7.4 ELECTRONIC ACCESS TO THE EUROPEAN COMMISSION DOCUMENTS (2018.05)

7.4.1 IDENTIFICATION OF THE ACTION

Service in charge	European Commission, SG
Associated Services	Other European Commission DGs and services, other European institutions, Member States.
Responsible Action manager name	Martin KRÖGER (Head of Unit, SG.B4)
Responsible Action manager email	Martin.Kroeger@ec.europa.eu

7.4.2 EXECUTIVE SUMMARY

The purpose of the action is to conduct a study to analyse and propose an efficient solution for the electronic access to the European Commission (EC) documents. The analysis will cover the entire flow from the EU citizens' or stakeholders' requests until the answer of the EC, providing access to the requested documents or (partially) refusing access to them. The study will also investigate the existing IT tools and identify components that could be reused in order to propose an integrated and fully electronic solution.

Legal basis

The right of access to documents is part of the larger goal of making decision-making as open as possible and as close as possible to the citizen (Art. 1 TEU). The Treaty (Art. 15 TFEU) gives European citizens and natural persons residing in a Member State a right of access to documents of the European institutions. Legal persons (e.g. companies or NGOs) having their registered office in the EU also have this right. Pursuant to the Commission's implementing rules, the beneficiaries of the right of access are also natural persons from third countries not residing in a Member State and legal persons not having their registered office in a Member State.

However, this right has its limits:
- the access to documents Regulation (Regulation 1049/2001) lays down the general principles and limits of the right to access documents of the EU institutions;
- detailed rules for the application of the Regulation within the Commission are stipulated in Commission Decision 3714 of 5 December 2001 amending its rules of procedure.

Member States are not among the beneficiaries of access to documents under Regulation 1049/2001. Therefore, requests coming from Member States' national (or subnational) administrations are not dealt with under Regulation 1049/2001, but according to the principle of sincere cooperation laid down in the Treaty (Article 4(3) TEU).
The third countries' authorities and international organisations are also not among the beneficiaries under Regulation 1049/2001. Their requests are handled via the diplomatic channels.

The study will only deal with requests which are in the scope of Regulation 1049/2001.

The solution the study will propose should comply with the new General Data Protection Regulation (GDPR) and the new data protection rules for EU institutions and bodies which will apply simultaneously as of 25 May 2018. It should also comply with the corresponding new implementing rules that the Commission will put in place.

The need for a more fully automated access to documents process is especially pressing because the number of documents to be released to the public is expected to increase following recent evolutions in jurisprudence. Article 4(3) allows the EU institutions to refuse disclosure of a (part of a) document if the disclosure would seriously undermine an institution's decision-making process, "unless there is an overriding public interest in disclosure". However, recent case law seems to suggest that the Court of Justice is taking a more restrictive interpretation of this "decision-making exception", in particular in case of documents containing environmental information. Therefore, the scope of documents that need to be provided to the public is expected to increase.

Process and actors

The access to document process comprises the following actors:
- Applicants (beneficiaries under [Regulation 1049/2001](#) and [Commission Decision 3714](#));
- Secretariat-General (SG) of the EC:
  - Secretary General;
  - Transparency Unit (SG.B4):
    - Head of Unit;
    - Case handlers;
    - Administrative assistants;
- Cabinet of the President of the EC;
- Directorates General and services, under the remit of which requested documents fall:
  - Administrative Coordinator;
  - Legal Coordinator;
  - Units under the remit of which requested documents fall:
    - Case handler;
- Other EU institutions from which requested documents originate;
- Member States from which requested documents originate;
- Third Parties from which requested documents originate.

Requests for access to documents arrive at the EC ([Regulation 1049/2001](#) specifies "any written form"):
- through a [web form](#) in the [Register of EC documents](#) (RegDoc) application (an application owned by SG);
- through paper mail or an e-mail from the applicant;
- through an e-mail from the [AsktheEU](#) website (a website from an NGO), when the applicant chooses to file their request through this website.

To the extent that applicants request (a) document(s) by using the web form, they are invited to specify the DG under the remit of which the document(s) fall(s). In case the applicant does not specify this information, the SG.B4 attributes the request to the responsible DG/service. The DG/service is responsible for responding to the request of the applicant.

