



2020 Annual report on public requests to access EMCDDA documents

1- Background

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 defines the principles, conditions and limits on grounds of public or private interest governing the right of access to European Parliament, Council and Commission (hereinafter referred to as "the institutions") documents provided for in Article 255 of the EC Treaty in such a way as to ensure the widest possible access to documents, establishes rules ensuring the easiest possible exercise of this right, and promotes good administrative practice on access to documents. This Regulation is also applicable to other European Union Institutions and Agencies, including the EMCDDA. As such, the Management Board on 24 April, 2006, adopted Decision DEC/MB/06/05 on its implementing rules, and the Director appointed an internal Coordinator on 26 January, 2018 (DEC/DIR/2018/001).

2- Report of coordination activities

Article 17 of the Regulation states that each institution shall publish annually a report for the preceding year including the number of cases in which the institution refused to grant access to documents, the reasons for such refusals and the number of sensitive documents not recorded in the register. The previous year report was produced on 11 December, 2019, and it is published on the EMCDDA webpage.

In 2020, the EMCDDA received 4 public requests to access documents. None was refused. However, following a verification exercise from personal data protection perspective, a number of third parties data included in the requested documents were erased prior to proceed to the disclosure.

The first request was submitted by a citizen directly to FRONTEX, and forwarded to the EMCDDA by this Agency, who was asking for a number of documents relating with meetings of the Heads of Justice and Home Affairs Agencies convened in 2018. The EMCDDA gave its green-light to Frontex as to authorise the requested access.

The second request was submitted by a citizen in Poland, concerning the lease contract of the EMCDDA premises, signed with the Autoridade do Porto de Lisboa. The requested documents were transmitted to the requester.

The third request was submitted by a citizen directly to the EMCDDA, asking for documents related with Palantir Company, its services and products. The EMCDDA confirmed that no documents exist on this Company.

The fourth request was submitted by a citizen to the Council of the European Union, who asked for access to a 1999 document on a EMCDDA report on 4MTA. The EMCDDA informed the Council that there was no objection to provide access.

3- Other activities

On 28 January, 2020, the Coordinator attended training on public access to documents, organized by DG home of the European Commission, specially intended to Coordinators within Justice and Home Affairs Agencies.

The Coordinator also maintained a number of contacts and interviews, both internally and with external partners, aiming to clarify a number of issues and possible procedures, and to better ensure a positive outcome of those activities.

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