

ANNEX 2

Dear colleagues,

This is a request for access to a document. **Deadline: XX/XX/201X**

The background of requests for ATD is Reg. 1049/2001: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001R1049>). Citizens are entitled to the widest possible access to COM documents (Art. 1 of the Regulation).

Could you please first register the requested document/s in ARES, then, provide the mailbox FPI ACCESS TO DOCUMENTS with such an ARES reference? After that, could you please send us

— a confirmation that the document can be disclosed. Accordingly, FPI.1 (functional mailbox: FPI ACCESS TO DOCUMENTS) will send the document to the requester;

or

— the reasons to refuse the access to the document/s, if any (according to Regulation n° 1049)?

In case you refuse the access to the document/s, please note that:

1. The reasons for not making a requested document public can only come from the exceptions provided for in Art. 4.1 and 4.2 (and to a lesser extent 4.3) from Regulation 1049.
2. Partial access (pursuant to Art. 4.6) should always be considered, if full access cannot be given.
3. The arguments for denying (fully or partly) access to documents must be specific in nature in that they must refer to the contents of the concerned document/s and must show how disclosure would result in a reasonably foreseeable risk to an interest protected by the relevant referred exceptions.
4. **REPLY:** In any case, if the request concerns several documents, it is advised to draw a full list of documents to which the request refers and to attach the **LIST** to the reply.
5. **VISA (ONLY IN CASE OF TOTAL or PARTIAL REFUSAL):** Once your draft reply refusing access is ready, please include the Access to Document Correspondent/Legal Coordinator [Miguel-Angel Palacios García] in the visa circuit of the Ares file, before signature, for all useful purposes of legal verification.
6. **SIGNATURE (ONLY IN CASE OF TOTAL or PARTIAL REFUSAL):** All (total or partial) refusals to grant access to a document must be signed by our Director personally.
7. **STANDARD REPLY LETTERS** in all the EU official languages are available: <https://myintracomm.ec.europa.eu/sg/docinter/Pages/tools.aspx>.

If during the preparation of your replies, you have any doubt or question, please let us know. We will be happy to help.