



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

Directorate D – Internal Security  
D.1 – Law Enforcement Cooperation

Brussels  
HOME.D.1.002/TK

Ms Chloé Berthélémy

*per email with acknowledgment of  
receipt:* ask+request-12062-  
22b76c56@asktheeu.org

**Subject: Your application for access to documents 2022/6064**

Dear Ms Berthélémy,

I refer to your request for access to European Commission documents registered on 25 October 2022, under the above-mentioned reference number.

You request access to

- *“all documents (targeted questionnaires, concept notes, powerpoint presentations, etc.) for the preparation and execution of the targeted consultations, meetings and workshops with stakeholders organised in the framework of the revision of the Advance Passenger Information - API Directive (as mentioned in the Inception Impact Assessment: Ares(2020)2916519);*
- *the number of targeted consultations, the number of meetings and the number of workshops broken down by the categories of stakeholders (the competent authorities at Member State level; international and European industry organisations in the transport (air, sea, land) sector; airlines, land and sea carriers, airport and seaport authorities, private IT solutions providers, passenger associations, and EU institutions, bodies and agencies) before the release of the proposal for a revision of the API Directive;*
- *the compilation and summary of the results of the targeted consultations, meetings and workshops”.*

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

- COMMISSION STAFF WORKING DOCUMENT IMPACT ASSESSMENT REPORT Accompanying the documents Proposal for a Regulation of the European Parliament and of the Council on the collection and transfer of advance passenger information (API) for enhancing and facilitating external border

controls, amending Regulation (EU) 2019/817 and Regulation (EU) 2018/1726, and repealing Council Directive 2004/82/EC Proposal for a Regulation of the European Parliament and of the Council on the collection and transfer of advance passenger information for the prevention, detection, investigation and prosecution of terrorist offences and serious crime, and amending Regulation (EU) 2019/818, SWD(2022)422 ([Document 1](#))

- European Commission, Directorate-General for Migration and Home Affairs, Bender, G., Vasileva, V., Boomer, G., et al., Study supporting an impact assessment: potential effects of different possible measures on advance passenger information : final report, Publications Office of the European Union, 2021, Ares(2021)6259979 ([Document 2](#))
- Agenda of the first technical workshop on the Revision of Advance Passenger Information Directive, Ares(2022)8485705 ([Document 3](#));
- Agenda of the second technical workshop on the Revision of Advance Passenger Information Directive, Ares(2022)8485871 ([Document 4](#));
- Agenda of the second technical workshop on the Revision of Advance Passenger Information Directive, Ares(2022)8485925 ([Document 5](#));
- PowerPoint presentation for the first technical workshop on the Revision of Advance Passenger Information Directive, Ares(2022)8458803 ([Document 6](#));
- PowerPoint presentation for the third technical workshop on the Revision of Advance Passenger Information Directive, Ares(2022)8485956 ([Document 7](#));
- Flash Report – API Directive Revision – workshop with air carriers (22 March 2022), Ares(2022)8485998 ([Document 8](#))

Having examined the requested documents under the provisions of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ('Regulation (EC) 1049/2001') <sup>(1)</sup>, I have come to the conclusion that **Documents 1–7** may be fully disclosed. They are attached to the present letter.

With regard to **Document 8**, I can inform you that public partial access is granted to the document, as a complete disclosure of the document is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because it contains the names and contact information of Commission staff members not pertaining to the senior management and the transmission of these personal data is, as a rule, not allowed pursuant to Article 9(1)(b) of the Data Protection Regulation <sup>(2)</sup>.

In addition, I also note that personal data is outside the scope of your request, since in your application, you explicitly state that you are '*requesting access only to anonymised communications and documents without personally identifiable information*'.

Consequently, please find attached Document 8 in a redacted version, from which personal data has been removed.

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<sup>(1)</sup> OJ L 145, 31.5.2001, p. 43.

<sup>(2)</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.

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](#).

You may reuse the **Document 1** 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.

**Document 2** is a study carried out by external experts. It does not reflect the position of the Commission and cannot be quoted as such.

**Documents 3 to 7** are working documents prepared by relevant officials of the Directorate-General for Migration and Home Affairs for the technical workshops, which do not reflect the position of the Commission and cannot be quoted as such.

**Document 8** was drawn up for internal use under the responsibility of the relevant officials of the Directorate-General for Migration and Home Affairs. It solely reflects the author's interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

**Finally, I note that your request has been submitted outside the EASE (Electronic Access to European Commission Documents) portal <sup>(3)</sup>. I would therefore appreciate, if you could acknowledge receipt of the present letter by sending an email to HOME-ACCESS-DOCUMENTS@ec.europa.eu.**

Yours faithfully,

Rob Rozenburg  
Head of Unit

Enclosure: Documents 1 to 8

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<sup>(3)</sup> <https://www.ec.europa.eu/transparency/documents-request>