



EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

Directorate E - Citizens, Health, Migration & Security Union  
**The Director**

Brussels  
SG.E.3/FB

Mr Moritz NEUJEFFSKI  
Heidebrinker Straße 10,  
13357 Berlin  
GERMANY

*By email only to the email address:*  
[ask+request-11804-f78e2ab5@asktheeu.org](mailto:ask+request-11804-f78e2ab5@asktheeu.org)

**Subject: Your application for access to documents – GESTDEM 2022/5104**

Dear Mr Neujeffski,

I refer to your request of 8 September 2022 under Regulation (EC) No 1049/2001 regarding public access to documents (hereafter, ‘Regulation 1049/2001’), registered by the Commission on 12 September 2022 under the reference number above.

In your application, you request access to:

1. ‘A list of EU Pilot cases from the EU Pilot database handled by the European Commission between 1 January 2008 and 1 September 2022, including the cases’ reference numbers, titles and dates of issue, preferably in the format of xlsx, csv or json’;
2. ‘A list of complaints by businesses, business representatives or trade associations handled under EU Pilot during the same time period.’

You also provide a reasoning seeking to establish a ‘public interest in the disclosure of these information’.

As regards part 1 of your request, the Commission does not hold a list of EU Pilot cases since 2008 that would contain precisely the information you request, namely ‘reference numbers, titles and dates of issue’.

The Commission’s list of EU Pilot cases includes over 30 entries for each of the more than 9 000 cases. Assessing the whole list under the exceptions for public access of Regulation 1049/2001 would result in a disproportionate administrative burden. Some of the entries require an individual assessment, for instance with regard to confidentiality of ongoing investigations or concerning personal data. In the light of the very high number of individual cases requested by you, this assessment cannot be conducted within the time limits set by Regulation 1049/2001.

Regulation 1049/2001 does not require the Commission to compile a document to satisfy a request for public access to documents. However, under the Code of Good Administrative Behaviour, the Commission can share information with the public in reply to requests for

information. We therefore provide you, by way of information, with a list of closed EU Pilot cases including reference number, date of submission to the Member State, policy sector concerned, and, where extractable from the database, EU law affected. You will find a copy of the list attached to this letter.

Regarding part 2 of your request, the Commission does not hold a 'list of complaints by businesses, business representatives or trade associations'. The Commission holds information on the origin of a complaint in each complaint file individually, but which cannot be extracted as an overview.

Should you disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to submit 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 Secretariat-General of the Commission at the following address:

European Commission  
Secretariat-General  
Unit C.1. 'Transparency, Document Management and Access to Documents'  
BERL 7/076  
B-1049 Brussels, or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu).

Yours sincerely,

William SLEATH

Enclosure (1): List of closed EU Pilot cases (2008 to September 2022).