In case of a negative or partially negative response or if the request is not answered within the legal deadline, the applicant has the right to file a confirmatory application. This confirmatory application is handled by the Case handlers of the SG.B4 Unit and the final answer is an EC decision (of the C series) adopted by the Secretary-General (by delegation from the College of Commissioners). The draft decisions in cases which are considered politically sensitive, are sent to the Cabinet of the President of the EC 24 hours before publication.

The adoption of the confirmatory decisions is processed via E-Greffe and the decisions are formally notified to the applicant through express mail (DHL) with acknowledgment of receipt.

Releasing a document to the applicant means, in legal terms, that the document in question becomes, in principle, publicly available for everybody (*erga omnes*). In practical terms, however, most of the documents disclosed to the applicants are currently not automatically made available to the public at large. The only documents automatically put into the public domain after full access to them is granted are those EC documents, which are available in [Vista IT application](#) and, upon disclosure, automatically uploaded into the Register of EC documents (RegDoc).

Some statistics concerning the current process

Annually, the EC receives approximately 6000 initial applications for access to documents to which [Regulation 1049/2001](#) applies. Of these requests, approx. 65% come through the web form, while 35% come through other means (as detailed above: paper mail, e-mail from the applicant, e-mail via Ask the EU website).

Annually, the EC receives approximately 300 confirmatory applications for the review of initial replies. All these applications come via paper mail, e-mail from the applicant or e-mail via Ask the EU website.

The Register of EC documents (RegDoc) provides metadata for approximately 260 000 documents. Out of this, around 29 000 documents (11%) have PDF (Portable Document Format) files attached, translated in multiple languages. As a consequence RegDoc contains around 350 000 PDF files in total. The documents for which the metadata are provided in RegDoc represent approximately two thirds of the documents available in Vista, whereas Vista contains only a fraction of the documents stored in EC repositories such as ARES and other systems.

Purpose of the action

This action aims to investigate a faster and easier solution for EU citizens and other beneficiaries to request access to the documents in possession of the EC, to follow-up on their requests and to electronically receive the requested documents. This will be explored with the ultimate goal in mind of bringing the EU decision-making process closer to its citizens, and making it more cost-effective.

In particular, the aim of the study is to analyse how to:
- make it easier for the EU citizens and other beneficiaries to file initial and confirmatory applications for access to documents;

- facilitate the communication between the applicant and the EC whenever additional information on the request is needed;
- facilitate the consultations by the EC with Member States, other EU institutions or third parties in cases where the documents requested originate from, respectively, other EU institutions, the Member States or third parties;
- facilitate the traceability of communication with the applicants, Member States and third parties and to provide for the required legal certainty in this area;
- facilitate and decrease the delays in providing the EU citizens and other beneficiaries with the requested documents (or a reasoned refusal of access to (parts of) them);
- increase the access to the documents in possession of the EC for the EU citizens and other beneficiaries;
- publish the documents provided so other EU citizens and beneficiaries also have access to them;
- facilitate the compilation of statistics on requests received, answers provided and documents identified to which access was given or (partially) refused;
- provide all users with search functionalities in order to follow their requests and to easily find other relevant information.

To this end, the study will propose a business workflow and also a generic technical solution that could benefit to any transnational, national or sub-national authority dealing with access to document requests, while at the same time investigating the reuse of already existing ISA², EC and open source components.

7.4.3 OBJECTIVES

The main objective of the action is to analyse the existing processes and to propose an integrated solution enabling electronic workflows and fully electronic exchanges between all actors involved. The study will not cover the implementation of this solution, but investigate the reuse of existing components to automate and streamline the public access to the EC documents and the supporting flows within the EC, the other EU institutions and the Member States from the first request of the applicant to the final answer of the EC. This includes all communications and exchange of documents with the applicant as well as the consultations with Member States, other EU institutions or third-parties, if applicable.

The study will investigate how to give the EU citizens and other beneficiaries a complete overview and traceability of their respective requests and an easy way to communicate with the EC (e.g. providing extra information on a request) and file confirmatory applications (i.e. appeals) .It will also propose a solution allowing the EU citizens and other beneficiaries to receive the requested documents solely by electronic means. At the same time, the proposed solution will ensure the formal traceability of the communication with the applicants, thereby doing away with the need to send messages by paper mail with acknowledgment of receipt. The analysis will also take into account that the documents to which access is granted under Regulation 1049/2001 should be made available to the public.

This will give Member States, other EU institutions and third parties an overview of all consultations they are involved in and an easy way to respond to these consultations.

