Dear Mr Fanta,

We refer to your e-mail of 8 December 2023 wherein you make a request for access to documents pursuant to 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 (‘Regulation 1049/2001’), registered on the same day under the reference number EASE 2023/7292.

By your application you are requesting:

‘(...) Documents which contain the following information:

- Framework Partnership Agreement (FPA) with Euronews, signed in July 2021
- All follow-up exchanges between the Commission and Euronews on the FPA (I note that a briefing note for a meeting of Commissioner Breton with Euronews on 24.03.2023 is covered by a separate request and is not meant to be in the scope of this request)(...)

Your application concerns a very large number of documents. Please note that at this stage, according to our estimate more than 300 documents would fall within the scope of your request.

Due to the scope of your request, the work needed to deal with your application requires multiple searches for documents, and entails the following steps:

- multiple searches for the identification of the documents which may fall within the scope of the request;
- retrieval, individual analysis of the documents and establishment of a complete list of the documents falling under the scope of your request;
- scanning of the documents which are not in pdf format;
- preliminary individual assessment of the content of the documents in light of the exceptions contained in Article 4 of Regulation 1049/2001;
- for many of the documents, third party consultations under Article 4(4) and/or 4(5) of Regulation 1049/2001;
- final assessment of the documents in light of the comments received;
- redaction of those parts of the documents to which one or several exceptions apply;
- preparation and finalisation of the reply for the request, and
- preparation of the reply and the documents for dispatch.

It follows from the above that the work needed for the treatment of your request cannot be expected to be completed within the normal time limits set out in Article 7 of Regulation 1049/2001.

Article 6(3) of the Regulation 1049/2001 provides that, in the event of an application relating to a very long or a very large number of documents, the institution concerned may confer with the applicant informally with a view to finding a fair solution. In accordance with the case law of the Union Courts, the proposal for a fair solution aims to balance the interest of the applicant against the workload resulting from the processing of the application in order to safeguard the interests of good administration (Judgments of 6 December 2001, Council v Hautala, Case C 353/99 P, EU:C:2001: 661, para. 30, and of 2 October 2014, Strack v Commission, Case C 127/13 P, EU:C:2014:2250, para.27). Such solution can only concern the content or the number of
documents applied for, not the deadline for replying (Judgment of the Court of Justice of 2 October 2014 in case C-127/13, Guido Strack v Commission, paragraphs 26-28).

This means that the scope of the request must be reduced in a way that would enable its treatment within the extended deadline of 15 + 15 working days.

Taking this into account and based on the above-mentioned provision, we would kindly ask you to specify the objective of your request, your specific interest in the requested documents and whether you could narrow down the scope of your request, so as to reduce it to a more manageable amount of documents.

In order to help you narrow down your wide scope request, please note that at this stage the following categories of documents and estimate number of documents per category have been identified:

- Framework Partnership Agreement and its Annexes: Approximately 10 documents
- Invitations and contracts related to specific grant agreements: Approximately 30 documents per year
- Email exchanges with Euronews: Approximately more than 100 documents per year
- Documents on cost audits: Approximately 5 documents

Taking into account the other ‘access to documents’ requests being handled within DG CONNECT at the same time, the global workload of the concerned staff during the same period, the human resources available and the need to safeguard good administration, we consider that in the remaining timeframe we would be able to deal with a maximum of 15 documents falling within the abovementioned categories.

In order to enable us to respect the time limits of Regulation 1049/2001, we would ask you for a swift response to our proposal for a fair solution. Please respond by email within 5 working days, i.e. by 4 January 2024 at the latest.

Please send your response by email to the following address:

xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx@xx.xxxxxx.xx

In the absence of a reply within the abovementioned deadline, we will unilaterally restrict the scope of your application to those parts that can be dealt with within the extended deadline of 30 working days counting from the date of registration of your application.

Thank you in advance for your cooperation.

The DG CONNECT Access to Documents Team

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