EUROPEAN
COMMISSION

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ANNEX

ANNEX

to the

REPORT FROM THE COMMISSION

on the application in 2018 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

	C	COM	JOIN	OJ	PV	SEC	SWD	Total
2017	14,749	1,850	120	129	96	1,373	508	**18,825**
2018	15,297	2,123	82	120	76	1,366	518	**19,582**

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

2018[1]	VISITORS	PAGES VIEWED
Total	6,458	8,652

3. THE NUMBER OF INITIAL APPLICATIONS RECEIVED AND HANDLED

	2014	2015	2016	2017	2018
Applications registered	6,227	6,752	6,077	6,255	6,912
Replies given[2]	7,156	7,684	7,139	6,716	7,257
Replies given based on Regulation (EC) No 1049/2001	5,637	5,819	5,945	5,181	6,117

[1] Due to the selection of a new algorithm in 2018 in order to get more accurate statistics, the data retrieved are not comparable to the ones of the previous years.

[2] A single request can concern several documents 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. This number encompasses all types of follow-ups provided by the European Commission, extending from replies provided under Regulation (EC) No 1049/2001 (including replies 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 fulfil procedural requirements.

4. THE NUMBER OF CONFIRMATORY APPLICATIONS RECEIVED AND HANDLED

	2014	2015	2016	2017	2018
Applications registered	300	284	295	304	318
Replies given	327	291	258	300	326
Replies given based on Regulation (EC) No 1049/2001	272	230	220	259	288

5. THE REPLIES GIVEN PER DIRECTORATE-GENERAL OR SERVICE

	INITIAL STAGE (%)		CONFIRMATORY STAGE (%)	
	2017	2018	2017	2018
Secretariat-General – SG	5.84	6.73	3.29	8.49
Legal Service – SJ	3.69	3.23	3.29	4.72
Directorate-General for Communication – DG COMM	0.30	0.43	0.99	0
European Political Strategy Centre – EPSC	0.05	0.04	0	0.32
Task Force for the Preparation and Conduct of the Negotiations with the United Kingdom under Article 50 TEU – TF50	0.42	0.55	0.66	0.63
Directorate-General for Budget – DG BUDG	0.50	0.81	0.33	0.31
Directorate-General for Human Resources and Security Human including Office for Infrastructure and Logistics in Luxembourg and Office for Administration and Payment of Individual Entitlements – DG HR, OIL, PMO	4.17	1.95	2.96	3.46
Directorate-General for Informatics – DG DIGIT	1.31	0.54	0.33	0
Internal Audit Service – IAS	0.10	0.16	0	2.20
European Anti-Fraud Office[3] – OLAF	0.37	0.27	0	0
Directorate-General for Economic and Financial Affairs – DG ECFIN	0.90	0.95	0	0
Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs – DG GROW	6.31	6.52	7.89	6.60
Directorate-General for Competition – DG COMP	9.86	5.86	19.74	13.84
Directorate-General for Employment, Social Affairs and Inclusion – DG EMPL	2.78	1.87	2.96	3.14
Directorate-General for Agriculture and Rural Development – DG AGRI	2.01	3.17	0.33	2.20
Directorate-General for Mobility and Transport – DG MOVE	4.27	5.18	4.93	1.26

[3] 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 (GestDem). The applications for access to documents concerning OLAF's investigative activities are not the subject of this report.

