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Cologne, 10. APR. 2019

**Subject: Your request on access to documents – FACTS project**

Dear Mr Bass,

Thank you for your message of 30 March 2019, submitted via the “asktheeu.org” platform by which you file a confirmatory application in accordance with Regulation (EC) No 1049/2001<sup>1</sup> that is applicable to documents held by the European Union Aviation Safety Agency (EASA) under Art. 119(1) of Regulation (EU) No 2018/1139<sup>2</sup>. We understand that your confirmatory application relates to your previous communications to EASA dated 27 February 2019 and 21 March 2019 concerning “Progress of FACTS project <https://facts.aero>”. We apologise for not yet having provided you with a substantial reply to your previous correspondence.

After having assessed your request, EASA concludes that it in essence concerns two elements.

Firstly, you request information related to the details and dates of the meetings that have been held by involved parties in the FACTS project. We understand that in this respect you are looking for information related to the organisational/procedural aspects of the FACTS project, notably a general list of the meetings. In this respect, please find below a table reflecting the key meetings that have taken place so far under the framework of the FACTS project:

Date	Detail
22 Feb 2017	FACTS Project Kick Off Meeting
12-13 Sept 2017	FACTS Steering Committee Meeting
28-30 Nov 2017	FACTS Consortium/ Scientific Committee/ Stakeholder Meeting

<sup>1</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 31 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145 of 31.3.2001, p. 43).

<sup>2</sup> Regulation (EU) No 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91 (OJ L 212, 22.8.2018, p. 1).

16-17 Jan 2018	FACTS Scientific Committee/EASA/DG-Move Meeting
01-Jun-18	Steering Committee Meeting at Consortium member VITO
13-14 Jun 2018	Scientific Committee / DG-Move / EASA Meeting
5-6 Jul 2018	Steering Committee Meeting at Consortium member Fraunhofer
4-5 Sep 2018	Scientific Committee / DG-Move / EASA Meeting
20-21 Sep 2018	Steering Committee Meeting
15 Nov18	Scientific Committee / DG-Move / EASA Meeting
5-6 Feb 2019	Flight Test
27-28 Mar 2019	Scientific Committee / DG Move / EASA

Secondly, you request access to documents which contain information on the progress that has been made in the FACTS project in relation to Work Packages 1 to 4.

After having reviewed your request in accordance with Regulation (EC) No 1049/2001, besides the fact that your application is very broad and relates to a very large number of documents, I regret to inform you that the documents you request fall under the exceptions provided for in Regulation (EC) No 1049/2001.

The FACTS project is an on-going project which will run until December 2020. As you might be aware, currently a large number of experimental investigations and research activities is being performed by the selected Consortium, involving the nominated Scientific Committee. The activities and deliberations are still on-going with no final conclusions being drawn or a final decision being taken yet in the project. The disclosure of project details to the public at this stage would endanger the independence of the experimental investigating and research activities and would create external interferences, unduly influencing the results, in particular as regards the assessment of risks and the elaboration of countermeasures.

EASA therefore considers that the *disclosure of these documents would seriously undermine the institution's decision-making process* as provided for in Article 4(3) of Regulation (EC) No 1049/2001.

Please note that immediately after the completion of the FACTS project in December 2020, the final results will be shared with the public on the project's website (<https://www.facts.aero>).

We hope this information answers your needs.

Yours sincerely,



Stéphanie Rostren

Administrative Notice:

You have a right to appeal this decision either lodging a complaint to the European Ombudsman or to institute court proceedings against EASA under Article 228 or 263 of the Treaty on the Functioning of the EU, respectively.