These objectives relate in the following way to the ISA² objectives: (the ISA² objectives, as listed in decision 2015/2240, are provided in italics)

The objectives of the ISA^2 programme shall be to:
(a) develop, maintain and promote a holistic approach to interoperability in the Union in order to eliminate fragmentation in the interoperability landscape in the Union;

The current landscape of tools supporting the public access to documents in possession of the EC is fragmented and many exchanges are not electronic:

1. The EC provides, as part of RegDoc, a web form allowing EU citizens and other beneficiaries, to request access to the documents in possession of the EC.
2. The NGO Access Info Europe, established in Madrid in 2006, provides a separate/private website, Ask the EU, in which access to information and access to document requests forwarded by e-mail to the EC are published. It makes use of [Alaveteli](#) software, which is an open-source platform for making public freedom of information requests to public bodies. Requests for access to documents under Regulation 1049/2001, submitted via Ask the EU website, the answers to these requests and the disclosed documents are made public on that website.
   The disadvantages are that:
   a. the personal data contained in the communication between the EC and the applicant are published automatically, and
   b. the system does not generate acknowledgments of receipt of the answer and the documents, which are critical to judge whether the confirmatory application was submitted within stipulated deadline.
3. Today, applicants have no electronic means at their disposal to file confirmatory applications ("appeals" when an initial application is rejected or partially rejected).
4. Whereas the consultations concerning documents originating from other institutions are conducted via e-mail only, the consultations with Member States and third-parties are not fully electronic:
   a. the consultations concerning documents originating from third parties are conducted via registered mail / DHL and e-mail;
   b. the consultations concerning documents originating from Member States are delivered by hand by drivers (SG.A) and e-mail.
5. All substantive written exchanges with the applicants, Member States, third parties and other EU institutions are afterwards manually encoded in a different information system, which is called GestDem.
6. Currently, all (partially) negative initial replies are delivered by registered mail and by e-mail and all confirmatory decisions are notified to the applicants via DHL by SG.A and by e-mail.
7. Notification/Consultation via registered mail (DHL) is required in order to ensure the traceability of communication with the applicants, third parties and Member States.

This action aims to investigate what is the best business and technical solution to reduce this fragmentation while reusing existing components as much as possible. The analysis will focus on the following needs:

- filing initial and confirmatory applications;
- communicating with applicants throughout the application process;
- consulting with Member States, other EU institutions and third-parties;
- answering the requests;
- making documents available for the public.

(b) facilitate efficient and effective electronic cross-border or cross-sector interaction between European public administrations on the one hand, and between European public administrations and businesses and citizens on the other, and to contribute to the development of a more effective, simplified and user-friendly e-administration at the national, regional and local levels of public administration;

This ISA² objective will be met by analysing and proposing a solution for:
- providing the applicants with an electronic overview of all their requests and all their communications with the EC regarding their requests;
- allowing the applicants to easily file their initial and confirmatory applications (i.e. "appeals");
- warning the applicants of the deadlines until which a confirmatory application can be filed;
- providing applicants and EC staff with a functionality allowing them to communicate electronically on all applications (e.g. allowing EC staff to request further information from the applicant and allowing applicants to provide further information);
- providing Member States, other EU institutions and third parties with an electronic overview of all consultations they were involved in;
- providing Member States, other EU institutions and third parties with a technical possibility to respond to consultations;
- publishing and making available (excl. storage) of documents, to which access was (partially) given,;
- facilitating the compilation of statistics on requests received, answers provided and documents identified to which access was given or (partially) refused.

The proposed technical solution should be generic in order to be reusable by any transnational, national or subnational authority dealing with access to document requests.

(c) identify, create and operate interoperability solutions supporting the implementation of Union policies and activities;

The project relates to this ISA² Objective in the following way. The handling of requests for access to documents from the public is regulated by Regulation 1049/2001 and EC Decision C(2001) 3714. The current tools implementing this regulation and decision are in a technology which will no longer be supported by DIGIT as from 2021 and lead to a fragmented and cumbersome process. The analysis will investigate the best solution (both in terms of technology and in terms of business process) to provide crucial transparency, in line with the Juncker Commission priority of "Democratic Change".

(d) facilitate the re-use of interoperability solutions by European public administrations. The ISA2 programme shall take into account social, economic and other aspects of interoperability, as well as the specific situation of SMEs and microenterprises, in order to improve interaction between European public administrations on the one hand, and between European public administrations and businesses and citizens on the other.

