

ECFINnet – website Access to documents requests (review December 2016)

What is the right "access to documents"?

The right to access documents is part of the larger goal of making decision-making as open as possible and as close as possible to the citizen (Art. 1 TEU).

The Treaty (Art. 15 TFEU) gives European citizens and natural persons residing in a Member State a right to access documents of the European institutions. Legal persons (e.g. companies or NGOs) having their registered office in the EU also have this right.

Regulation (EC) No 1049/2001, on public access to European Parliament, Council and Commission documents comprises the detailed legal rules for the above fundamental right.

The Commission has decided to open up the right to access documents to citizens of third countries not residing in a Member State and legal persons not having their registered in one of the Member States (Commission Decision 2001/937 of 5 December 2001, Official Journal L 345, of 29 December 2001 with detailed rules for the application of Regulation (EC) No 1049/2001).

How do we treat an access to documents in DG ECFIN?

Since the reorganisation of DG ECFIN, taking effect on 1 March 2016 we apply a decentralised compliance-approach, like it is common practice among Commission services.

Who does what in DG ECFIN?

The ECFIN-ACCESS-TO-DOCUMENTS-TEAM in unit R1 registers (in the GESTDEM-database), attributes and monitors access to documents requests (normally introduced via an electronic form) for the whole DG. It gives administrative and legal support to the service in DG ECFIN to which it has attributed the request and ensures compliance with the requirements of Regulation 1049/2001 (whenever necessary, by liaising with the Secretariat-General and the Legal Service).

The operational service in lead for the dealing with the request, corresponds with the applicant, and to identifies and assesses the documents requested and prepares the replies (positive or negative).

Where can I get help and guidance?

Write to the functional mailbox: ECFIN-ACCESS-TO-DOCUMENTS@ec.europa.eu or visit the GoPro (Guide to Procedures) website or the SG Corporate website - access to documents (links below). Regular training sessions are offered by the Secretariat-General.

What should I do when I receive a request from the public (citizen, MEP, Business firm, journalist, etc)?

•If the request relates to information which is not contained in specific documents and if replying would involve compiling information from a number of different documents, it should be considered as a request for information to be processed in accordance with the Code of Good Administrative Behaviour.

- You should answer the request or, if your service is not the relevant recipient, transfer the request to the service which can provide an answer.

- If the request is introduced by a journalist or if the request relates to a written question of a Member of the European Parliament under the Rule 117 of the Rules of Procedure of the European Parliament, you should contact Unit A4 - Inter-institutional relations and communication.

- If the request relates to a document which is already published, it should be considered as a request for information to be processed in accordance with the Code of Good Administrative Behaviour and you should answer the request by informing the applicant where he/she can find the requested document (Official Journal, EUR-Lex, OP, etc.).

- If the request relates to a document which is not published (internal document in possession of the Commission) it should be considered as a request for access to documents to be processed in accordance with the Regulation 1049/2001 and you should transfer the request without delay to the ECFIN-ACCESS-TO-DOCUMENTS-TEAM for registration.

Further information

- Link to GoPro (Guide to Procedures)
- Link to the SG Corporate website - access to documents
- MANUAL for handling access to documents requests in DG ECFIN
- Quality Checklist – Initial replies to access to documents
- Leaflet 'What should I do when I receive an application for access to documents' (EN/FR)
- Link to Unit ECFIN.A4 (Inter-institutional relations and Communication)