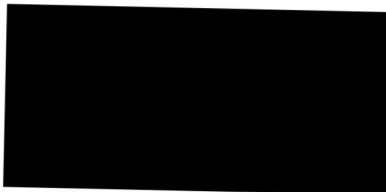


Der Generalsekretär

D 308148 05.06.2019

REGISTERED LETTER
WITH ACKNOWLEDGMENT OF RECEIPT



Subject: Your application for public access to documents
Our reference: **A (2019)5912** (to be quoted in future correspondence)

Dear 

On 13 May 2019, the European Parliament registered your application for public access to the source code and any documentation and build instructions for two applications of the website "epthinktank.eu" of the European Parliament.

Parliament identified three items as relevant to your request:

- 1) Software architecture documentation for European Parliament Research Service (EPRS) - mobile application project;
- 2) Installation and configuration manual for EPRS - mobile application project;
- 3) Programmer's manual for EPRS - mobile application project.

Your application has been examined in the light of Regulation (EC) No 1049/2001, laying down the terms and the conditions for public access to the documents of the European Union institutions¹.

¹ 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, OJ L 145, 31.5.2001, p.43

Assessment of your application

Regulation (EC) No 1049/2001 applies only to documents held by an institution, that is to say documents drawn up or received by it and in its possession, in all areas of activity of the European Union².

In particular, point (a) of Article 3 of Regulation (EC) No 1049/2001 provides a definition of a document for the purpose of this Regulation as "*any content whatever its medium (written on paper or stored in electronic format or as a sound, visual or audiovisual recording) concerning a matter relating to the policies, activities and decisions falling within the institution's sphere of responsibility*".

The source code, as well as all the three items you requested refer exclusively to the software and its technical features and cannot be considered as referring to any policy or activity of the European Parliament as legislative or budgetary authority.

In addition, point (a) of Article 4(1) of Regulation (EC) No 1049/2001 provides that the institutions shall refuse access to a document where disclosure would undermine the protection of the public interest as regards, *inter alia*, public security.

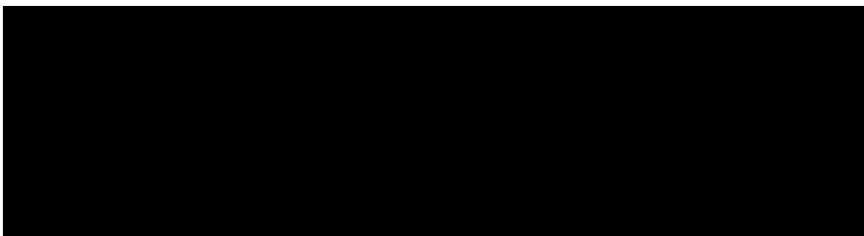
The public disclosure of the application source code and the three requested documents would put the Parliament at an increased risk of falling victim to cybercrime or external influence and jeopardise the running of its server, thus disrupting Parliament's well-functioning and security.

Conclusion

On the basis of the above considerations, Parliament cannot accede to your request on the basis of point (a) of Article 3 and point (a) of Article 4(1) of Regulation (EC) No 1049/2001.

Your attention is drawn to the fact that, pursuant to Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to submit, within 15 working days of receipt of this letter, a confirmatory application with a reasoned request for European Parliament's position to be reconsidered.

Yours sincerely,



² Article 2(3) of Regulation (EC) No 1049/2001.