

Helsinki, 24. 05. 2019

Mrs. Luiza Izuzquiza

l.izuzquiza@echa.europa.eu

By email only

Subject: Reply to your application for access to documents

Reference: ATD/039/2019

Dear Mrs. Izuzquiza,

Thank you for your application of 3 May 2019, registered on the same day under the reference ATD/039/2019, seeking access to documents. Your application falls under Regulation (EC) No 1049/2001 (the "ATD Regulation") which governs access to documents held by the European Chemicals Agency (ECHA)¹.

Your request is divided into two parts. The first part concerns access to "*any and all documents that contain the number of staff in [ECHA's] Transparency Unit – for instance, organigrams or staffing plans that are specific to that unit; any and all documents containing the budget for [ECHA's] Transparency Unit – the most detailed version of this budget*" for the years 2017, 2018 and 2019.

The second part of your request concerns access to "*any and all documents containing data on the handling of access to EU documents requests by [ECHA]*" for the years 2016, 2017 and 2018. You specify that you are interested in the "*broken down data, per year, number of initial access to documents applications received, number of confirmatory applications received.*"

At the outset, we would like to inform you that ECHA does not have a separate Transparency Unit dealing specifically with requests for access to documents under the ATD Regulation since the work on Transparency is carried out horizontally across all the Units and Directorates of the Agency.

Therefore, no documents containing the number of staff in the Transparency Unit, or its budget, are in the possession of the Agency.

However, Transparency being one of the core values of ECHA, a page on ECHA's website is dedicated to this topic: <https://echa.europa.eu/about-us/the-way-we-work/procedures-and-policies/transparency>

Another page is dedicated to the Access to Documents: <https://echa.europa.eu/about-us/the-way-we-work/procedures-and-policies/access-to-documents>

More particularly, the Management Board of ECHA adopted in December 2014 the so-called "ECHA's approach to Transparency". This document is publicly available at the following link: https://echa.europa.eu/documents/10162/13608/mb_61_2014_echa_transparency_en.pdf/068580f5-a523-4fb0-9fb8-90fd27c5277a

The Approach was updated in March 2019. The related document is also publicly available at the following link:

https://echa.europa.eu/documents/10162/27476116/FINAL_MB_16_2019_Update_Transparency_Approach_MB53.pdf/6eefe67f-7f08-508b-eb9b-011302cf447c

¹ According to Article 118(1) of the REACH Regulation ((EC) No 1907/2006), Regulation (EC) No 1049/2001 applies to documents held by ECHA.

In relation to the second part of your request, ECHA is publishing since 2012 the reports compiling the data on the handling of access to documents. The reports for the years 2016, 2017, 2018 are publicly available at the following links:

- Data for 2016: https://echa.europa.eu/documents/10162/13604/atd_annual_report_2016_en.pdf/00cc4afd-c14d-be48-2fda-81bf55571283
- Data for 2017: https://echa.europa.eu/documents/10162/13604/ad_t_2017-key-figures_en.pdf/e35dd59d-0f5a-4393-d86d-7739a2c09dc5
- Data for 2018: https://echa.europa.eu/documents/10162/13604/ad_t_2018-key-figures_en.pdf/686ca66d-a5f9-ed9c-604e-0c696e44a7b3

I trust that the above information and documents reply to your request.

Appeal/legal redress

You are entitled to make a confirmatory application requesting ECHA to review this position by writing to the Executive Director of ECHA (executive-director@echa.europa.eu), This needs to be done within 15 working days of receiving this letter.

The Executive Director will inform you of the result of the review within 15 working days from the registration of your subsequent request.

Yours sincerely,



Minna Heikkilä
Head of Legal Affairs