

# EUROPEAN EXTERNAL ACTION SERVICE



Head of Division

Brussels, **19 MAI 2017**  
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Mr Mark Akkerman  
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*Subject: Your request for access to documents of 14 March 2017*  
*Our ref: 2017/047*

Dear Mr Akkerman,

Thank you for your request for access to documents, which we have examined in the framework of Regulation (EC) No 1049/2001<sup>1</sup>. Although your request is very wide and vague, we have identified various relevant documents, as outlined below.

I am pleased to send you the links in order to retrieve the following documents:

1. Communication on Partnership Framework: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160607/communication\\_external\\_aspects\\_eam\\_towards\\_new\\_migration\\_impact\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160607/communication_external_aspects_eam_towards_new_migration_impact_en.pdf)
2. First Progress Report: [https://eeas.europa.eu/sites/eeas/files/com\\_2016\\_700\\_fl\\_communication\\_from\\_commission\\_to\\_inst\\_en\\_v8\\_p1\\_english.pdf](https://eeas.europa.eu/sites/eeas/files/com_2016_700_fl_communication_from_commission_to_inst_en_v8_p1_english.pdf)
3. Second Progress Report: [https://eeas.europa.eu/sites/eeas/files/second-progress-report-1\\_en\\_act\\_part1\\_v11.pdf](https://eeas.europa.eu/sites/eeas/files/second-progress-report-1_en_act_part1_v11.pdf)
4. Third Progress Report: [https://eeas.europa.eu/sites/eeas/files/com\\_2017\\_205\\_fl\\_report\\_from\\_commission\\_en\\_v8\\_p1\\_880005\\_0.pdf](https://eeas.europa.eu/sites/eeas/files/com_2017_205_fl_report_from_commission_en_v8_p1_880005_0.pdf)

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<sup>1</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (hereafter the "Regulation").

5. Communication on Migration on the Central Mediterranean route Managing flows, saving lives: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20170125\\_migration\\_on\\_the\\_central\\_mediterranean\\_route\\_-\\_managing\\_flows\\_saving\\_lives\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20170125_migration_on_the_central_mediterranean_route_-_managing_flows_saving_lives_en.pdf)
6. Link to EUCO conclusions on migration, 28 June 2016:  
<http://www.consilium.europa.eu/en/press/press-releases/2016/06/28-euco-intermediate-conclusions/>
7. Link to EUCO conclusions on migration, 20-21 October 2016:  
<http://www.consilium.europa.eu/en/press/press-releases/2016/10/21-european-council-conclusions/>
8. Link to EUCO conclusions on migration, 15 December 2016:  
<http://www.consilium.europa.eu/en/press/press-releases/2016/12/15-euco-conclusions-final/>
9. Link to Malta Declaration, 3 February 2017:  
<http://www.consilium.europa.eu/en/press/press-releases/2017/01/03-malta-declaration/>
10. Joint Communication to the European Parliament and the Council 'Strengthening EU support to Tunisia' 2016(JOIN)47 final of 29.09.2016  
[https://eeas.europa.eu/sites/eeas/files/communication\\_from\\_commission\\_to\\_inst\\_en\\_v6\\_p1\\_859678-2.pdf](https://eeas.europa.eu/sites/eeas/files/communication_from_commission_to_inst_en_v6_p1_859678-2.pdf)

I also bring to your attention that additional information can also be found at the Commission migration page:

[https://ec.europa.eu/commission/priorities/migration\\_en](https://ec.europa.eu/commission/priorities/migration_en)

In addition, we have identified the following relevant documents:

11. Minutes of the meeting of HRVP F. Mogherini with President Macky Sall of Senegal during her visit to Dakar (05/12/16);
12. EU Heads of Mission Report, titled "A renewed engagement of the EU with Nigeria", of February 2016 (CFSP/EAS/0164/16);
13. Minutes of the meeting of HRVP F. Mogherini with President Issoufou of Niger during his visit to Brussels (15/12/2016).
14. Minutes of the meeting of HRVP F. Mogherini with Minister of Malians Living Abroad Abdourahmane Sylla in Valetta (8/2/2017).
15. Minutes of the meeting of HRVP F. Mogherini with Libyan President of the Presidency Council/Prime Minister in Brussels (02/02/2017)
16. Minutes of the visit of the HRVP F. Mogherini with the Tunisian Head of Government, Youssef Chahed on 1 November 2016
17. Report of the visit of the EEAS Deputy Secretary General, DG HOME deputy Director General and DG NEAR Deputy Director General to Cairo on 22-23 January 2017
18. Visit of the EEAS Deputy Secretary General, DG HOME deputy Director General and DG NEAR Deputy Director General to Tunis on 1 March 2017

