



Director-General

Brussels
JUST/C1/AH/ts/70865s

Mr Mike Stabenow
ask+request-96982e5e9d1@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 5704/2013

Dear Mr Stabenow,

I refer to your e-mail dated 5 November and 6 December 2013 in which you make a request for access to documents, registered under the above mentioned reference number.

As mentioned in our reply by e-mail dated 20 December 2013, the document which relates to point 3 of your request originates from a third party and therefore the originator of the document has been consulted. As you are aware, the originator of the document in question has made his approval of public disclosure conditional upon verification of the identity of the applicant as a natural person in the sense of Article 2(1) of Regulation 1049/2001 regarding public access to documents. To respond to that condition we have asked whether you are willing to send the Commission such proof of identity, e.g. through a copy of your identity card. Otherwise, there is no consent of the third party to disclose the document concerned.

In your reply by e-mail dated 23 December 2013 the Commission does not find proof of the requested identity.

Therefore, following an examination of the document requested under the provisions of Regulation 1049/2001 and taking into account the opinion of the third party, I regret to inform you that your application cannot be granted, as disclosure is prevented by exception to the right of access laid down in Article 4 of this Regulation.

In light of the abovementioned conditional approval of public disclosure and the fact that the condition has not been met the Commission at this stage must refuse access to the document.

We have considered whether partial access could be granted to the document requested. However, the entire document is covered by the exception.

In accordance with Article 7(2) of Regulation 1049/2001, 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 at the following address:

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

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

A handwritten signature in black ink, appearing to read 'F. Le Bail'.

Françoise LE BAIL

Director-General