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Access to Documents Correspondent

Brussels, 4 June 2024
eeas.sg.ld (2024) 3557310

To
Mr Luis Miguel Hurtado Coronado
by electronic mail

Subject: Your request for access to documents of 24 April 2024
EEAS reference: 2024/093

Dear Mr Hurtado Coronado,

I would like to thank you for your request for access to documents, which the EEAS has examined in the framework of Regulation (EC) No 1049/2001.¹

Following your application, we have searched in the EEAS filing systems and document management databases, for the requested “*documents regarding the February 2024 trip that a delegation led by the director for Peace, Partnerships and Crisis Management at the European External Action Service (EEAS) Cosmin Dobran paid to Rwanda, documents containing the following information:*

- *A list of the delegation members, their advisors, and press secretaries on the trip.*
- *All the trip preparatory correspondence, including emails and call transcripts between the delegation members and Rwandan officials.*
- *A copy of the preparatory report was shared with the delegation members before the visit.*
- *The complete schedule of the visit, including all the places visited by the delegation in Rwanda.*

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (OJ L 145, of 31.5.2001, p. 43, hereafter the "Regulation"), as applied by the EEAS pursuant to Article 11(1) of the Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service (OJ L 201, of 3.8.2010, p. 30).

- *A list of all the Rwandan officials the delegation met during the trip, with full names and positions.*

- *A copy of all the working documents shared with or within the delegation members and all the available meeting notes taken during the visit.*

- *A copy of the final report, the conclusions document and/or any conclusive notes shared by the delegation members with the EEAS or other EU instances during or after the visit. ”*

After this search, the EEAS has identified the following documents matching your application, as referenced hereafter:

1. List of the delegation members (document 1);
2. Correspondence between the EEAS and the EU-delegation in preparation of the mission (document 2);
3. Briefing (document 3);
4. Briefing background material (document 4);
5. Draft program dated 7 Feb 2024 from EU-Delegation in Kigali (document 5);
6. EU Draft *Aide Mémoire* dated 6 May (document 6);
7. Terms of Reference EU-Rwanda Security and Defence Consultations Ares(2024)3333688 (document 7).

Document 1 contains elements regarding personal data of the participants. The disclosure of this document to the general public would therefore undermine the privacy and integrity of individuals, as per Article 4(1)(b) of the Regulation.

As regards documents 2 to 7, they contain sensitive elements regarding EU positions, expectations and assessments of the relations with Rwanda. More precisely, they include internal assessments of the broad security situation and security threats, both in Rwanda and other non-EU countries, of the EU political relations with them and on ongoing multilateral discussions and negotiations with international organisations. This includes a variety of sensitive issues, such as the ongoing efforts on the implementation of the United Nations Security Council Resolution 2719, the transition of the UN Peacekeeping Mission in DRC (MONUSCO), ongoing conflict prevention and de-escalation efforts undertaken by the EU and other international actors in conflicts on the African continent and assessments of ongoing reform of the African Union. These documents also contain assessments of the strategic security situation and of ongoing CSDP missions and operations on the African continent.

Our assessment concluded that the disclosure of this information to the general public would undermine the public interest as regards international relations and the institution decision making process, as per Articles 4(1)(a), third indent, and Article 4(3), first sub-paragraph, of the Regulation. In fact, the disclosure of assessments and opinions of the EU concerning the political posture of Rwanda and other countries mentioned in the documents would be negatively perceived by such countries and therefore compromise their willingness to cooperate and share information with the EU in relation to peace, security and defence. Likewise, the disclosure of information provided in confidence by other international actors

and concerning the negotiation process would affect the climate of trust and cooperation with the EU on those matters.

Furthermore, the disclosure of the above mentioned documents would unveil details about the internal proceedings and decision making processes within the institution and thereby undermine the EU ability to conduct autonomous engagement with Rwanda and other African countries in the area of peace, security and defence. Notably, since the information contained in the documents relate to matters on which the EU side is in the process of taking decisions, the disclosure of these documents would undermine the internal decision making process as it would pre-empt the EU scenarios and negotiating options to the counterparts and expose the political considerations at stake to the public debate before official decisions are taken.

We have considered whether partial access could be granted to documents 1 to 7. However, since the substantive parts of the documents are covered by the invoked exceptions, the release of the marginal and accessory information in the documents not covered by the exceptions would deprive them from any useful effect.

Therefore, I regret to inform you that we are not in a position to disclose these documents at this point in time, neither as a whole or partially, since it would undermine the protection of the public interest as regards international relations, the privacy and integrity of individuals and the institution decision-making process, as per Article 4(1) (a), third indent, Article 4(1) (b) and Article 4(3), first sub-paragraph, of the Regulation.

Should you wish this position to be reviewed, you may make a confirmatory application within 15 working days in accordance with Article 7(2) of the Regulation.

Yours sincerely,

[e-signed]

Ludovic Promelle