



Brussels, 27 February 2019
JUST/C2/(2019) s

Subject: Your application for access to documents – Ref GestDem No 2019/0757

Dear Ms Marti,

We refer to your email dated 02/02/2019 in which you make a request to the European Commission for access to documents. Your request was registered on 08/02/2019, under the above-mentioned reference number.

You requested the following:

- 1) A list of all the meetings held from January 2012 between churches, religious associations or communities as well as philosophical and non-confessional organisations and Ms Katharina von Schnurbein and/ or Mr Vincent Depaigne.*
- 2) Each meeting should include the date; the participants and their roles; the place; and any information produced or exchanged (agenda, minutes, notes, documents, presentations, etc.).*

Your application concerns a very large number of documents and data, which need to be collected and assessed individually. Such a detailed analysis cannot be carried out within the normal time limits set out in Article 7 of Regulation 1049/2001.

However, the Regulation also provides for a possibility to confer with applicants in order to find a fair solution when an application relates to a very long document or concerns a very large number of documents. Article 6(3) provides that in the event of an application relating to a very long document or to very large number of documents, the institution concerned may confer with the applicant informally, with a view to finding a fair solution.

In accordance with the case law of the EU Courts, such a solution can only concern the content or the number of documents applied for, not the deadline for replying.¹ This

¹ Judgment of the Court of Justice of 2 October 2014 in case C-127/13, *Guido Strack v Commission*, paragraphs 26-28.

means that the scope of the request must be reduced in a way that would enable its treatment within the extended deadline of 15 + 15 working days.

Based on the above-mentioned provision, we would kindly ask you to specify the objective of your request and your specific interest in the documents requested², and whether you could narrow down the scope of your request (i.e. the subject matter(s) and/or timeframe covered), to reduce it to a more manageable amount of documents.

In order to help you to narrow down your request, please note that the following categories of documents have been identified as falling under the scope of your request:

1. Around 300 bilateral meetings between January 2012 and February 2019. We are currently assessing if and which type of documents the European Commission holds, relating to those meetings;
2. 35 seminars and high-level meetings between January 2012 and February 2019.

As for point 2, please find below the links to the web pages containing, respectively:

- information and documents (including agenda, list of participants, press release, speeches, presentations) related to seminars and high-level meetings from November 2014 to February 2019 https://ec.europa.eu/newsroom/just/item-detail.cfm?item_id=50189
- information and documents (including agenda, list of participants, press release, speeches, presentations) related to seminars and high-level meetings from January 2012 to June 2014 http://ec.europa.eu/archives/bepa/activities/outreach-team/dialogue/index_en.htm

As for the above, please let us know whether you would need further documents, apart from those published on the web pages.

According to our first estimates, the handling of your request would take 45 working days³, broken down as follows:

- identification of the documents falling under your request: 10 working days;
- retrieval and establishment of a complete list of the documents identified: 5 working days;
- scanning of the documents: 5 working days;
- assessment of the content of the documents in light of the exceptions of Article 4 of Regulation 1049/2001: 5 working days;
- drafting of the reply: 5 working days;

² Ibid, paragraph 28; Judgment of the General Court (then 'Court of First Instance') of 22 May 2012 in case T-344/08, *EnBW Energie Baden-Württemberg v Commission*, paragraph 105.

³ Taking into account other applications for access to documents and other tasks that the staff concerned are likely to have to deal with during the same period.

- redaction of those parts of the documents to which one or several exceptions apply(ies): 5 working days;
- internal approval of the draft decision on your request: 5 working days;
- preparation of the reply and the documents for dispatch (scanning of the redacted versions, administrative treatment,...): 5 working days.

It follows that, according to our first estimates, documents from meetings held from December 2015 to February 2019 could possibly be dealt with within the extended deadline of 30 working days counting from the date of registration of your application on 08/02/2019.

In order to enable us to respect the time limits of Regulation 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 email to: JUST-DIALOGUE@ec.europa.eu

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

- by email at: JUST-DIALOGUE@ec.europa.eu
- by telephone at: (+32) (0) 229 96960

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 on 8/02/2019.

Thank you in advance for your understanding.

Yours sincerely,

Barbara Nolan