

**Question for written answer E-003846/2011
to the Commission**
Rule 117
Eleni Theocharous (PPE)

Subject: NGO Internationaler Hilfsfonds case - access to documents

Under Regulation (EC) No1049/2001, the German NGO Internationaler Hilfsfonds has for several years been seeking unrestricted access to the file of LIEN co-financing Contract 97-2011. This contract was arbitrarily terminated by the European Commission in 1999 to the disadvantage of Hepatitis C-infected people in Kazakhstan.

Notwithstanding the fact that this NGO has, under the terms of the above regulation, been seeking unrestricted access to the documents concerning its own project since October 1999, the Commission has to date arbitrarily withheld a considerable number of documents with no legal justification (see judgment of the European Court of Justice in Luxembourg in cases C-362/08 & T-141/05). Can the Commission justify its decision to deny access to such documents?