

Our Reference: FPL/624/03172/6

Your Reference:

28 May 2025

By email only

DG GROW

European Commission

GROW-ACCES-DOCUMENTS@ec.europa.eu

Re: Request for Access to Documents

Our clients: Public.Resource.Org Inc and Right to Know CLG

Dear Sir or Madam

We make this request for access to documents based on Regulation (EC) 1049/2001 on behalf of our clients

1. Public.Resource.Org, Inc., a charity incorporated in California, USA; and
2. Right to Know CLG, a non-governmental organization incorporated in Dublin Ireland.

Background

Since the judgments in *Stichting Rookpreventie Jeugd and Others*, C-160/20, and *Public.Resource.Org and Right to Know v Commission* C-588/21 P, there is an overriding public interest in access to technical standards, which includes harmonised standards and technical standards which are incorporated by reference into European legislation.

Since those judgments the Commission has had to routinely grant access to technical standards on request.

From the information available to our clients, it appears that rather than simply providing electronic copies of requested technical standards via email or via download from public websites maintained by the Commission, the Commission uses special procedures when handling such requests.

It appears to our clients that the way in which requests are handled depends on whether the technical standard was originally prepared by ISO or IEC on the one hand or CEN or CENELEC on the other.

Requests for technical standards which originate from ISO or IEC, are only handled by DG GROW it seems, regardless of whether the standard is one which is the responsibility of another Commission

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Directorate and regardless of to which Directorate the request for access to documents is addressed. These standards are only made available via a restricted website which requires a personalised account¹. The Commission calls this the “eNorm Platform”. Here the standards are available only to view on the website and have an unique individual watermark applied which identifies the Commission reference number linking the standard to a specific request for access to documents.

On the other hand, CEN/CENELEC originated harmonised standards are made available via a web portal controlled by CEN/CENELEC (<https://harmonizedstandards.eu/>) which directs users to websites controlled by individual National Standardisation Bodies where such standards appear to be made progressively available as and when they are subject to a request for access to documents. Nonetheless the standards available cannot be downloaded or printed.

It appears to our clients that the above procedure, including formatting and website functionality, is based on prior-agreements and/or prior-understandings between the Commission and each of ISO, IEC, CEN and CENELEC.

Requested documents

Our clients therefore request

- (a) Copies of all documents recording prior agreement or prior understanding between the Commission on the one hand and each of (1) ISO; (2) IEC; (3) CEN; and (4) CENELEC on the other about how the Commission handles requests for access to technical standards including European Standards, Harmonised Standards and International Standards (as those terms are defined in Regulation 1025/2012).
- (b) Copies of all specific internal guidelines or other specific internal procedures for the handling by the Commission of requests for access to technical standards including European Standards, Harmonised Standards and International Standards (as those terms are defined in Regulation 1025/2012).

Format

We look forward to receipt of the requested documents in electronic format by email to info@fplogue.com.

Yours faithfully,



FP LOGUE LLP

¹ <https://ec.europa.eu/growth/tools-databases/enorm/access-to-harmonised-standards/my-ease-harmonised-standards>