Directorate-General for Energy – DG ENER	2.67	2.69	2.30	2.20
Directorate-General for Environment – DG ENV	3.95	4.96	2.96	3.77
Directorate-General for Climate Action – DG CLIMA	1.52	1.50	1.64	1.57
Directorate-General for Research and Innovation – DG RTD	1.97	1.65	1.32	0.94
Directorate-General for Communications Networks, Content and Technology – DG CNECT	2.33	2.58	5.92	5.66
Joint Research Center – JRC	0.19	0.26	1.00	0.32
Directorate-General for Maritime Affairs and Fisheries – DG MARE	1.42	1.35	0.99	1.89
Directorate-General for Financial Stability, Financial Services and Capital Markets Union – DG FISMA	7.48	4.53	2.30	1.26
Directorate-General for Regional and Urban Policy – DG REGIO	1.73	2.24	0.66	1.26
Directorate-General for Taxation and Customs Union – DG TAXUD	4.86	6.42	5.92	3.77
Directorate-General for Education, Youth, Sport and Culture – DG EAC	0.46	1.50	0.99	0
Directorate-General for Health and Food Safety – DG SANTE	7.93	11.00	5.92	7.86
Directorate-General for Migration and Home Affairs – DG HOME	2.46	3.39	3.29	2.83
Directorate-General for Justice and Consumers – DG JUST	2.30	3.52	6.25	5.66
Directorate-General for Trade – DG TRADE	4.24	4.37	1.32	3.15
Directorate-General for Neighbourhood Policy and Enlargement Negotiations – DG NEAR	1.92	2.63	3.34	4.09
Directorate-General for International Cooperation and Development – DG DEVCO	3.05	4.69	3.95	1.57
Directorate-General for European Civil Protection and Humanitarian Aid Operations – DG ECHO	5.29	0.33	0.33	0.31
Eurostat – ESTAT	0.13	0.12	0.66	0
Directorate-General for Interpretation – DG SCIC	0.02	0	0	0
Directorate-General for Translation – DG DGT	0.05	0.07	0	0
Publications Office of the European Union – OP	0.13	0.06	0	0
Service for Foreign Policy Instruments[4] – FPI	0.48	1.32	0	0.94
Office for Infrastructure and Logistics in Brussels – OIB	0.13	0.06	0	0
European Personnel Selection Office – EPSO	0.42	0.49	1.32	3.77
Total (%)	**100**	**100**	**100**	**100**

[4] Since the creation of the European External Action Service (EEAS), only documents of the Service for Foreign Policy Instruments are retained within the European Commission.

6. THE SOCIAL AND OCCUPATIONAL PROFILE OF APPLICANTS

	INITIAL STAGE (%)		CONFIRMATORY STAGE (%)	
	2017	**2018**	**2017**	**2018**
Academic institution/Think tank	21.06	10.62	8.22	2.83
Company/Business association	12.68	16.70	6.58	7.86
Journalist	5.18	10.07	7.24	15.09
Law firm/self-employed attorney	12.87	10.07	36.18	15.41
MEP/assistant MEP	0.99	0.95	3.95	5.03
Non-governmental organization (NGO)	7.37	6.76	13.16	17.30
Member States under Regulation (EC) No 1049/2001	0.02	0.94	0	0.31
(Sub)national authority	0	1.72	0	0
Not specified (Citizens)	39.84	42.17	24.67	36.16
Total (%)	**100**	**100**	**100**	**100**

7. THE GEOGRAPHICAL ORIGIN OF APPLICANTS

	INITIAL STAGE (%)		CONFIRMATORY STAGE (%)	
	2017	**2018**	**2017**	**2018**
EU MEMBER STATES				
Belgium	25.68	32.86	30.59	45.91
Bulgaria	0.51	0.81	0.33	0.63
Czechia	0.75	0.87	1.32	0.63
Denmark	2.14	1.45	0.99	1.26
Germany	11.96	9.17	14.14	8.49
Estonia	0.43	0.09	0	0
Ireland	1.95	2.24	1.97	2.52
Greece	1.41	0.91	2.96	0.63
Spain	5.85	5.89	8.22	2.52
France	6.60	6.93	5.92	4.40
Croatia	0.35	0.51	0	0.94
Italy	6.41	5.70	6.25	6.60
Cyprus	0.08	0.13	0.66	0
Latvia	0.13	0.27	0	0
Lithuania	0.21	0.33	0	0
Luxembourg	0.85	0.69	0	0

