



EUROPEAN COMMISSION

Directorate-General for Development and Cooperation — EuropeAid
Director General

Brussels, 13 FEB. 2014
DEVCO/DG/FFDM/F1/PLL/mr (2014)
246695

Mr Andrew Rettman

Subject: Your application for access to documents – Ref GestDem No 2014/0320

Dear Mr Andrew Rettman,

We refer to your e-mail dated 21/01/2014 in which you make a request for access to documents, registered on 21/01/2014 under the above mentioned reference number.

In your application you request documents confirming a payment of €88 million for Ukraine made by the Directorate General for Development and Cooperation - EuropeAid on 27 November.

I would like to confirm the disbursement for Ukraine in November and provide you with some additional information.

The payment to which you refer in your application includes in fact several payments related to five on-going sector budget support programmes for Ukraine.

On 12 November 2013, the Services of the European Commission, based on the fulfilment of all conditions foreseen in the relevant financing agreements, approved the payments for five budget support programmes in the areas of environment, transport, trade, energy efficiency and border management. The budget support payments (for a total amount of €87.87 million) were finalised by the EU Delegation in Kyiv on 27 November 2013.

In particular, the five budget support programmes were:

- "Support to the Implementation of the National Environmental Policy of Ukraine" (Annual Action Programme 2009) - €20 million
- "Support to the Implementation of the Transport Strategy of Ukraine" (Annual Action Programme 2009) - €26.5 million
- "Promoting Mutual Trade by Removing Technical Barriers to Trade between Ukraine and the European Union" (Annual Action Programme 2008) - €5.769 million

- "Support to the Implementation of Ukraine's Energy Strategy in the area of energy efficiency and renewable sources of energy" (Annual Action Programme 2008) - €15.6 million
- "Support to the Border Management Sector Policy in Ukraine" (Annual Action Programme 2010) - €20 million

A budget support disbursement process includes a series of internal documents from the beneficiary Government, the EU Delegation and the Services of the Commission. These documents contain information whose divulgation would undermine the protection of the public interest as regards international relations, they also contain opinions for internal use as part of deliberations and preliminary consultations and their disclosure would seriously undermine the institution's decision making process.

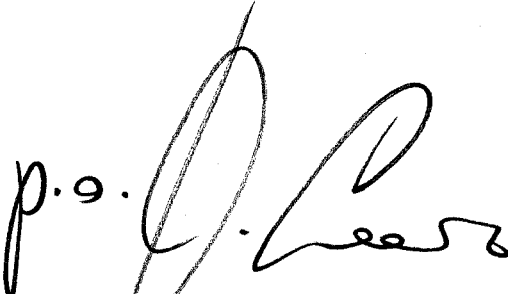
According to the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I regret to inform you that documents you request cannot be provided, as disclosure is prevented by exceptions to the right of access laid down in Article 4 (1) and (3) of this Regulation.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make 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:

European Commission
Secretary-General
Transparency unit SG-B-5
BERL 5/327
B-1049 Brussels

or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,



Fernando FRUTUOSO DE MELO

Cc: M. Cornaro (DDG DEVCO)
M. Köhler (Director DEVCO F)
A.M. Fontana, P.L. Lepri (DEVCO F1)