Subject: Your application for access to documents - GESTDEM 2024/1190

Dear Sir,

We refer to your e-mail of 1 March 2024 in which you make a request for access to documents, registered on 8 March 2024 under the reference number above.

You have requested “All internal and external data related to the 'Romanian children' also known as 'Romanian Orphans' especially as concerns President Jacques Delors and his Cabinet (years 1990-1995). Like letters, mails, minutes, reports, phone call logs - internal and external”.

Please note that due to the wide scope of your request, which covers areas which fall under the responsibility of other Directorates-General, part of your request has been attributed to the Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR) under the reference number GESTDEM 2024/1441.

Please also note that the handling of your request involves the assessment of numerous documents originating from third parties and a Member State. The analysis of these documents, together with the need to consult the third parties and the Member State concerned in accordance with Article 4(4) and 4(5) 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. In addition, most of these files are in the Historical Archives of the European Commission and available in paper format only.

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.
The following categories of documents have been identified as falling under the scope of your request:

1. Documents from the Cabinet of the former Commission President Delors relating to the period 1989-1992. These documents will be sent to you with a separate letter by 25 March.

2. Twenty boxes of documents related to the situation of Romanian orphanages and childcare system as well as to EU-funded child protection projects in Romania covering the period 1990-1995. These documents are available in the Historical Archives of the European Commission (paper format only).

As regards the documents mentioned in point 2 above, we propose to grant you/your association access to these documents in a reading room in the Commission premises in Brussels. The access will be granted after a first analysis of the files, which will be carried out as follows:

- Files closed up to 1994 (files older than 30 years): the analysis will be made by the Historical Archives Service in application of Council Regulation (EEC, Euratom) No 354/83.

- Files closed after 1994: the analysis will be made by the competent Commission Directorate-General for Neighbourhood and Enlargement Negotiations in application of Regulation (EC) No 1049/2001. Please note that for these files, you will receive the reply from the Directorate-General for Neighbourhood and Enlargement Negotiations in due course.

In order to enable us to respect the time-limits of Regulation (EC) No 1049/2001, we would ask you for a swift reply to our invitation to propose a fair solution, within five working days at the latest:

- by e-mail to: SG-E-1-ACCES-DOCUMENTS@ec.europa.eu

If you have any questions concerning the invitation, you can contact us:

- by e-mail at: SG-E-1-ACCES-DOCUMENTS@ec.europa.eu

In the absence of a reply within five working days, 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 registration of your application: 8 March 2024.

Thank you in advance for your understanding.

Yours faithfully,

William SLEATH