

EUROPEAN EXTERNAL ACTION SERVICE



AFFGEN.2
Head of Division

Brussels, **03 AVR. 2019**
eeas.sg.affgen.2 (2019) 1942340

Mr Bram Vranken

Subject: Your request for access to documents of 29 January 2019
Our ref: 2019/019

Dear Mr Vranken,

Thank you for your request for access to documents, which the EEAS has examined in the framework of Regulation (EC) No 1049/2001¹.

On the basis of your request for *"All documents containing information relating to the involvement of arms industry actors not already disclosed to the public (e.g. arms companies, their lobby groups, etc.) and private research centres in the context of the setting up and continuing development of the Preparatory Action on Defence Research,"* the EEAS has identified the following documents, as referenced hereafter that match the scope of your request:

1. Key Messages of 17 November 2015 for the 2nd meeting of the Group of Personalities (GoP) on the Preparatory Action (PA) for CSDP-related research;
2. HR/VP Briefing for GoP Lunch session on 23 February 2016;
3. EEAS Internal Note on the GoP meeting on the PA of 23 February 2016;
4. EEAS Internal Note on the GoP meeting on the PA of 8 December 2015;
5. EEAS Internal Note on GoP meeting on the PA of 17 November 2015.

I have the pleasure to disclose the Key Messages of 17 November 2015 for the 2nd meeting of the Group of Personalities (GoP) on the Preparatory Action (PA) for CSDP-related research which you'll find in attachment to this letter. I kindly remind you that the disclosed document may not be copied or reproduced for commercial purposes without prior consultation with the EEAS.

The document No. 2 is an internal briefing prepared by the EEAS in preparation of the High Representative Mogherini's above listed meetings. It contains opinions and information drawn up for use of the HR/VP during these meetings, including information on our internal assessment of the defence policy choices and instruments, as well as in relation to the

¹ 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").

Preparatory Action and Defence Research Programme. A release to the general public of this internal assessment could in the future undermine the High Representative's position in related exchanges. Therefore our assessment concluded that document No. 2 cannot be disclosed to the general public since it would risk undermining the institution's decision-making process (as per Article 4(3), second subparagraph of the Regulation 1049/2001). Furthermore, we were unable to identify any overriding public interest in disclosure.

The documents No. 3-5 are internal reports of EEAS on meetings of the GoP which contain analyses reflecting the views and positions of individual GoP members. These also include internal assessments and other elements that form part of the process to formulate negotiation positions of participating stakeholders. A unilateral release to the public of their opinions and assessments would harm the possibility to maintain an environment of mutual trust and serenity in coming dialogues with our interlocutors. The reports also contain opinions for internal use and according to our assessment the disclosure to the public of these documents, and thereby of our internal deliberations, could weaken the institutions decision-making process, as outlined in Article 4(3) second subparagraph of the Regulation.

Furthermore, the above-mentioned documents contain information concerning defence-related aspects of the EU, as well as possible actions that Member States consider as priorities. Therefore a public disclosure would undermine the protection of the public interest as regards defence matters as well as our international relations with the countries concerned, as provided for in the second and third indent of Article 4(1)(a).

Therefore, given the above, I regret to inform you that we are not in a position to disclose documents No. 2-5 at this point in time, neither as a whole or partially, since it could a) seriously undermine the institutions decision making process, b) undermine defence and military matters, and c) undermine the EUs international relations (as per Art 4(1)(a) 2nd, 3rd indent and Art 4(3) of the Regulation 1049/2001).

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

Yours sincerely,



Gabriele Visentin

