EUROPEAN EXTERNAL ACTION SERVICE

DG Budget and Administration
The Director-General

Brussels, **1 0 AVR. 2017**
eeas.sg.affgen.2 (2017)

Mr Vincent van Gerven Oei
vincent@exit.al

Subject: Your request for access to documents
Our ref: 2017/013

Dear Mr van Gerven Oei,

Thank you for your email dated 21/03/2017, which we have examined in the framework of Regulation (EC) No 1049/2001[1].

In your confirmatory request you acknowledge receipt of the requested documents that we sent you on 17 March and you reiterate the request to also get access to the list of offered properties (part of the market survey), to which access had been refused since disclosure would undermine the protection of commercial interests, as per Article 4(2)1st indent of the abovementioned Regulation.

I hereby confirm that releasing the list of offered properties (part of the market survey) would indeed undermine the protection of commercial interests of a natural or legal person, as per Article 4(2)1st indent of the abovementioned Regulation. Therefore, I cannot grant you access to such list.

In your confirmatory application you do not give any specific reasons as to why disclosure of the documents would benefit the general public. Based on my own assessment of the possible existence of an overriding public interest in disclosure, I conclude that I have not been able to identify such an overriding public interest in the sense of Regulation 1049/2001.

If you are not satisfied with this response you may, in accordance with Article 8 of the Regulation, institute court proceedings against the European External Action Service and/or make a complaint to the Ombudsman, under the conditions laid down in Articles 263 and 228 of the Treaty on the Functioning of the EU respectively.

Yours sincerely,

Gianmarco Di Vita

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[1] Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (hereafter the "Regulation").

Electronically signed on 06/04/2017 17:39 (UTC+02) in accordance with article 4.2 (Validity of electronic documents) of Commission Decision 2004/563.
Service Européen pour l'Action Extérieure, B-1049 Bruxelles / Europese dienst voor extern optreden, B-1049 Brussel - Belgium.
Telephone: (32-2) 584 11 11.