

The right to access to EU documents: implementation and future of Regulation (EC) No 1049/2001

- It is Europol's task to handle large volumes of sensitive (personal) data and thereby contribute to the security of EU citizens. How is public access to documents held by police services regulated at national level?
- Europol has a robust accountability regime (see COM (2010) 776)
- Europol already operates a public access regime (see Art. 45 ECD and MB Decision of 08.07.2009)
- Balance has to be struck between the citizen's right to access to documents and the citizen's right to security
 - possibility to refuse access to documents where the access would undermine the public interest as regards "public security"
- Equally, the citizen's right to access documents has to be weighed against the citizen's right on the protection of personal data
 - it should be considered to exempt Europol's data systems from the Regulation on Public Access; individual access of the data subject to his/her data is regulated in the current legal framework
- disclosure of names and functions of (Europol) staff: need for a possibility for refusal, especially for specialists dealing with organised criminal groups and terrorism
- handling of classified documents: necessity for a provision regulating their handling
- Establishment of registers: take into account the capacity of the institution to record all internal documents and the necessity to limit access for reasons of public security