The project relates to this ISA² Objective in the following way. The action will explore solutions to provide applicants, Member States, other EU institutions and third parties with a user-friendly interface to the EC. The study will investigate the feasibility of integrating existing ISA² solutions such as Open e-TrustEx and e-Delivery with EC corporate solutions (such as CNS, EU Login and ERS) and other existing solutions, such as the open source Alaveteli platform (which is used by AsktheEU.org). The aim of the solution is to be generic in order to be reused by any transnational, national or subnational administration to manage requests from the public for access to documents.

In addition, the analysis will also investigate how the proposed solution could be reused to share documents between Member States and EU institutions in order to comply with the duty of sincere cooperation laid down in Article 4(3) TEU.

7.4.4 SCOPE

In scope of the action are:
- analysis of the existing access to document processes and the needs for automation;
- analysis of the existing IT tools and reusable components;
- proposal of an integrated, generic and reusable solution which includes both the future business process and the technical platform and which is based on the identified business needs and the existing components.

Out of scope of the action are:
- the implementation of the solution proposed in the study;
- the repository where the documents are stored;
- requests for documents from Member States or other EU institutions as they are out of scope of Regulation 1049/2001 and are handled according to the principle of sincere cooperation laid down in the Treaty (Article 4(3) TEU);
- requests for documents from third countries and international organisations as they are out of scope of Regulation 1049/2001 and are handled via the diplomatic channels.

7.4.5 ACTION PRIORITY

The proposed action complies with all the prioritisation criteria listed in art 7 of the ISA2 Decision (Decision (EU)2015/2240), as follows. (Hereafter, we indicate the exact wording of article 7 in italics.)

(a) the contribution of the action to the interoperability landscape, measured by the importance and necessity of the action to complete the interoperability landscape across the Union;

The action responds to a pressing need for interoperability in the public access to documents process between the EC, the European citizens and other beneficiaries, the Member States, other EU institutions and relevant third parties.

As described in section "1.1.3 Objectives", the current landscape of processes and tools supporting the public access to the documents in possession of the EC is fragmented and many exchanges are not electronic.

This action aims to study how to elimina te this fragmentation and propose a holistic solution for
- filing initial and confirmatory applications;
- communicating with applicants throughout the application process;
- consulting with Member States, other EU institutions and third-parties;
- answering the requests;
- making documents available for the public.

(b) the scope of the action, measured by its horizontal impact, once completed, across the sectors concerned;

The action deals with all EU policy sectors, as a request can concern any document in the possession of the EC. Annually, the EC receives approximately 6000 initial applications and 300 confirmatory applications for access to documents under Regulation 1049/2001.

(c) the geographical reach of the action, measured by the number of Member States and of European public administrations involved;

The requests may be initiated by any EU citizen in any Member State and any other beneficiary, and can concern documents in possession of the EC which originate from any source, be it EC, another EU institution, a Member State or a third party.

(d) the urgency of the action, measured by its potential impact, taking into account the lack of other funding sources;

The current tools supporting the public access to documents process are fragmented and are sustained by a technology (ColdFusion) which will no longer be supported by DIGIT as from 2021.

Moreover, the future access to documents process needs to become much easier and more user-friendly for the citizen in order to make the EU decision-making process more transparent in line with the Juncker Commission priority of "Democratic Change".

Moreover, the current system has triggered criticism by the European Ombudsman, who considers it to be cumbersome and not citizen-friendly enough. In particular, the requirement of providing the Commission with a postal address (resulting from the need to notify formally the Commission decisions) is regarded as an instance of maladministration.

(e) the re-usability of the action, measured by the extent to which its results can be re-used;

The action will propose a generic solution that may be reused by the Member States and the other EU institutions in order to manage requests they receive from the public for access to documents. In addition, the proposed solution could also be reused to share documents between Member States and EU institutions in order to comply with the duty of sincere cooperation laid down in Article 4(3) TEU.

(f) the re-use by the action of existing common frameworks and elements of interoperability solutions;

The action will study the feasibility of reusing and integrating the following frameworks and components:

- existing ISA/ISA² solutions such as
    o Open e-TrustEx for communication with and delivery of documents to applicants;
    o e-Delivery for conducting consultations and exchange of documents, messages and information with Member States, other EU institutions and third parties;

- EC corporate solutions such as:
    o CNS for sending notifications to applicants;
    o EU Login for authentication;
    o ERS (External Repository Service);

- other solutions such as:
    o the open source Alaveteli platform.

