EUROPEAN
COMMISSION

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ANNEX

ANNEX

to the

REPORT FROM THE COMMISSION

on the application in 2023 of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents

Statistics relating to the application of Regulation (EC) No 1049/2001

1. THE NUMBER OF DOCUMENTS ENTERED IN THE REGISTER OF COMMISSION DOCUMENTS[1]

	C	COM	JOIN	OJ	P	PV	SEC	SWD	Total
2022	9,324	784	68	41	1	39	1,408	531	**12,196**
2023	8,638	835	48	37	6	36	1,321	580	**11,501**

2. THE CONSULTATION OF THE ACCESS-TO-DOCUMENTS WEBSITE ON EUROPA

	ACCESS-TO-DOCUMENTS WEBSITE ON EUROPA[2]	EASE PORTAL[3]
2023	7,613	6,142

3. THE NUMBER OF INITIAL APPLICATIONS RECEIVED AND HANDLED

	2019	2020	2021	2022	2023
Applications registered	7,445	8,001	8,420	7,410	7,274
Replies given[4]	8,449	9,181	9,141	8,649	7,737
Replies given based on Regulation (EC) No 1049/2001	7,612	8,164	8,280	7,503	6,469

[1] C: Autonomous acts of the Commission; COM: Commission legislative proposals and other documents communicated to other institutions, with their preparatory papers; JOIN: Commission and High Representative Joint Acts; OJ: Agendas of Commission meetings; P: Decisions by the President of the Commission; PV: Minutes of Commission meetings; SEC: Commission documents that cannot be classified in any of the other series; SWD: Commission staff working documents.

[2] https://commission.europa.eu/about-european-commission/service-standards-and-principles/transparency/access-documents/how-access-commission-documents_en

[3] https://ec.europa.eu/transparency/documents-request/home

[4] A single request can concern several documents held by different Commission departments and can consequently give rise to several different replies. On the other hand, several requests can be grouped together in some cases and give rise only to one single reply. The number of replies encompasses all types of follow-up provided by the European Commission, extending from replies provided under Regulation (EC) No 1049/2001 (including where no documents are held) to responses provided under different legal frameworks (due to the contents of the application or status of the applicant, etc.) or closures following the applicants' failure to provide requested clarifications or to fulfil procedural requirements.

4. THE NUMBER OF CONFIRMATORY APPLICATIONS RECEIVED AND HANDLED

	2019	2020	2021	2022	2023
Applications registered	334	309	355	418	599
Replies given	319	298	297	398	393
Replies given based on Regulation (EC) No 1049/2001	296	265	247	296	366

5. THE APPLICATIONS RECEIVED PER DIRECTORATE-GENERAL OR SERVICE

	INITIAL STAGE (%)		CONFIRMATORY STAGE (%)	
	2022	2023	2022	2023
Secretariat-General – SG	11.66	10.0	11.96	12.5
Legal Service – SJ	2.35	1.9	2.63	2.2
Directorate-General for Communication – DG COMM	0.20	0.4	0	0
Inspire, Debate, Engage and Accelerate Action – IDEA	0.03	0	0	0
Directorate-General for Budget – DG BUDG	0.99	1.2	2.39	0.7
Directorate-General for Human Resources and Security – DG HR	1.09	1.3	2.87	4.0
Directorate-General for Informatics – DG DIGIT	0.39	0.2	0.72	0.2
Internal Audit Service – IAS	0.07	0	0	0.2
European Anti-Fraud Office[5] – OLAF	0.22	0.2	0.24	0
Directorate-General for Economic and Financial Affairs – DG ECFIN	0.74	1.2	0.72	1.5
Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs – DG GROW	8.74	7.2	4.07	4.0
Directorate-General for Defence Industry and Space DG DEFIS	0.77	1.2	1.20	1.0
Directorate-General for Competition – DG COMP	3.71	3.9	7.18	4.5
Directorate-General for Employment, Social Affairs and Inclusion – DG EMPL	2.23	2.1	1.67	1.5
Directorate-General for Agriculture and Rural Development – DG AGRI	2.55	2.3	0.96	1.2
Directorate-General for Mobility and Transport –	4.55	2.8	3.59	0.8

[5] The data for the European Anti-Fraud Office (OLAF) concern the applications for access to documents as regards its administrative activities, which are recorded in the same IT system as used by other European Commission departments (EASE). The applications for access to documents concerning OLAF's investigative activities are not the subject of this report.

