

Patrick Ky
Executive Director

Mr Chris Gaffney

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Cologne,

Subject: Your confirmatory application for access to documents

Rereference: Your email received on 22nd January 2022

Dear Mr Gaffney,

Thank you for your email dated 22 January 2022, in which you request the European Union Aviation Safety Agency (EASA) to reply to your e-mail of 3 October 2021 in accordance with Article 7(4) of Regulation (EC) 1049/2001¹.

First of all, we would like to apologize for not having answered earlier your e-mail of 3 October 2021. For some reason, your e-mails were not reaching us.

In your initial application (3 October 2021) you requested access to the following documents:

"[...]

- all records on radar data /file/folder/notes/email/correspondence/electronic data/ UCTs or/and unidentified crarf detected (reported) operating in EU airspace, including information forwarded to third parties. "

Also, we have noticed that previously, by e-mail of 18th July 2021, you have also applied for access to documents in accordance with Regulation (EC) 1049/2001. In particular in your application of 18 July 2021 you have requested access to *"all files/documents on incidents regarding UFOs UAPs in European airspace including radar reports reported by flight crews and atc."*

By e-mail dated 27 July 2021 (Ref Ares(2021)4803466) you were informed that the topic that you were interested in, falls outside the remit of EASA competences. As a consequence, we informed you that EASA did not hold any documents subject to your request.

We have assessed your request of 3 October 2021 and we have come to the conclusion that the scope of your request is very similar to the scope of your previous request of 18 July 2021. In addition, we have checked whether any legal or factual circumstances have changed since the previous negative decision was taken and we have concluded that there are any changes.

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145 of 31.3.2001, p. 43).

After assessing your application, **we regret to inform you that EASA does not hold any document subject to your request.**

Yours sincerely,

Patrick KY

Means of redress

If you wish to appeal against this decision, the legal remedies open to you are either to lodge a complaint with the European Ombudsman or to institute court proceedings against EASA, under Article 228 or 263 of the Treaty on the Functioning of the EU (TFEU), respectively.