(g) the link of the action with Union initiatives to be measured by the collaboration and contribution level of the action to Union initiatives such as the DSM.

This action has a clear link with one of the ten priorities of the Juncker Commission, namely "Democratic Change". Increased transparency over the decision-making process and facilitating stakeholder participation in the policy-making process are elements of this strategic objective. The study will investigate how to increase transparency by making it easier for the public to request documents in the possession of the EC.

7.4.5.1 Contribution to the interoperability landscape

Question	Answer
How does the proposal contribute to improving interoperability among public administrations and with their citizens and businesses across borders or policy sectors in Europe? *In particular, how does it contribute to the implementation of:* • *the new European Interoperability*	The current landscape of processes and tools supporting the public access to documents in possession of the EC is fragmented and many exchanges are not electronic. This action aims to examine how to eliminate this fragmentation and

Framework (EIF), • *the Interoperability Action Plan and/or* • *the Connecting European Facility (CEF) Telecom guidelines* • *any other EU policy/initiative having interoperability requirements?*	propose a fully electronic, holistic solution for - filing initial and confirmatory applications; - communicating with applicants throughout the application process; - consulting with Member States, other EU institutions and third-parties; - answering the requests; - making documents available for the public.
Does the proposal fulfil an interoperability need for which no other alternative action/solution is available?	Yes. No other alternative action or solution is available for a fully electronic access to document process. However, the action will strive to study the feasibility of reusing existing components as much as possible.

7.4.5.2 Cross-sector

Question	Answer
*Will the proposal, **once completed** be useful, from the interoperability point of view and utilised in two (2) or more EU policy sectors? Detail your answer for each of the concerned sectors.*	Regulation 1049/2001 applies to all sectors. The number of initial applications for access to documents across all sectors is approximately 6000 per year. The number of confirmatory applications is approximately 300 per year.
*For proposals completely or largely **already in operational phase,** indicate whether and how they have been utilised in two (2) or more EU policy sectors.*	The current RegDoc web form and the external/private AsktheEU website are used for requests across all policy sectors.

7.4.5.3 Cross-border

Question	Answer
*Will the proposal, **once completed,** be useful*	The applicants can be citizens of any

	from the interoperability point of view and used by public administrations of three (3) or more EU Members States? Detail your answer for each of the concerned Member State.	Member State or other natural or legal persons irrespective of the place of their residence or registered office. Moreover, the documents requested can be in the possession of the EC, but originate from the administration of any Member State, in which case the EC consults the Member State before answering the applicant's request.
	For proposals completely or largely **already in operational phase**, indicate whether and how they have been utilised by public administrations of three (3) or more EU Members States.	As explained above, the current access to document process already contains consultations with all Member States and the analysis and solution proposal will reflect this.

7.4.5.4 Urgency

Question	Answer
Is your action urgent? Is its implementation foreseen in an EU policy as priority, or in EU legislation?	The implementation of the access to documents process is foreseen in Regulation 1049/2001 and EC Decision C(2001) 3714. The current IT solutions supporting this process are fragmented, incomplete and written in a technology (ColdFusion) which will no longer be supported by DIGIT as from 2021. The urgency of the proposal is also supported by the criticism by the European Ombudsman (see page 10)
How does the ISA^2 scope and financial capacity better fit for the implementation of the proposal as opposed to other identified and currently available sources?	The ISA² fits better as the goal is to analyse how to improve the interoperability and exchange of information and documents with the EU citizens and other beneficiaries, the Member States, the other EU institutions and third parties.

7.4.5.5 Reusability of action's outputs

Name of reusable solution to be produced (for new proposals) or produced (for existing actions)	Analysis of a solution automating the process to handle requests for public access to documents from the initial request to the final answer

