



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

The Director-General

Brussels,  
HOME.C.1.002/SN

Anas Ambri

**Per e-mail with acknowledgement of receipt:**  
[ask+request-12336-527f9e32@asktheeu.org](mailto:ask+request-12336-527f9e32@asktheeu.org)

**Subject: Your application for access to documents –No 2022/7306**

Dear Ms. Ambri,

We refer to your e-mail dated 19/12/2022 in which you make a request for access to documents, registered on 20/12/2022 under the above-mentioned reference number.

You request access to:

- *the second report assessing third countries' level of cooperation on readmission, adopted on 22 December 2021 (COM(2021) 828), which would cover the year 2020*
- *any similar report that should be adopted in the month of December 2022, for the year 2021.*

According to Article 25a (2) of the Visa Code ([Regulation \(EC\) No 810/2009](#)) the Commission is to assess on an annual basis the level of readmission cooperation of third countries and report to the Council.

Your application concerns the following documents:

- COM (2021) 828 final – Report from the Commission to the Council, “Assessment of third countries' level of cooperation on readmission in 2020”
- COM (2022) 735 final – Report from the Commission to the Council, “Assessment of third countries' level of cooperation on readmission in 2021”.

Following an examination of the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I regret to inform you that your application cannot be granted, as disclosure is prevented by exception to the right of access laid down in Article 4 of this Regulation, more precisely article 4.1.(a), third indent of the Regulation.

The documents that you seek to obtain, contain information on the international relations between European Union and Member States, on the one hand, and non-EU countries, on the other.

Disclosure of the documents requested would undermine the protection of the public interest as regards international relations (article 4.1.(a), third indent of the Regulation).

We consider that disclosing such documents would have a negative impact on our current and future relations with partner countries and would undermine the protection of the public interest of international relations in readmission matters.

Moreover, the documents, including the responses to the questionnaires and all annexes, are classified as RESTREINT UE/EU RESTRICTED given that their disclosure could, inter alia, adversely affect diplomatic relations, breach undertakings to maintain the confidence of information provided by Member States and disadvantage the Union or Member States in policy negotiations with non-EU countries.

In accordance with Article 4(6) of Regulation (EC) No 1049/2001, I have considered the possibility of granting partial access to the documents requested.

However, for the reasons explained above, no meaningful partial access is possible without undermining the interest described above, and you did not mention in your request any reason why we should give partial access.

In accordance with Article 7(2) of Regulation (EC) No 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  
Secretariat-General  
Transparency, Document Management & Access to Documents (SG.C.1)  
BERL 7/076  
B-1049 Bruxelles

or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Finally, I note that your request has been submitted outside the EASE (Electronic Access to European Commission Documents) portal.<sup>1</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](mailto:HOME-ACCESS-DOCUMENTS@ec.europa.eu).

Yours sincerely,

Monique PARIAT

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<sup>1</sup> <https://www.ec.europa.eu/transparency/documents-request>