



2018 Annual report

on public requests to access to the 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.

In 2018, the EMCDDA received two 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, through the webpage www.asktheeu.org, on all the EMCDDA documents relating with all external communication in relation to the Pompidou group report 'Costs and Unintended Consequences of Drug Control Policies' (before and after it was finished), related documents such as meeting minutes, research provided in relation to the report and all communication with a concrete person in 2017 and 2018.

The second request was received through the University of Leiden, following the public right of access to a number of documents exercised by a citizen, on a number of contracts signed between this Institution and the EMCDDA. The aim of the first contract was to carry on a study on drug-related homicides in Europe, while the second was on building a consortium

of data providers to implement a platform for the collection and analysis of data on drug-related homicides in Europe.

3- Other activities

Following the request foreseen by the above mentioned Director decision on 26 January, 2018, relating to the submission of Standard Operations Procedure (SOP) to be applied to ensure the effective and efficient handling of the applications to access the EMCDDA documents, the Coordinator submitted to the Head of the Director Executive Office a first SOP draft, which was finally adopted and published on 15 June, 2018.

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Lisbon, 18 December, 2018