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|  | Brussels, 5 October 2017  |
| Ms Luisa IzuzquizaEmail: <ask+request-4583-003ac102@asktheeu.org> |
| Ref. 17/1811-ws/mwRequest made on: 21.08.2017Registered on: 22.08.2017Deadline extension: 12.09.2017 |
| Dear Ms Izuzquiza*,* |

Thank you for your request for access to documents addressed to the European Council.[[1]](#footnote-1)

The General Secretariat of the Council has gathered a number of documents containing all the information you wished to obtain. I am pleased to be able to transmit them to you today. The documents have been redacted only to the extent strictly necessary (deleting some names) in light of data protection rules, as detailed further below.

I am confident that you will find all the information you need.

For your information, the budget allocated for travel and external representation of the President of the European Council is set out in the EU budget and amounts to 675.000 EUR[[2]](#footnote-2). The actual travel expenditure for the President in 2016 was 370.218 EUR.

We do not hold any information concerning the President's private travel expenditure, as travel for personal reasons (including to his country of origin) is not covered by the budget of the Institution, but by the President's private resources.

The documents you will find in attachment are:

─ 33 documents concerning statements of travel expenses of the President of the European Council Donald Tusk in 2016

─ List of passengers for all flights with air taxi in 2016:

- 19.01.2016 Strasbourg (Luxaviation)

- 15-16.02.2016 Paris/ Bucharest/ Athens/ Prague/ Berlin (Luxaviation)

- 01-04.03.2016 Vienna/ Ljubljana/ Zagreb/ Skopje/ Athens/ Ankara/ Istanbul/ Belgrade (Luxaviation)

- 14-15.03.2016 Larnaca/ Ankara (BAF)

- 13.04.2016 Strasbourg (Luxaviation)

- 23.04.2016 Gaziantep (BAF)

- 16-19.05.2016 Copenhagen/ Greenland[[3]](#footnote-3)

- 21-22.05.2016 Podgorica (BAF)

- 16.06.2016 Helsinki (BAF)

- 27.06.2016 Paris/ Berlin (Luxaviation)

- 01-02.07.2016 Bratislava (Luxaviation)

- 05.07.2016 Strasbourg (Luxaviation)

- 31.08.2016 Paris (Luxaviation)

- 07.09.2016 Dublin (Luxaviation)

- 08-09.09.2016 London/ Riga/ Vilnius/ Tallinn/ Stockholm (BAF)

- 12-13.09.2016 Valletta/ Madrid/ Warsaw/ Budapest (BAF)

- 15-16.09.2016 Bratislava (Luxaviation)

- 24.09.2016 Vienna (Luxaviation)

- 28-29.09.2016 Kiev/Tel Aviv (BAF)

- 30.09.2016 Jerusalem (BAF)

- 17.12.2016 Wrocław (Luxaviation)

The statements of travel expenses contain all information to enable the Institution effectively to process, control and cross check invoices. They also include all the actions taken concerning the organisation of the missions, including in certain cases, modifications and cancellations. Compensations for modifications and cancellations of flights are indicated through 'note de credit' at the end of the mission statement.

As regards flights with air taxi, please note that such flights are used only when it concerns a mission of the President of the European Council and when no suitable commercial service is available. The statement of expenses lists the overall price of the flight. As a general rule, the flight costs are attributed to the President of the European Council, and then redistributed also to the other passengers. The total amount to be redistributed, and therefore borne by the other passengers is also indicated in the statement. The redistribution of costs among the passengers is not the result of an arithmetic division, but is capped at the price of a commercial flight. The difference between the price of the flight and the redistributed share, is charged on the President's missions credits.

Please note further that for security reasons, only secured transport can be used for the President of the European Council. In cases where a host State does not provide this service, car service is organised by the GSC and included in the mission expenses of the President.

The statements of travel expenses exist only in French.

The documents have been redacted to the extent strictly necessary - and therefore constitute partially accessible versions[[4]](#footnote-4) - on the following grounds.

The documents contain personal data about identified persons. These personal data are necessary for the Council and its service provider to carry out their work correctly.

Data protection rules at EU level[[5]](#footnote-5) provide that when the personal data collected is to be used for a different purpose than the original one, including disclosure to the public, a balance needs to be established between the public interest in having access to such data and the legitimate right of individuals to protect their personal data[[6]](#footnote-6).

After carefully considering these arguments, the General Secretariat has concluded that, on balance, disclosure of the personal data contained in the documents would undermine the protection of privacy and the integrity of the identified individuals. As a consequence, the relevant parts of the documents have been redacted.[[7]](#footnote-7)

As indicated initially, only these redactions have been carried out, and I remain confident that the documents transmitted should satisfy the interest underlying your request.

Let me recall that, as you are certainly aware, you can ask the Council to review this decision within 15 working days of receiving this reply (confirmatory application)[[8]](#footnote-8).

If you require any additional information, please do not hesitate to contact us again.

Yours sincerely,

Ramón CHISMOL IBÁÑEZ

Enclosures

1. The General Secretariat of the Council - acting as secretariat for the European Council pursuant to Article 235(4) of the Treaty on the Functioning of the European Union - has examined your request on the basis of the applicable rules: 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, 31.5.2001, p. 43) and the specific provisions of the European Council's Rules of Procedure (European Council Decision No 2009/882/EU, OJ L 315, 2.12.2009, p. 51) set out in Article 10(2) which makes Annex II to the Council's Rules of Procedure (Council Decision No 2009/937/EU, OJ L 325, 11.12.2009, p. 35) applicable mutatis mutandis. [↑](#footnote-ref-1)
2. Definitive adoption (EU, Euratom) 2017/292 of the European Union’s general budget for the financial year 2017 (OJ L51/264 28.2.2017) [↑](#footnote-ref-2)
3. No costs related to the flight to Greenland and corresponding catering during this mission, as this was provided for free by the Danish Government. [↑](#footnote-ref-3)
4. Article 4(6) of Regulation (EC) No 1049/2001. [↑](#footnote-ref-4)
5. Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1). [↑](#footnote-ref-5)
6. Article 8 of Regulation (EC) No 45/2001. [↑](#footnote-ref-6)
7. Article 4(1)(b) of Regulation (EC) No 1049/2001. [↑](#footnote-ref-7)
8. Article 7(2) of Regulation (EC) No 1049/2001.

Council documents on confirmatory applications are made available to the public. Pursuant to data protection rules at EU level (Regulation (EC) No 45/2001), if you make a confirmatory application your name will only appear in related documents if you have given your explicit consent. [↑](#footnote-ref-8)