



Council of the European Union
General Secretariat

Directorate-General Communication and Information - COMM
Directorate Information and Outreach
Information Services Unit / Transparency
Head of Unit

Brussels, 15 February 2023

Mr Kamiel Vermeylen
Email: ask+request-12387-29c1d45c@asktheeu.org

Ref. 23/0068-lk/vk

Request made on: 04.01.2023
Deadline extension: 25.01.2023

Dear Mr Vermeylen,

Thank you for your request for "access to all documents of the Council of the European Union containing information about all the expenses that the EU bears, such as flights, all overnight stays in hotels, all restaurants, all (underway) transport, etc., with regard to the missions of the President of the European Council (PEC) Charles Michel and his entire delegation to:

- 1) the People's Republic of China from 01/12/2022 on
- 2) the Global Food Security Summit in New York from 22/09/2022 on
- 3) G20-Summit in Bali from 15/11/2022 on, including the Cambodia mission"

as well as the clarification that "this entails all the expenses the EU bears within the framework of both missions regarding the PEC and his entire delegation, including family members, such as all flights, all overnight stays in hotels, all restaurants, all (underway) transport, etc." ¹

We should like to underline that the event dates referenced in your request differ to the official dates of the events (for instance you request expenses relating to the Global Food Security Summit in New York "from 22/09/2022 on", while the event in question took place on 20 September). With the aim of being fully transparent, we have provided information on *all* expenses, even those incurred *before* the dates referred to in your request.

¹ The General Secretariat of the Council 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 concerning public access to Council documents set out in Annex II to the Council's Rules of Procedure (Council Decision No 2009/937/EU, OJ L 325, 11.12.2009, p. 35).

Consequently, please find attached the documents we have identified in our possession related to your request.

Kindly note that the documents attached refer to costs borne by the President's delegation, composed of his direct advisors, who are members of his cabinet. However, it also includes costs incurred by members of staff of the General Secretariat of the Council that took part in the different events. This comprises officials from the Council's Protocol, audio-visual and security services. On most occasions, such staff has to arrive at the mission destination in advance of the President's arrival. The precise composition of the mission delegations is clarified below.

The documents provided to you include the following:

1) As regards the mission to **Cambodia and Bali** (11/11/2022-17/11/2022):

- Hotel invoices. The hotel invoice in Bali includes a meeting room required for the EU-Australia summit held in parallel to the G-20 meeting. We should like to underline that the hotel in Bali was among an official restricted list of hotels selected for the event by the authorities of the organising State for security and logistical reasons;
- Air ticket invoices and credit notes for flight changes / cancellations. Some members of the delegation did not take part in the entire mission, hence they had differing flight itineraries. In addition, it is common practice to purchase various flexible flight options for members of a mission delegation, and once a decision is taken on the most feasible flight, to cancel the alternative flight options and receive a refund in the form of a credit note. As of today, some credit notes for cancelled flights have already reached us (and are included in the documents provided to you), while others are still due and pending. The files we have compiled for you therefore offer a snapshot of the invoices we have in our possession at the time of writing. Please be advised that this means that some invoices may still need to be issued, while others may still need to be refunded. This is, however, as accurate a picture as we can provide today.
- Invoice for transport services on site.
- Restaurant invoices and notes reimbursing restaurant invoices paid by members of the President's cabinet and members of the General Secretariat of the Council.
- For the mission to **Cambodia**, the President was accompanied by his spouse as well as by 4 of his direct advisors (members of his cabinet). The 7 other persons that participated in the event consisted of staff from the Council's protocol, audio-visual and security services.
- For the mission to **Bali**, the President's spouse did not join him. The President's delegation was composed of 7 of his direct advisors (members of his cabinet). The 11 other persons that participated in the event consisted of staff from the Council's protocol, audio-visual and security services. It should be noted that a number of staff members arrived on location in advance of the G20 summit as part of pre-event negotiations.

2) As regards the mission to the **People's Republic of China** (29/11/2022-2/12/2022):

- Debit note from the European External Action Service for the delegation's accommodation costs;
- Hotel invoices for the individual room charges and 2 notes for refreshment expenses during preparatory meetings on site;
- Invoice for air taxi;
- The President's delegation for this mission included 5 of the President's direct advisors (members of his cabinet). The 7 other persons that participated in the event consisted of staff from the Council's protocol, audio-visual and security services, as well as an interpreter.

