

EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT
Directorate A - Policy coordination and security
A.1 - Planning, communication & inter-institutional relations

Brussels, **13. 11. 2014**
DG MOVE A1/VGC/bl ARES (2014)

Subject: Your applications for access to documents of 30 October 2014

Dear Ms Cann,

We are referring to your email dated 30 October 2014 regarding the applications for two requests to access to documents as described below:

1. all documentation including correspondence from, to and within the Cabinet of the Commissioner for Transport including the Commissioner himself between January 1st 2011 and April 30th 2014 which relates to Directive 2008/101/EC, Decision 377/2013/EC, the proposed Directive 2013/0344 and Regulation 421/2014 including scope, implementation, enforcement
2. all the documentation including correspondence from, to and within the Cabinet of the Commissioner for Transport including the Commissioner himself between January 1st 2012 and April 30th 2014 which relates to international negotiations over the creation of an ICAO global market-based mechanism for aviation and a Framework for regional action.

We would like to explain in more detail the reasons why it might not possible to handle all your requests, to their full extent, and certainly not within the normal time frames set out in Article 7 of Regulation 1049/2001.

1. Your applications cover an undefined amount of documents: "minutes and internal reports of all meetings" and "all correspondence" between the Commissioner of Transport or his cabinet, or the corresponding Directorate-General with a number of external organisations. Your requests cover a period of time of 4 years which concerns the former Commissioner.
2. The search for documents that could fall within the scope of your applications would in itself be a very time-consuming exercise, even if this might not lead to identifying many relevant documents. In fact some services have already spent a considerable amount of time searching for relevant documents.
3. Many of the documents that will be identified as a result of these extensive searches could originate from third parties or from other services of the Commission. These third parties should have to be consulted.

As the handling of these requests would entail a disproportionate administrative burden, we suggest on a fair solution in the meaning of Article 6(3) of Regulation 1049/2001. Such a fair

Such a fair solution could consist in limiting the search period and on a staggered handling of your requests.

The General Court has considered that an institution is entitled to balance the interest in public access to the documents against the burden of work caused by the handling of very voluminous requests, in order to safeguard, in those particular cases, the interests of good administration.

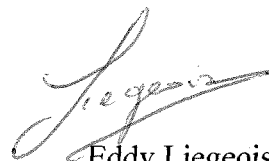
Under these circumstances, I would make the following proposal for a fair solution in the meaning of Article 6(3) of Regulation 1049/2001:

- The only way for the Commission to handle your applications is to narrow them down. One sensible and reasonable way to achieve this is to limit the search to documents produced or received for the period January 2013 to April 2014.
- The applications concerning the other services from other Directorate-General will be handled in successive stages;
- Each service concerned will establish a time frame for the handling of the applications falling within its remit.

We sincerely hope that it will be possible to reconcile your right of access to documents of the Commission with the proper functioning of the Commission's services. A refusal from your side to co-operate in finding a fair solution would make it impossible for the Commission to handle your applications

In accordance with Regulation 1049/2001 regarding public access to European Parliament, Council and Commission documents, you will receive a reply within 15 working days after we will have received your confirmation.

Yours sincerely,



Eddy Liegeois
Acting Head of Unit