Dear Mr Meunier,

I am writing concerning your request for access to Commission documents registered on 26 January 2024 under case number EASE 2024/0497 (1).

The reply under the number EASE 2024/0497 concerns documents being held by the Commission, with the exception of documents held by the SG, which will be handled under a separate reference; you will be informed thereof in a short period of time.

Your application concerns many documents, which need to be assessed individually. In addition, certain documents are originating from third parties and therefore their release must be consulted.

The analysis of these documents, together with the need to consult the third parties concerned, in accordance with Article 4(4) of Regulation (EC) No 1049/2001, cannot be expected to be completed within the normal time limits set out in Article 7 of Regulation (EC) No 1049/2001.

However, Article 6(3) of Regulation (EC) No 1049/2001 also provides for a possibility to confer with an applicant informally with a view to finding a fair solution when an application relates to a very long document or concerns a very large number of documents.

In accordance with the case law of the EU Courts, such a solution can only concern the content, or the number of documents requested, not the deadline for replying (2). This means that the scope of the request must be reduced in a way that would enable its processing within the extended deadline of 15 + 15 working days.


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(1) Our reference Ares(2024)612539

Based on the above-mentioned provision, we would kindly ask you to specify the objective of your application and your specific interest in the documents requested (1), and whether you could narrow down the scope of your application, so as to reduce it to a more manageable number of documents.

To help you to narrow down your application, please find attached a list of documents identified within the scope of your request, including attachments.

We have identified all documents falling under your request and established a complete list thereof; this task took 10 working days. According to our first estimates, the further handling of your request would take 65 working days (³), broken down as follows:

- assessment of the content of the documents in light of the exceptions of Article 4 of Regulation (EC) No 1049/2001: 5 working days;
- third-party consultations under Article 4(4) of Regulation (EC) No 1049/2001: 15 working days;
- drafting of the reply: 5 working days;
- redaction of those parts of the documents to which one or several exceptions apply: 10 working days;
- internal review and approval of the draft decision: 10 working days; and
- preparation of the reply and the documents for dispatch (administrative processing): 20 working days.

It follows that, according to our estimates, a maximum of 30 documents, could possibly be dealt with within the extended deadline of 30 working days counting from the date of registration of your request.

In this context we propose you choose from the list here attached up to 30 documents. Please reply to this proposal for a fair solution within five working days at the latest.

In the absence of a reply within five working days, we will restrict the scope of your application to those parts that can be dealt with within the extended deadline of 30 working days. Thank you in advance for your understanding.

Yours sincerely,

Irene SACRISTAN SANCHEZ
Head of Unit

Enclosure: Annex – List of documents

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(²) Taking into account other applications for access to documents and other tasks that the staff concerned are likely to have to deal with during the same period.