As to the **Global Food Security Summit** in New York which took place in the margins of the United Nations General Assembly, no cost was directly borne by the Council of the European Union for the Summit's organisation or for the EU's participation in it. The US paid for all costs relating to the event. Accommodation and flight expenses were indeed incurred by virtue of the President's participation in the UN General Assembly, not as result of the Global Food Security Summit, which was an ancillary event. The President's delegation for this mission included 7 of the President's direct advisors (members of his cabinet). The 13 other persons that took part in the events consisted of staff from the Council's protocol, audio-visual and security services. This number was slightly higher than average given the organisation of a side-event to the United Nations General Assembly - the Conference on Women in Conflict - co-organised with UN Women, the Nadia Murad Foundation and the Dr Denis Mukwege Foundation. The President's spouse was present from 19 - 22 September, as she was officially invited to an event on Ukraine by Olena Zelenska on Tuesday 20 September and to President Biden's reception on Wednesday 21 September.

Similarly, as regards the mission to **Cambodia for the ASEAN summit** and to **Bali for the G20 Summit**, both events included a formal programme for Leaders' spouses. The President's spouse joined him for the mission to Cambodia, but not to Bali.

In accordance with the General Secretariat of the Council's "Rules on the use of European Council facilities and resources by its President", of 1 December 2019 ², the expenses related to the President's spouse attending events in Cambodia and in New York (which in this case were limited to her travel expenses) were thus covered by the budget of the Council of the European Union. No such expense was incurred for the G20 Summit in Bali, which the President's spouse did not attend.

² Paragraph 13 of those rules specifies that "Travel and accommodation costs for the President's spouse/partner may be charged to the European Council budget only when the spouse/partner is officially invited and participates in the programme of the visit. "

In relation to the mission to **China**, the President was invited to Beijing by President Xi Jinping for a bilateral visit. Preparations for this visit were promptly launched, but the logistical arrangements for this mission were far more complex: COVID-related restrictions were still tight and had an impact on the feasibility of the mission. In particular, it was not possible to book a commercial flight due to the to COVID regulations in China, which would have required that the President and his entire delegation, if arriving with a commercial flight, quarantine for two weeks prior to being allowed to participate in any meeting. As a result, following the recommendations by the EU delegation in Beijing, and in line with the assessment made by the General Secretariat of the Council, an air taxi proved to be the only viable option. This was because, as authorised by the Chinese authorities, it would allow the travelling delegation to remain in a "bubble", all of them being tested on several occasions before and during the mission.

In light of the above, the Protocol services of the Council explored the option of booking a full private flight (Brussels- Beijing-Brussels) with the Belgian Air Forces (BAF). However, it turned out that BAF's flight schedule was already full due to flights assigned to other authorities. The only remaining alternative was to book a private flight (Brussels-Beijing-Brussels) with Luxaviation, under an existing framework agreement.

This option complies with paragraph 10 of the General Secretariat of the Council's "Rules on the use of European Council facilities and resources by its President", of 1 December 2019, which specifies that:

10. The President may travel on official business by means of private aircraft when no suitable commercial service is available e.g. when direct commercial flights in Europe are not available, when schedule of commercial flights does not fit the President's agenda, in cases of urgency, to avoid undue delays, for complex and multi-destination trips, or where security considerations preclude the trip being made by a scheduled flight.

Private aircraft should also be envisaged when it is the most economic option. For this purpose, the President uses the services provided by a third party on the basis of GSC's contract to that effect or, where applicable, makes use of the memorandum of understanding with the Belgian Air Force.

Kindly note that in the invoices attached, personal data other than the names of the President of the European Council and of staff with a level of Director or higher, has been redacted in accordance with Article 4(1)(b) of Regulation No 1049/2001 (protection of the privacy and the integrity of the individual) and Article 9 of Regulation (EU) 2018/1725³, which requires from the applicant of any transfer of personal data to establish the necessity for that personal data to be transferred. No express and legitimate justification has been adduced in this case.

³ 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. 39–98).

We should like to note, for your information, that a breakdown of the President's individual expenses for all his missions is available online.

Pursuant to Article 7(2) of Regulation (EC) No 1049/2001, you have the right to request a review of this decision within 15 working days of receiving this reply. Should you see the need for such a review, you are invited to indicate the reasons thereof.

Yours sincerely,

Fernando FLORINDO

Link to documents: <https://we.tl/t-ZQ62CCn1oC>