Hungary	0.90	0.88	1.64	0.94
Malta	0.22	0.26	0	0
Netherlands	6.84	6.52	3.29	8.49
Austria	1.07	1.30	2.30	1.57
Poland	1.69	2.40	3.62	1.89
Portugal	0.75	0.84	2.30	0.31
Romania	0.77	0.80	0.66	0.31
Slovenia	0.24	0.54	0	1.57
Slovakia	0.35	0.52	0.33	0.94
Finland	0.40	1.19	0	0.31
Sweden	0.91	1.33	0	0
United Kingdom	15.17	9.23	8.55	6.60
THIRD COUNTRIES				
Non-EU European countries	1.57	2.17	2.96	1.57
Africa	0.16	0.26	0	0.31
Asia	0.50	1.14	0	0
Australia and New Zealand	0.06	0.13	0	0
North America	2.65	1.52	0.66	0.31
South America	0.03	0.12	0	0
Not specified[5]	0.40	0	0.33	0
Total (%)	**100**	**100**	**100**	**100**

8. THE TYPE OF REPLIES GIVEN AT THE INITIAL STAGE

	2014		**2015**		**2016**		**2017**		**2018**	
	No	**%**	**No**	**%**	**No**	**%**	**No**	**%**	**No**	**%**
Full access granted	4,096	72.77	4,003	68.79	3,622	60.93	3,201	61.78	3,633	59.39
Partial access granted	668	11.87	926	15.91	1,214	20.42	1,050	20.27	1,274	20.83
Access refused	866	15.36	890	15.29	1,109	18.65	930	17.95	969	15.84
No documents held	0	0	0	0	0	0	0	0	241	3.94
Total	**5,630**	**100**	**5,819**	**100**	**5,944**	**100**	**5,181**	**100**	**6117**	**100**

[5] This category appears in the statistics because in cases, where the initial application was not submitted via the online tool, it was encoded manually and in certain cases, due to a clerical error, the country of the applicant was not indicated in the IT system used for the management of the access to documents cases (GestDem).

9. THE TYPE OF REPLIES GIVEN AT THE CONFIRMATORY STAGE

	2014		2015		2016		2017		2018	
	No	**%**	**No**	**%**	**No**	**%**	**No**	**%**	**No**	**%**
Full revision – Full access granted	51	18.75	22	9.57	11	5.00	14	5.40	19	6.60
Partial revision – Partial access granted	67	24.63	73	31.74	104	47.27	108	41.70	98	34.03
Confirmation of initial reply – Access refused	154	56.62	135	58.70	105	47.73	137	52.90	120	41.67
No documents held	0	0	0	0	0	0	0	0	51	17.70
Total	**272**	**100**	**230**	**100**	**220**	**100**	**259**	**100**	**288**	**100**

10. THE REFUSAL OF ACCESS BY EXCEPTION APPLIED

Exceptions as set out in Article 4 of Regulation (EC) No 1049/2001	**INITIAL STAGE (%)**		**CONFIRMATORY STAGE (%)**	
	2017	**2018**	**2017**	**2018**
4.1(a), 1st indent – Protection of the public interest as regards public security	5.40	8.79	0.33	5.60
4.1(a), 2nd indent – Protection of the public interest as regards defence and military matters	0.15	0.34	0	0.43
4.1(a), 3rd indent – Protection of the public interest as regards international relations	4.02	5.79	3.96	5.60
4.1(a), 4th indent – Protection of the public interest as regards the financial, monetary or economic policy of EU or a Member State	0.96	0.79	4.62	2.16
4.1(b) – Protection of privacy and the integrity of the individual	31.36	34.50	26.07	25.00
4.2, 1st indent – Protection of commercial interests	16.77	15.41	13.20	12.50
4.2, 2nd indent – Protection of court proceedings and legal advice	4.33	3.23	2.64	5.17
4.2, 3rd indent – Protection of the purpose of inspections, investigations and audits	17.65	12.74	34.98	30.60
4.3, first subparagraph – Decision-making process where no decision has been taken yet	16.31	15.11	12.21	10.78
4.3, second subparagraph – Decision-making process where the decision has already been taken (opinions for internal use as part of deliberations and preliminary consultations)	2.11	1.95	1.98	2.16
4.4 and 4.5 – Refusal by a Member State or a third party[6]	0.96	1.35	/	/
Total (%)	**100**	**100**	**100**	**100**

[6] This category is no longer used, as it does not constitute an exception within the meaning of Article 4 of Regulation (EC) No 1049/2001. Nevertheless, it still appears as the raw data available did not in all cases enable a ventilation in accordance with the exceptions of Article 4 of Regulation (EC) No 1049/2001.