Subject: Confirmatory application for access to a Commission document reference - GestDem 2013/5957

Dear Mr Kolimatsis,

I refer to your e-mail of 18 December 2013, registered on 19 December 2013, in which you lodge a confirmatory reply regarding two requests on access to documents.

In your initial demand of 16 November 2013, registered on 27 November 2013, you requested access to a list of documents, among which the following were attributed to the Directorate General for Research and Innovation (hereafter DG RTD):

1. The documents notified to the DPO pursuant to article 8(1) of the Decision regarding the inter-services consultations about the FP7 and Horizon 2020.

2. The documents notified to the DPO pursuant to article 8(3) of the Decision about the FP7 (e.g. calls for proposals, negotiations, running of the grant agreement, external financial audits), Horizon 2020, and the external financial audits of the Research DGs.

In its reply of 16 December 2013 DG RTD stated that:

a) No documents were found falling under the scope of point 1 of your request.

b) It had identified the following documents corresponding with your description regarding point 2:

- Notification DPO-978
- Notification DPO-2382
- Notification DPO-3398

Commission européenne/Europese Commissie, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË - Tel. +32 22991111
http://ec.europa.eu/dgs/secretariat_general/
E-mail: sg-acc-doc@ec.europa.eu
You were provided with all three notifications as well as with their previous versions.

In your confirmatory application:

- You challenged the finding that no documents falling under the scope of point 1 exist and demand a fresh and diligent search.

- You claim that, regarding point 2, prior notifications are not opinions of the Legal Service and demand a fresh and diligent search.

Against this background, we have asked DG RTD and the Legal Service to inspect their files again in order to verify that no other documents indeed exist. The latter, after a detailed search, have confirmed that:

a) For point 1, no documents were found falling under the scope of your request.

b) For point 2, the only documents identified have been already sent to you.

Therefore, I regret to inform you that your confirmatory application is devoid of purpose. Indeed, a confirmatory application is a request to review a position by which access to one or more documents has been fully or partially denied. This is obviously not the case with regard to your request.

Yours sincerely,

Catherine Day