



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT

The Director-General

Brussels  
MOVE/HH/ARES(2022)8921339

Mr Vladislav VODOPIAN  
[ADDRESS REDACTED]

*Sent by e-mail with request for  
acknowledgment of receipt:*  
[ask+request-12158-  
74bce396@asktheeu.org](mailto:ask+request-12158-74bce396@asktheeu.org)

Dear Mr. Vladislav Vodopian,

**Subject: Your application for access to documents – EASE(2022)6687**

We refer to your application registered on 18 November 2022 under case number EASE(2022)6687, in which you make a request for access to documents.

You request access to the following documents:

— “*All E-Mail correspondence between the Directorate-General Mobility and Transport (MOVE) and any other institutions or bodies of the EU or EU member states, that was sent from or received to the E-Mail address MOVE-AVIATION-SANCTIONS@ec.europa.eu, starting from 27.02.2022.*”

Your application concerns an extremely large number of documents, which would need to be assessed individually. As of 24 November 2022, the functional mailbox “MOVE-AVIATION-SANCTIONS@ec.europa.eu” contained 2178 sent and received e-mails. Their examination and assessment could not be carried out within the normal time limits set out in Article 7 of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents<sup>1</sup> (hereinafter ‘Regulation (EC) No 1049/2001’).

Further, the examination and identification of the documents requested would require an unreasonable amount of administrative work for the Commission services. This excessive

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<sup>1</sup> 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 (OJ L 145, 31.5.2001, p. 43).

amount of work relates not only to the number of documents referred to in the request and their volume, but also to their nature and the diversity of their authors. It is clear that the necessary assessment would substantially impair the Commission services' other activities. Please note that this also takes into account the resources already deployed for the treatment of other applications that you submitted<sup>2</sup>.

In such exceptional cases, the need to balance the interest in public access to documents against the burden of work so caused provides a right to the Commission not to carry out this assessment, in order to safeguard the interests of good administration<sup>3</sup>.

In the event of an application relating to a very long document or to a very large number of documents, Article 6(3) of Regulation (EC) No 1049/2001 requires the Commission to confer with the applicant informally, with a view to finding a fair solution.

In this particular case, taking into account the previous exchanges held between yourself and the Directorate-General for Mobility and Transport in another application that you submitted (case number EASE(2022)5736), we already have the information that you have a specific interest in exchanges concerning the application of certain restrictions laid down in Council Regulation (EU) No 833/2014<sup>4</sup> (as amended, *inter alia*, by Council Regulation (EU) 2022/334<sup>5</sup>) to student pilots and General Aviation pilots holding Russian and either an EU residence permit or dual citizenship of Russia and the EU. These are the documents which we understand you consider as a priority.

We have already provided you with an identification of the relevant documents and with an extensive assessment on this matter as a reply to the application registered under case number EASE(2022)5736. We have explained to you in detail the reasons why access to the identified documents had to be refused. A proposal for a fair solution seems therefore devoid of any useful purpose in this case.

In any event, please note that the functional mailbox "MOVE-AVIATION-SANCTIONS@ec.europa.eu" was created specifically to establish a communication channel between the Commission services, the European Union Aviation Safety Agency, Eurocontrol and the Member States' competent authorities in order to deal with matters related to the sanctions' legal framework. It is a specifically tailored means for sanctions oversight and international cooperation. The correspondence sent or received through the functional mailbox is generically protected by the exceptions to the right of access laid down in Article 4 of Regulation (EC) No 1049/2001 concerning the protection of the public interest as regards public security, defence and military matters, international relations, court proceedings and legal advice, the purpose of inspections, investigations and audits, and the protection of the decision-making process of the Commission.

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<sup>2</sup> In particular, cases EASE(2022)4647 registered on 16 August 2022 and replied to by the Commission services on 22 September 2022, and EASE(2022)5736 registered on 7 October 2022 and replied to by the Commission services on 22 November 2022.

<sup>3</sup> See Judgment of the Court of First Instance of 13 April 2005 in case T-2/03, *Verein für Konsumenteninformation v Commission*, paragraph 102.

<sup>4</sup> Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 1).

<sup>5</sup> Council Regulation (EU) 2022/334 of 28 February 2022 amending Council Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 57, 28.2.2022, p. 1).

In light of the above, we regret to inform you that the Commission services will not proceed with further examination of your request.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

**by asking for a review via your portal<sup>6</sup> account** (available only for initial requests submitted via the portal account),

**or by mail:**

European Commission  
Secretariat-General  
Transparency, Document Management & Access to Documents (SG.C.1)  
BERL 7/076  
B-1049 Bruxelles

**or by email to:** [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

Henrik HOLOLEI

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<sup>6</sup> <https://www.ec.europa.eu/transparency/documents-request>