7.64
Non-EU European countries	0.40	0.37	1.81
North America	0.23	0.88	0.28
Australia and New Zealand	0.03	0.03	0.02
Africa	0.02	0	0.08
South America	0.02	0.03	0.03
Asia	0.06	0.05	0.26
Not specified	3.73	6.03	6.96
total	100	100	100

10. ACCORDING TO AREA OF INTEREST (%)

Directorate-General / Service	2011	2012	2013
AGRI – Agriculture and Rural Development	2.62	3.44	3.05
BEPA – Bureau of European Policy Advisers	0.11	0	0.06
BUDG – Budget	1.02	0.81	0.72
CLIMA – Climate Action	2.22	2.86	2.53
COMM – Communication	1.26	0.65	0.55
COMP – Competition	6.99	6.81	5.13
CONNECT – Communications Networks, Content and Technology ³	1.98	1.74	2.07
DEVCO – Development and Cooperation-EuropeAid (former DEV + AIDCO)	3.30	4.67	2.89

³ Please note that it was previously DG INFSO

DGT – Translation	0.14	0.20	0.14
DIGIT – Informatics	0.09	0.12	0.05
EAC – Education and Culture	1.05	1.13	2.13
ECFIN – Economic and Financial Affairs	1.57	1.11	1.53
ECHO – Humanitarian Aid and Civil Protection	0.33	0.18	0.23
ELARG – Enlargement	1.04	0.95	0.93
EMPL – Employment, Social Affairs and Inclusion	1.64	3.47	2.51
ENER – Energy	5.86	5.15	4.78
ENTR – Enterprise and Industry	4.84	4.55	5.02
ENV – Environment ⁴	6.37	6.61	5.07
EPSO – European Personnel Selection Office	0.23	0.23	0.18
ESTAT – Eurostat	0.20	0.20	0.28
FPIS – Foreign Policy Instruments Service ⁵	-	0.13	0.46
HOME – Home Affairs	4.74	3.14	2.07
HR – Human Resources and Security + OIB (Office for Infrastructure and Logistics in Brussels) + OIL (Offices for Infrastructure and Logistics in Luxembourg) + PMO (Office for Administration and Payment of Individual Entitlements)	2.34	2.98	2.23
IAS – Internal Audit Service	0.05	0.02	0.17
JUST – Justice	2.54	3.72	4.21
MARE – Maritime Affairs and Fisheries	0.95	0.66	1.01
MARKT – Internal market and services	5.72	5.02	4.30
MOVE – Mobility and Transport	3.02	2.66	4.15
OLAF – European Anti-Fraud Office ⁶	0.25	0.48	0.66
OP – Publications Office	0.37	0.12	0.11
REGIO – Regional Policy	2.29	3.41	2.20
RTD – Research and Innovation + JRC – Joint Research Centre	1.27	1.61	1.95
SANCO – Health and Consumer	6.96	7.28	8.26
SCIC – Joint Interpreting and Conference Service	0	0.02	0.02

⁴ Please note that DG ENV split into DG ENV and DG CLIMA in 2010

⁵ Please note that since the creation of the European External Action Service (EEAS), only documents of FPI are retained within the Commission

⁶ Requests for access to documents concerning OLAF investigations are not included

SG – Secretariat General	10.12	12.10	13.88
SJ – Legal Service	2.76	4.37	3.75
TAXUD – Taxation and Customs Union	7.80	4.92	6.01
TRADE – Trade	3.47	2.48	4.73
total	100	100	100