DG MOVE				
Directorate-General for Energy – DG ENER	2.89	3.1	10.05	4.0
Directorate-General for Environment – DG ENV	4.66	4.2	1.91	6.7
Directorate-General for Climate Action – DG CLIMA	2.23	2.3	1.20	0.5
Directorate-General for Research and Innovation – DG RTD	1.57	2.0	0.72	0.5
Directorate-General for Communications Networks, Content and Technology – DG CNECT	3.10	3.6	3.59	5.7
Joint Research Center – JRC	0.32	0.5	0.24	0.3
Directorate-General for Maritime Affairs and Fisheries – DG MARE	0.76	1.2	1.20	1.5
Directorate-General for Financial Stability, Financial Services and Capital Markets Union – DG FISMA	3.32	3.9	9.09	4.7
Directorate-General for Regional and Urban Policy – DG REGIO	2.56	2.3	0.96	0.8
Directorate-General for Structural Reform Support – DG REFORM	0.12	0.2	0	0.2
Directorate-General for Taxation and Customs Union – DG TAXUD	2.82	2.4	2.39	1.7
Directorate-General for Education, Youth, Sport and Culture – DG EAC	0.62	0.4	0	0.5
Directorate-General for Health and Food Safety – DG SANTE	6.98	7.4	6.70	8.2
Health Emergency Preparedness and Response Authority – HERA	0.34	0.5	0	1.8
Directorate-General for Migration and Home Affairs – DG HOME	3.86	5.7	5.50	10.7
Directorate-General for Justice and Consumers – DG JUST	3.62	4.5	7.42	5.5
Directorate-General for Trade – DG TRADE	3.41	2.8	1.91	2.5
Directorate-General for Neighbourhood Policy and Enlargement Negotiations – DG NEAR	5.68	6.6	3.59	3.8
Directorate-General for International Partnerships – DG INTPA	8.27	7.7	2.15	2.3
Directorate-General for European Civil Protection and Humanitarian Aid Operations – DG ECHO	0.24	0.6	0.24	1.0
Eurostat – ESTAT	0.22	0.2	0	0.7
Directorate-General for Interpretation – DG SCIC	0	0	0	0
Directorate-General for Translation – DG DGT	0.16	0.1	0	0
Publications Office of the European Union – OP	0.07	0.1	0	0.2
Service for Foreign Policy Instruments– FPI	1.65	1.0[6]	0.48	0.5[7]

[6] Since the creation of the European External Action Service (EEAS), only documents of the Service for Foreign Policy Instruments (FPI) are held by the European Commission. Furthermore, the statistics concerning FPI encompass some of the

Office for the Administration and Payment of Individual Entitlements – PMO	0.03	0.2	0	0.7
Office for Infrastructure and Logistics in Brussels – OIB	0.09	0.2	0	0
European Personnel Selection Office – EPSO	0.13	0.5	0.48	0.8
Total (%)	**100**	**100**	**100**	**100**

6. THE SOCIAL AND OCCUPATIONAL PROFILE OF APPLICANTS[8]

	INITIAL STAGE (%)		CONFIRMATORY STAGE (%)	
	2022	**2023**	**2022**	**2023**
Academic institution/Think tank	8.66	14.6	3.11	8.3
Company/Business association	11.08	14.7	6.46	5.5
Journalist	8.99	14.1	12.68	18.4
Law firm/self-employed attorney	9.23	7.0	17.22	11.9
MEP/assistant MEP	0.85	0.9	2.15	1.0
Non-governmental organization (NGO)	8.85	7.3	15.79	12.5
Member States under Regulation (EC) No 1049/2001	0.34	0.9	0.24	0
(Sub)national authority	0.51	0.3	0.24	0
Not specified (Citizens)	46.17	23.0	41.39	37.7
Unknown	5.32	17.2	0.72	4.5
Total (%)	**100**	**100**	**100**	**100**

7. THE GEOGRAPHICAL ORIGIN OF APPLICANTS

	INITIAL STAGE (%)		CONFIRMATORY STAGE (%)	
	2022	**2023**	**2022**	**2023**
EU MEMBER STATES				

initial applications received by the European Peace Facility (EPF). The EPF is an off-budget instrument that enhances the EU's ability to act as a global security provider. Pursuant to Commission Decision C (2021) 2011, the European Commission accepted to implement the roles of an administrator, accounting officer and internal auditor for assistance measures of the EPF. 15 such initial applications were addressed to the Commission in its role as administrator for assistance measures in 2023.

