



EUROPEAN CENTRAL BANK

EUROSYSTEM

Jean-Claude TRICHET

*President*

Personal & confidential

[ ]

1 September 2009

**Public access request for ECB documents**

Dear [ ],

On 10 August the ECB received your confirmatory application for public access to the electronic databases which serve as a basis for the preparation of recruitment and mobility reports 1999-2009.

I should like to inform you that the Executive Board has thoroughly considered your request as well as the assessment which has been made and the decision which has been taken in response to your original application.

Following this thorough consideration, the Executive Board decided to confirm the assessment and the decisions of the Director General Secretariat and Language Services (DG/SL) (laid down in his letter of 23 July 2009) that:

- the electronic databases which serve as a basis for the preparation of recruitment and mobility reports can not be considered as a “document” within the meaning of Decision ECB/2004/3 on public access to documents, since printouts of the database (which would fall under the definition of a ‘document’) do not exist as stand-alone documents. Therefore your request can not be satisfied by a simple extraction in the form of a printout or electronic-format copy. In order to accommodate your request, the information would have to be additionally systematised and analysed and new information would have to be documented on the basis thereof, which could not be done without considerable extra effort. However, additional systemization and analysis goes beyond the public access regime under the Decision ECB/2004/3, as the document does not exist and has to be created.

Furthermore, I should like to draw your attention to the fact that in line with Article 8.1 of the said ECB Decision ECB/2004/3 in the event of total or partial refusal, the applicant may have recourse to the remedies open to him/her in accordance with Articles 230 and 195 of the Treaty.

With kind regards,

Jean-Claude Trichet

ECB-PUBLIC