19. Projet ordre du jour de la 12<sup>ème</sup> Session du Groupe de Travail « Affaires Sociales et Migration » (GTASM) UE / Maroc (Novembre 2015).
20. Minutes of the meeting of HRVP F. Mogherini with Prime Minister Hailemariam Dessalegn of Ethiopia during her visit to Addis Ababa (20/10/2015)
21. Minutes of the meetings of HRVP F. Mogherini and Commissioner D. Avramopoulos with Minister for Foreign Affairs of Ethiopia, Dr. Tedros Adhanom, during his visit to Brussels (13/01/2016).
22. Report of joint mission on the implementation of the Common Agenda on Migration and Mobility (CAMP) in Ethiopia (2-4 February 2016).
23. Minutes of the meeting of HRVP F. Mogherini and Minister for Foreign Affairs of Ethiopia, Dr. Tedros Adhanom, at the margins of the Commission-to-Commission meetings in Addis Ababa (07/04/2016).
24. Report of a joint mission on return and readmission to Addis Ababa (30-31 May 2016).
25. Minutes of the meeting of HRVP F. Mogherini and Prime Minister Hailemariam Dessalegn of Ethiopia at the margins of the Obama Summit on Refugees (20/09/2016).
26. Report of a joint high level migration mission to Addis Ababa (5-7 October 2016).
27. Report of a joint mission on migration to Khartoum and Addis Ababa (15-18 January 2017).
28. Minutes of the meeting of HRVP F. Mogherini and Commissioners D. Avramopoulos and C. Stylianides with Minister for Foreign Affairs of Sudan, Ibrahim Ghandour (16/02/2016).
29. Report of the joint fact-finding mission on migration to Khartoum (29-30 March 2016).
30. Report of the visit of Commissioner N. Mimica to Khartoum (4-6 April 2016).
31. Report of the joint fact-finding mission on border management to Sudan (28 May-2 June).
32. Report of the Article 8 dialogue on migration with Eritrea (05/04/2016).
33. Draft negotiating directives for a framework agreement between the European Community and its Member States, and Libya

After examination by the services in charge, I regret to inform you that the documents above cannot be made available to the public for the reasons set out below:

The documents numbered 11-32 are minutes of meetings that EEAS representatives have held with representatives of third countries and include third parties political views on a wide range of issues. Disclosure to the public of these documents could harm our efforts to enhance our migration dialogue with these countries and seriously undermine out international relations with these countries (as per Art 4(1)(a)3<sup>rd</sup> indent of the Regulation).

By the same token, we are not in a position to disclose the correspondence between EEAS officials and representatives of non-EU countries in which the issues of border security/border control/irregular migration are discussed concerning Libya, Egypt, Morocco, Tunisia, Ethiopia, Eritrea, Somalia and Sudan as it could seriously undermine the public security as well as international relations (as per Art 4(1)(a)1<sup>st</sup> indent and 4(1)(a)3<sup>rd</sup> indent of the Regulation).

Document 33 contains the draft negotiating directives for a framework agreement between the European Community and its Member States, and Libya.

This document is classified RESTREINT UE/EU RESTRICTED. This classification means that the unauthorised disclosure of the information contained in the document could be disadvantageous to the interests of the European Union or of one or more of the Member State.

Disclosure to the general public the proposal for a negotiation mandate would reveal to the third State concerned the various elements of importance for the EU. It would also impede the proper conduct of future negotiations and prejudice relations between the European Union and certain countries, which could weaken the position of the EU in the framework of other negotiations, such as the ones to be continued with some EuroMed countries.

Therefore, we are not in a position to disclose this document at this point in time, neither as a whole or partially, since it could a) seriously undermine the the institutions decision making process and b) risk undermining the international relations (as per Art 4(3)1<sup>st</sup> indent and 4(1)(a)3<sup>rd</sup> indent of the Regulation). Furthermore, we were unable to identify any overriding public interest in disclosure.

Should you wish this position to be reviewed, you may confirm your initial request within 15 working days.

Yours sincerely



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