



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL  
MARKETS UNION

The Director-General

Brussels  
FISMA/E5

Mr Friedrich Lindenberg  
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**Subject: Your application for access to documents - EASE 2024/4150**

Dear Mr Lindenberg,

We refer to your request for access to documents, registered on 5 August 2024 under the above-mentioned reference number.

In your application, you request access to:

*“Any documents (such as emails, technical or process documentation, memoranda or legal opinions) regarding:*

*(a) the process by which Council decisions regarding EU restrictive measures (sanctions) that have been published in the OJEU are included in the EU Financial Sanctions Files (FSF) structured data (FSD Files) released by the EC,*

*(b) recent delays in updating the FSF FSD Files based on new designations (e.g. in the context of the 12th and 14th EU sanctions package regarding Russia's invasion of Ukraine), and*

*(c) any internal discussion or discussion with third parties of the legality/possibility/practice of pursuing sanctions violations by financial institutions (and other regulated entities) which have occurred after the publication of restrictive measures in the OJEU but before their inclusion in the FSF.”*

Concerning point (a) of your request, we have identified one document as falling within the scope of the request:

1. Financial Sanctions Database (FSD) User Manual V1.5. The document is registered under the reference number Ares(2024)6326906.

Having assessed the document under the provisions of Regulation 1049/2001 we regret to inform that the document in question cannot be disclosed. The disclosure of this document would undermine the protection of the public interest as regards public security and the financial, monetary or economic policy of the European Union or a Member State as per Article 4(1)(a) of Regulation 1049/2001, first and forth indent respectively.

This is because the Financial Sanctions Database (FSD) compiles the identifying data of natural and legal persons subject to the freezing of their funds and economic resources and to a prohibition on making funds and economic resources available to them pursuant to Regulations imposing restrictive measures (sanctions) based on Article 215 TFEU. FSD is a tool to create the Consolidated List of Financial Sanctions, which is available via the FSF platform.

Disclosure of this document would expose the Union to possible cyber retaliation attempts by third countries as it details how the electronical process of managing and updating the FSD functions. The information in the document might be used by third countries to get access to FSD and its data or expose it to attempts of falsification and other nefarious actions.

Therefore, the document is covered by the exception of the first and forth intend of Article 4(1)(a) of Regulation 1049/2001 and its disclosure should be refused.

Concerning points (b) and (c) of your request, we regret to inform you that the Commission does not hold any documents that would correspond to the description given in your application.

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution. Given that no such documents, corresponding to the description given in your application, are held by the Commission, the Commission is not in a position to fulfil your request.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

by asking for a review via your **portal account** (available only for initial requests submitted via the portal account),

or by **mail**:

European Commission  
Secretariat-General  
Transparency, Document Management & Access to Documents (SG.C.1)  
BERL 7/076  
B-1049 Bruxelles

or by **email** to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

John BERRIGAN

Electronically signed