

EN

E-000674/2025

Answer given by Mr Šefčovič
on behalf of the European Commission
(19.3.2025)

1. The Detailed Rules for the application of Regulation (EC) No 1049/2001¹, annexed to the Rules of Procedure of the Commission, refer, in their Article 2, to the definition of ‘document’ given in Regulation (EC) No 1049/2001. Besides, it indicates non-exhaustive lists of documents which the Commission either makes public proactively (Article 3 of the Detailed Rules²) or upon request under the conditions established in Regulation (EC) No 1049/2001 (Article 4 of the Detailed Rules). Consequently, the Commission does not narrow any definition of documents made accessible to the public.

2. In applying the rules on access to documents, the Commission makes a careful individual assessment of each document in view of its possible disclosure to the public with a view of giving the fullest possible effect to the right of public access to documents. This assessment is conducted also by considering the extensive case-law of the Court of Justice of the European Union and established administrative practices.

3. The Commission stands for the highest standards of transparency across the board. However, the Commission must reconcile the right of access to documents with the private and public interests that require protection, as enshrined in Article 4 of Regulation (EC) No 1049/2001, including regarding internal decision-making processes.

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43–48, ELI: <http://data.europa.eu/eli/reg/2001/1049/oj>).

² Commission Decision (EU) 2024/3080 of 4 December 2024 establishing the Rules of Procedure of the Commission and amending Decision C(2000) 3614 (OJ L, 2024/3080, 5.12.2024, ELI: <http://data.europa.eu/eli/dec/2024/3080/oj>).