[7] Confirmatory replies are adopted by the EPF's Facility Committee. Therefore, two confirmatory replies provided by the EPF at the confirmatory stage are not concerned by the present report.

[8] Member State authorities is a new category introduced in 2018 in order to reflect the fact that national authorities of Member States are entitled to submit applications for access to documents in the framework of Regulation (EC) No 1049/2001. Since the introduction of EASE in September 2022, the social/occupational category field has become optional while submitting a request via the portal. This resulted in adding the 'Unknown' category in case applicants left the social/occupational category blank.

Belgium	32.20	24.14	33.73	24.21
Bulgaria	0.35	0.40	0.48	0.17
Czech Republic	0.88	0.93	2.39	2.84
Denmark	1.59	1.65	0.72	1.00
Germany	13.91	15.09	11.24	15.53
Estonia	0.05	0.05	0	0
Ireland	1.65	2.20	2.15	2.84
Greece	1.55	1.17	1.67	1.50
Spain	7.69	8.10	9.57	4.67
France	11.04	7.49	7.42	7.85
Croatia	0.24	0.43	0.72	0
Italy	5.87	11.00	8.37	5.18
Cyprus	0.18	0.21	0	1.00
Latvia	0.05	0.11	0	0.17
Lithuania	0.24	0.32	0	0
Luxembourg	0.67	0.73	0.48	0
Hungary	0.70	1.02	0.96	2.17
Malta	0.23	0.58	0.24	4.51
Netherlands	4.99	7.82	7.42	10.18
Austria	1.38	1.42	1.67	2.17
Poland	1.94	1.94	0.72	1.50
Portugal	1.28	0.91	0.96	0.83
Romania	0.66	1.03	0.72	0.67
Slovenia	0.11	0.37	0.24	0.17
Slovakia	0.36	0.26	0.72	0.33
Finland	0.82	0.55	0.48	1.17
Sweden	1.09	1.28	0.48	1.50
THIRD COUNTRIES				
Non-EU European countries	6.92	7.11	5.02	6.34
Africa	0.23	0.25	0.24	0
Asia	0.30	0.43	0	0
Australia and New Zealand	0.03	0	0.24	0
North America	0.66	0.93	0.96	1.50
South America	0.11	0.10	0	0
Total (%)	**100**	**100**	**100**	**100**

8. THE LEVEL OF ACCESS GRANTED TO THE DOCUMENTS REQUESTED AT THE INITIAL STAGE

	2023	
	No	**%**
Full access	5,505	35.7%
Partial access	7,451	48.3%
Access refused	2,459	16.0%
Total	15,415	100%

9. THE LEVEL OF ACCESS GRANTED TO THE DOCUMENTS REQUESTED AT THE CONFIRMATORY STAGE

	2023	
	No	**%**
Full revision – full access	58	25.8%
Partial revision – partial access	134	59.6%
Confirmation of initial reply – no (further partial) access	33	14.7%
Total	225	100%

10. THE EXCEPTIONS APPLIED TO THE DOCUMENTS REQUESTED

Exceptions as set out in Article 4 of Regulation (EC) No 1049/2001	**INITIAL STAGE (2023)**		**CONFIRMATORY STAGE (2023)**	
	No	**%**	**No**	**%**
4.1(a), 1st indent – Protection of the public interest as regards public security	256	2.1%	0	0.0%
4.1(a), 2nd indent – Protection of the public interest as regards defence and military matters	27	0.2%	0	0.0%
4.1(a), 3rd indent – Protection of the public interest as regards international relations	495	4.1%	4	1.7%
4.1(a), 4th indent – Protection of the public interest as regards the financial, monetary or economic policy of the EU or a Member State	35	0.3%	5	2.2%
4.1(b) – Protection of privacy and the integrity of the individual	7,569	62.9%	149	65.1%
4.2, 1st indent – Protection of commercial interests	1,091	9.1%	19	8.3%
4.2, 2nd indent – Protection of court proceedings and legal advice	325	2.7%	8	3.5%

4.2, 3rd indent – Protection of the purpose of inspections, investigations and audits	812	6.8%	20	8.7%
4.3, first subparagraph – Decision-making process where no decision has been taken yet	984	8.2%	15	6.6%
4.3, second subparagraph – Decision-making process where the decision has already been taken (opinions for internal use in deliberations and preliminary consultations)	434	3.6%	9	3.9%
Total	12,028	100%	229	100%