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Mr. Thierry Breton
Commissioner For Internal Market
European Commission
Rue de la Loi, Wetstraat 200
1049 Brussels, Belgium
(cab-breton-contact@ec.europa.eu)

Dear Commissioner Breton:

We write to you in regards to the [recent judgment](#) of the Court of Justice of the European Union (Grand Chamber) of 5 March 2024 in the case of Public.Resource.Org and Right to Know CLG v. European Commission and 15 intervenors. As you know, the Court ruled decisively that harmonised standards “form part of EU law.” ([Judgement ¶ 80](#))

As the Commission considers possible directions to take in light of this decision, we would appreciate the opportunity to meet with you and staff via video conference to discuss our thoughts on the matter. The issue of public safety standards incorporated into binding law is one we have many years of experience with, and the matter has been brought to the highest levels of government not only in Europe, but in the United States and in India. We believe our experience in these matters might be useful to you and your staff as you consider next steps to take.

One obvious step the Commission is no doubt considering is publication of the text of all harmonised standards in the Official Journal. In particular, all official acts of the European Union are published in the L Series of the Official Journal and the Court’s ruling makes clear that harmonised standards are official acts of the government. As Advocate-General Medina observed in her opinion on the case:

“It follows from Article 2 TEU that the rule of law requires free access to EU law for all natural and legal persons of the EU. It is based on the fundamental principle that everyone should have the possibility to know the law and everyone is required to respect it. (29) Indeed, that is why Article 297 TFEU provides that EU law must be published in the Official Journal.” ([Opinion ¶ 52](#); [TEU Article 2](#); [TFEU Article 297](#))

In the meantime, of course, the Court's decision made clear that harmonised standards may be obtained through public record requests as defined in **Regulation (EC) No 1049/2001**. This means of obtaining harmonised standards is how we requested the documents at issue in the recent action, and no doubt many other citizens of the European Union, and natural or legal persons residing or having its registered office in a Member State will employ this same mechanism given the tremendous impact harmonised standards have in all aspects of life and commerce in the European Union. It is not unlikely that such a flood of requests might prove an administrative burden to staff of the European Commission, which is why believe publication of the texts in the Official Journal would be a preferable path to take.

We appreciate your consideration of our request to meet with you and staff and hope to have the pleasure of speaking with you soon.

With best regards,

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