

Refusal to grant access to documents relating to the TTIP negotiations

Case 119/2015/PHP - Opened on 18/02/2015 - Decision on 04/11/2015 - Institution concerned European Commission (No maladministration found) |

Allegation(s)

- 1) The Commission wrongly refused access to the documents requested, improperly relying on the exceptions of Article 4(1)(a), third indent (protection of international relations) and Article 4(3), first subparagraph (protection of decision-making process) of Regulation 1049/2001, failing to make a document-by-document assessment and to properly consider the possibility of granting partial access to the requested documents.
- 2) The Commission failed properly to consider its obligations under Regulation 1367/2006 on the application of the provisions of the Aarhus Convention.
- 3) The Commission, in the context of the TTIP negotiations, failed to implement transparency in such a way as to allow citizens to make meaningful access to documents requests.
- 4) The Commission failed to handle the access to documents request in a timely manner.

Claim(s)

- 1) The Commission ought to reconsider its rejection of the complainants' access to documents request on a case-by-case basis and in light of its recent commitment to increase transparency.
- 2) Any exception invoked for refusing the disclosure in whole or in part of the requested documents should be restrictively interpreted and take into account the public interest, giving due consideration to the Aarhus regime where relevant.
- 3) The Commission should publish a comprehensive list of documents, including those the content of which is redacted, with reasons stated for why such documents could not be made public.