



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

The Director-General

Brussels
AGRI/WB/I.3/KVK/RW D(20215644216)

By registered letter with acknowledgment of receipt

Mr Léo MAGNIN
13 rue Pasteur
38370 Les Roches de Condrieu

Advance copy by email :

ask+request-9565-c71b5acb@asktheeu.org

Dear Sir,

Subject: Your application for access to documents – GESTDEM 2021/4298

We refer to your e-mail of 23/06/2021 in which you make a request for access to documents, registered on 29/06/2021 under the above-mentioned reference number.

You request access to: *Detailed control statistics of the CAP - cross-compliance - the detailed MS statistics (e.g., for each Good agricultural and environmental condition)*

The following documents fall within the scope of your application:

- the Czech authorities' CAP - cross-compliance control statistics for 2015, 2016, 2017, 2018, 2019 and 2020

Since these documents originate from a third party, the originator of the documents has been consulted.

Following an examination of documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents and taking into account the opinion of the third party, I regret to inform you that your application cannot be granted, as disclosure is prevented by exception to the right of access laid down in Article 4(2) of this Regulation.

The documents which you seek to obtain relate to an ongoing audit concerning the implementation of the cross-compliance system in the Czech Republic.

The author of the documents has objected to disclosure of the documents that he sent to the Commission and has motivated his position on the fact that the results of the ongoing cross-compliance audit are partly contingent on the information contained in the requested

documents. Therefore, disclosure of these documents would undermine the protection of the purpose of the ongoing audit.

We have considered whether partial access could be granted to the documents requested. However, they are entirely covered by the aforementioned exception.

The exceptions laid down in Article 4(2) of Regulation (EC) No 1049/2001 apply unless there is an overriding public interest in disclosure of the documents. However, we have not been able to identify an overriding public interest in disclosure.

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 within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission

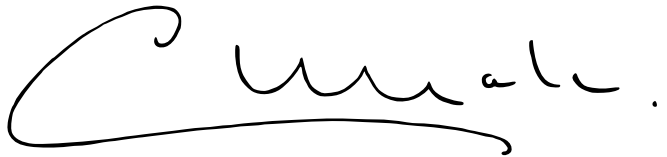
Secretariat-General

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

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Michael', with a large, sweeping initial 'M' and a trailing flourish.

p.o. Michael NIEJAHR
in absence of
Wolfgang BURTSCHER