Description	The study will analyse how to: - provide the EU citizens and other beneficiaries with an electronic overview of all their requests and all their communications with the EC regarding their requests; - allow the EU citizens and other beneficiaries to easily file their initial and confirmatory applications (i.e. "appeals"); - warn the EU citizens and other beneficiaries of the deadlines until which a confirmatory application can be filed; - provide the EU citizens and other beneficiaries, and EC staff with a functionality allowing them to communicate electronically on all applications (e.g. allowing EC staff to request further information from the applicant and allowing the EU citizens and other beneficiaries to provide further information); - provide Member States, other EU institutions and third parties with an electronic overview of all consultations they were involved in; - provide Member States, other EU institutions and third parties with a technical possibility to respond to consultations; - publish and make available (excl. storage) the documents, to which access was (partially) given; - facilitate the compilation of statistics on requests received, answers provided and documents identified to which access was given or (partially) refused.
Reference	
Target release date / Status	Study to be delivered end of 2018
Critical part of target user base	• The public • Administrations of Member States • EC Staff • Other EU institutions staff • Third parties
For solutions already in operational phase - actual reuse level (as compared to the	

defined critical part)	

7.4.5.6 Level of reuse of existing solutions

Question	Answer

Does the proposal intend to make use of any ISA², ISA or other relevant interoperability solution(s)? Which ones?	Yes, the action intends to analyse the feasibility of making use of
	
	- ISA² solutions such as:
	    o Open e-TrustEx for communication with and delivery of documents to applicants;
	    o e-Delivery for consultations and exchange of documents, messages and information with Member States, other EU institutions and third parties;
	
	- EC corporate solutions such as:
	    o CNS for sending notifications to applicants;
	    o EU Login for authentication;
	    o ERS (External Repository Service);
	
	- other solutions such as:
	    o the open source Alaveteli platform.

*For proposals completely or largely **already in operational phase**: has the action reused existing interoperability solutions? If yes, which ones and how?*	

7.4.5.7 Interlinked

Question	Answer

Does the proposal directly contribute to at least one of the Union's high political priorities such as the DSM? If yes, which ones? What is the level of contribution?	The proposal contributes to the Juncker Commission priority of "Democratic Change" by proposing a solution for providing the public with an easier way to request access to documents in the possession of the EC. The aim is to greatly enhance the transparency of EU decision-making.

7.4.6 PROBLEM STATEMENT

The problem of	Outdated, paper-based communication process with applicants
Affects	The current web form for requesting access to documents
the impact of which is	- Difficulty for the EU citizens and other beneficiaries to file initial and confirmatory applications; - time needed to process applications, which means the deadline is not always respected; - costs for the EC (DHL, …); - manual work for EC staff.
a successful solution would be	A comprehensive analysis and proposal for an efficient, holistic solution for all electronic workflows and exchanges of messages and documents concerning Regulation 1049/2001 requests

The problem of	Technology no longer supported as from 2021
Affects	The current web form for requesting access to documents
the impact of which is	Rising maintenance costs and risk of service discontinuity
a successful solution would be	A proposal for a technical solution that reuses existing components as much as possible and that may benefit to any transnational, national or subnational administration dealing with access to document requests

7.4.7 IMPACT OF THE ACTION

7.4.7.1 Main impact list .

This section is not applicable as the objective of this action is a study. The intended savings in money and in time and the intended improvement in the interoperability and quality of digital public service can only be realised by the implementation of the solution the study will propose.

Impact	Why will this impact occur?	By when?	Beneficiaries
(+) Savings in money			
(+) Savings in time	-		
(+) Better interoperability and quality of digital public service			
(-) Integration or usage cost			
[add other impacts as needed]			

7.4.7.2 User-centricity

During the analysis phase, we will deliver a user role model. On this basis, we plan to assemble a user task force where all user roles are represented.

This user task force will help the Business Analyst capture use cases and business needs.

Therefore, the analysis will focus on the user and propose a solution which will:
- show applicants an overview of their requests and all correspondence with the EC, receive notifications for deadlines and important events throughout the process and be able to easily file initial and confirmatory applications;
- provide different user communities within the EC (the Secretary-General, the different DGs, the Legal Service, …) a user-friendly interface which will eliminate all double encoding in different systems;
- show other EU institutions, Member States and third parties an overview of all consultations they are involved in, and enable them to receive notifications and give their input to the process in a user-friendly way;
- make the documents to which access is granted available for the public at large and not just for the applicants.

The proposed solution will be user-centric and try to minimize manual data encodings throughout the business process.

7.4.8 EXPECTED MAJOR OUTPUTS

Output name	Assessment of security & confidentiality
Description	Examine how the personal data of the applicants, the staff of EU institutions, Member States and third parties can be kept confidential and protected in accordance with

	- the new General Data Protection Regulation (GDPR); - the new data protection rules for EU institutions and bodies; - and the corresponding new implementing rules that the Commission will put in place.
Reference	
Target release date / Status	Study to be delivered in Q4/2018

[please copy and use a separate table for each output foreseen.]

