

EUROPEAN COMMISSION
DIRECTORATE-GENERAL
REGIONAL AND URBAN POLICY

The Director-General

Brussels,
REGIO C1/FN/afb (2016) 5252126

Sent by email and by registered mail with
acknowledgement of receipt

Subject: Your application for access to documents – Ref GestDem No 2016-4289

Ref.: Your request of 29 July 2016; our email of 16 August

Dear Sir

We refer to your e-mail dated 29 July 2016, in which you make a request for access to documents, registered on the same date under the above-mentioned reference number. On 16 August 2016, our services informed you that we extended the time limit by 15 working days, in accordance with Article 7(3) of Regulation (EC) No 1049/2001 (hereafter "the Regulation") regarding public access to documents and that the new time limit expires on 13 September 2016.

For ease of reference, we quote below your application:

"Documents which contain the following information:

- a) *CSV or XLS dataset on financial corrections applied to all member states during 2000-2015 (or even before 2000 if possible);*
- b) *CSV or XLS dataset on financial corrections applied to all member states during 2007-2013 - differentiated by each Operational Programme per country;*
- c) *CSV or XLS dataset on exact amount of funds member states that have been paid back to the Community budget during 2000-2015, due audit errors / sanctions (etc) for the misuse European funds (ERDF / CF and other funds) managed by your Directorate.*

As regards the first and the third request mentioned under point (a) and (c), this information is publicly available and can be found under the following link:

http://ec.europa.eu/budget/library/biblio/documents/2015/communication-protection-eu-budget_en.pdf

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Additionally, we have identified the following websites/documents that may address your query:

1. The website of DG BUDGET ("EU 2015 accounts adopted: performance focus shows EU budget is delivering"): http://ec.europa.eu/budget/news/article_en.cfm?id=201607191217
2. Commission Staff Working Paper on analysis of errors in Cohesion Policy: http://ec.europa.eu/regional_policy/sources/docoffic/working/doc/errors_analysis_2011_en.pdf ;
3. Report on financial corrections carried out for ERDF and ESF on 2000-06 programmes: <http://www.europarl.europa.eu/document/activities/cont/201304/20130415ATT64480/20130415ATT64480EN.pdf> ;
4. PIF report (Annual Report 2015 on the Protection of the EU's Financial Interests – Fight against fraud (2015/2128(INI)): https://ec.europa.eu/anti-fraud/reports_en
5. Annual Activity Reports for DG Regional and Urban Policy, the latest one available via this link: http://ec.europa.eu/atwork/synthesis/aar/doc/regio_aar_2015.pdf

Concerning the second request (b), we enclose in annex a copy of an electronic table monitoring financial corrections as of 1 January 2016, and which therefore is not representative of all 2007-2013 cases. It includes cases for the programming period 2007-2013 for which financial corrections were proposed to the Member States and for which the process is closed.

As regards the cases for which the decision-making process is still ongoing and which are also part of the electronic table, disclosure is prevented by exceptions to the right of access laid down in Article 4 of this Regulation. Disclosure of these parts of the document requested would undermine the protection of the decision-making process of the Commission, as it would reveal preliminary views and policy options which are currently under consideration; the Commission's services must be free to explore all possible options in preparation of a decision free from external pressure. Therefore the exception laid down in Article 4(3) first subparagraph of the Regulation applies to this document.

The exception laid down in Article 4(3) of the Regulation applies unless there is an overriding public interest in disclosure of the document. We have examined whether there could be an overriding public interest in disclosure but we have not been able to identify such an interest.

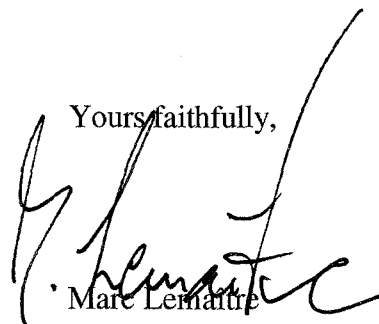
We were not able to identify other documents that would correspond to your request.

In case you are looking for a specific audit report(s) written by our services concerning programmes co-financed by ERDF/CF, we would kindly ask you, pursuant to Article 6(2) of the Regulation, to indicate more exact information on the documents which you seek to obtain, such as references, dates or periods during which the documents would have been produced, persons or bodies who drafted the documents, etc.

In accordance with Article 7(2) of the Regulation, you are entitled to make a confirmatory application requesting the Commission to review this position. Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission by email to: sg-acc-doc@ec.europa.eu or at the following address:

European Commission
Secretary-General
Transparency unit SG-B-5
BERL 5/327
B-1049 Bruxelles

Yours faithfully,



Marc Lemaitre