Mr Michele Gigli

By email with acknowledgment of receipt:
ask+request-14527-3098cc97@asktheeu.org

Subject: Your application for access to documents – EASE 2024/2312

Dear Mr Gigli,

I refer to your email dated 3 May 2024 in which you made a request for access to documents, registered on 3 May 2024 under the above-mentioned reference number.

Your request concerns:

‘1. Annual performance report on the use of AMIF funds submitted by Italy in 2024, along with Commission’s observations if available.

2. Annual performance report on the use of AMIF funds submitted by Germany in 2024, along with Commission’s observations if available.’

The following documents have been identified as falling within the scope of your request:

1. Annual performance report AMIF Germany 2023, registered under Ares(2024)1119443 on 14 February 2024
2. Germany AMIF APR Observation letter, registered under Ares(2024)1930711 on 13 March 2024
3. Annual performance report AMIF Italy 2023, registered under Ares(2024)2402200 on 2 April 2024
4. Italy AMIF APR Observation letter, registered under Ares(2024)2900152 on 19 April 2024

Having examined the identified documents under the provisions of Regulation (EC) No 1049/2001 of the European Parliament and the Council regarding public access to European Parliament, Council and Commission documents (hereinafter ‘Regulation (EC) No 1049/2001’) (1), I have concluded that documents 1 and 3 may be fully disclosed, while documents 2 and 4 may be disclosed only partially. Please find my detailed assessment below.

1. Full disclosure

You may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf based on the Commission Decision on the reuse of Commission documents (2). You may reuse the documents disclosed free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

2. Partial disclosure

Article 4(1)(b) of Regulation (EC) No 1049/2001 provides that “[t]he institutions shall refuse access to a document where disclosure would undermine the protection of […] privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data”.

Documents 2. and 4. contain the following personal data:
- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons;
- other information relating to an identified or identifiable natural person.

Article 9(1)(b) of the Data Protection Regulation(3) does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

As a result, please find attached documents 2. and 4. in a redacted format, from which the personal data has been removed.


3. **Means of redress**

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

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

You can submit it:

- **via your EASE portal account** (4) (only possible if the initial application was submitted via the EASE portal);
- **by post to:**
  European Commission, General Secretariat
  Transparency, Document Management & Access to Documents (SG.C.1)
  BERL 7/076
  1049 Brussels
- **or by e-mail:** sg-acc-doc@ec.europa.eu

4. **Acknowledgment of receipt**

Finally, I note that your request has been submitted outside the EASE portal. Therefore, I would appreciate, if you could acknowledge receipt of the present letter by sending an email to HOME-ACCESS-DOCUMENTS@ec.europa.eu.

Yours sincerely,

*Katerina WOLFOVA*

Head of Unit

(4) [https://www.ec.europa.eu/transparency/documents-request](https://www.ec.europa.eu/transparency/documents-request)
Enclosures: Annual performance report AMIF Germany 2023, registered under Ares(2024)1119443 on 14 February 2024

Germany AMIF APR Observation letter, registered under Ares(2024)1930711 on 13 March 2024

Annual performance report AMIF Italy 2023, registered under Ares(2024)2402200 on 2 April 2024

Italy AMIF APR Observation letter, registered under Ares(2024)2900152 on 19 April 2024