7.4.9 ORGANISATIONAL APPROACH

7.4.9.1 Expected stakeholders and their representatives

Stakeholders	Representatives	Involvement in the action
European Commission	SG.B.4	Business Owner/Business manager
Applicants (European citizens, as well as other natural and legal persons, irrespective of the place of their residence or registered office)		End users of the proposed solution
AsktheEU.org	Access Info Europe	Business owners of one of the external/private systems in the current fragmented landscape
Member States	Permanent Representations	Involved in the consultation process prior to replying to some access to documents requests.
Other EU institutions	Access to documents units of other EU institutions	Involved in the consultation process prior to the EC replying to some access to documents requests.
Third parties		Involved in the consultation process prior to the EC replying to some access to documents requests.
mySociety	mySociety is a not-for-profit	Providers of Alaveteli, one of the

social enterprise, based in the UK but working with partners internationally. They build and share digital technologies that give people the power to get things changed, across the areas of Democracy, Freedom of Information, and Better Cities.	components that will be assessed during the study

7.4.9.2 Identified user groups

Up to now, the following user groups have been identified:
1. Applicants, which may be EU citizens, or other natural or legal persons, irrespective of the place of their residence or registered office;
2. NGOs defending the rights of applicants;
3. EC staff from different DGs and Services, from the Secretary General and from the Cabinet of the President;
4. Other EU institutions' staff;
5. Member States' administration or Permanent Representation staff;
6. Third parties.

7.4.9.3 Communication and dissemination plan

The study will be nourished through dialogue with the stakeholders. Once the study is finished, its findings will be communicated to the user task force and to other relevant stakeholders.

7.4.9.4 Key Performance indicators (KPIs)

Description of the KPI	Target to achieve	Expected time for target
Comprehensive analysis and modelling of the business process	100%	Q4/2018
Comprehensive proposal of a generic technical solution	100%	Q4/2018

7.4.9.5 Governance approach

The project will follow the standard PM2 governance structure:
- Project Owner: Mr KRÖGER Martin (SG.B.4)

- Study Supplier: Mr GRITSCH Martin (SG.R.3)

- Project Manager: Mr MATACHE Claudiu (SG.R.3)

- Business Managers: Ms MARTINČIČ Ruth (SG) (SG.B.4), Ms BLURIOT-PUEBLA Madeleine (SG.B.4)

- Business Implementation Group (BIG):

    o Representatives from SG.B.4 unit (access to documents sector),

    o Legal and administrative coordinators in other Commission departments,

    o Representatives from other EU institutions,

    o Representatives from the Member States,

    o Representatives from civil society

7.4.10 TECHNICAL APPROACH AND CURRENT STATUS

This section is not applicable, as the action concerns a study.

7.4.11 COSTS AND MILESTONES

7.4.11.1 Breakdown of anticipated costs and related milestones

Phase: Initiation Planning Execution Closing/Final evaluation	Description of milestones reached or to be reached	Anticipated Allocations (KEUR)	Budget line ISA/ others (specify)	Start date (QX/YYYY)	End date (QX/YYYY)
Execution		80		Q2/2018	Q4/2018
	Total	80			

7.4.11.2 Breakdown of ISA^2 funding per budget year

Budget Year	Phase	Anticipated allocations (in KEUR)	Executed budget (in KEUR)
2018	Execution	80	
2019			
2020			

1.1.1 ANNEX AND REFERENCES

Description	Reference link	Attached document

Treaty on European Union: - Article 1 states that "decisions are taken *as openly as possible* and as closely as possible to the citizens"; - Article 4(3) enshrines the duty of sincere cooperation between EU institutions and Member States.	TEU	
Treaty on the Functioning of the European Union: Article 15 grants, within certain conditions, a right of access to documents of the Union's institutions, bodies, offices and agencies to any citizen of the Union, and any natural or legal person residing or having its registered office in a Member State.	TFEU	
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	Regulation 1049/2001	
2001/937/EC,ECSC,Euratom: Commission Decision of 5 December 2001 amending its rules of procedure (notified under document number C(2001) 3714). Article 1 defines beneficiaries of the right of access to documents as EU citizens and other natural and legal persons irrespective of the place of their residence or registered office.	EC Decision C(2001) 3714	