

Access to documents applications in 2020

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Report on access to documents applications received during 2020

Regulation 1049/2001 requires each institution to publish an annual report on Access to Documents (ATD) applications for the preceding year including the number of cases in which the institution refused to grant access to documents and the reason for such refusals. In addition to being useful for internal purposes, this document can also be published to fulfil the requirement of Regulation 1049/2001.

The figures for 2020 are provided below, after a short recap of the figures for 2019. They do not include TESSy requests as they are processed in accordance with TESSy policy.

The figures show an **increase of 250%** in number of applications for access to documents from 2019 to 2020, mostly due to the increased interest of the public and the media on the work of the Agency in response to COVID-19.

Access to documents in 2019: 38 applications

During 2019, ECDC processed 38 applications for access to documents. ECDC also processed four confirmatory applications.

ECDC received most requests in English, but also in German, Spanish and Swedish, and replied in the same language of the request.

Access to documents in 2020: 94 applications

In 2020 ECDC received a **total of 94 applications**.

Compared with previous years, applications have also become more complex and often cover a broader scope (for example, covering disclosure of all the correspondence between ECDC and a Member State, which could mean reviewing and redacting potentially hundreds of documents). The number of third-party consultations (i.e. consultations of third parties that originated a document) have also increased, due to the potential sensitive nature of some of the documents exchanged in the context of COVID-19.

Some more details regarding the 2020 figures:

Of the **94 applications received by ECDC**, 25 resulted in full access and 37 in partial access. In 32 cases, ECDC refused to grant access (or was unable to, as the documents did not exist). The most common ground for not granting full access was to protect personal data included in the documents. Another common ground was to protect the commercial interest of economic operators. In several cases, ECDC did not hold the documents requested.

ECDC also processed **four confirmatory applications**: in one case, ECDC reviewed its initial decision and disclosed additional documents. In three cases, ECDC confirmed the initial decision (ECDC did not hold any document falling under the scope of the application).

In addition to the 94 applications that were registered as access to documents, the access to document Coordinator and the Legal Services also received **37 additional** requests that were initially processed as access to documents and only at a second stage redirected as access to information.

During 2020, ECDC processed requests in several languages besides English (most of the requests) which were German, Spanish, Swedish and Italian.