



EUROPEAN COMMISSION
SERVICE FOR FOREIGN POLICY INSTRUMENTS

Director – Head of Service

Ms Cécile Marchand
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Subject: Your application for access to documents – Ref. EASE No 2023/1333

Dear Ms Marchand,

We refer to your request for access to documents registered on 27/02/2023 under the above-mentioned reference number.

You requested access to:

- 1.- A comprehensive list of all the items provided to Rwanda in the framework of the €20m assistance measure approved by the European Council and funded through the European Peace Facility mechanism.*
- 2.- A comprehensive list of all the items provided to the Mozambican Armed forces in the framework of the €89m assistance measure approved by the European Council and funded through the European Peace Facility mechanism.*
- 3.- A comprehensive list of all the items provided to the Southern African Development Community (SADC) Mission in Mozambique (SAMIM) in the framework of the €15m assistance measure approved by the European Council and funded through the European Peace Facility mechanism.*

I consider your request to cover documents held up to the date of your initial application.

As regards point 1 of your request, the assistance measure approved by the Council Decision (CFSP) 2022/2354 on an assistance measure under the European Peace Facility to support the deployment of the Rwanda Defence Force in Mozambique (1) intends to contribute to supporting this deployment of the Rwanda Defence Force units as referred in Article 1(3) of that Decision. The implementation of the activities referred to in this decision shall be carried out by the Ministry of Finance and Economic Planning of the Republic of Rwanda. This measure does not foresee the provision of any kind of items to the Rwanda Defence Force, but will be implemented through a *financial assistance*. Therefore, there is no document which can fall within the scope of point 1 of your request.

(¹) OJ L311/153 of 02/12/2022

The following document falling within the scope of your application at point 2 has been identified:

- Update on deliveries in the context of the Urgent Measure in support of Mozambique (URMOZ) from COGINTA's Programme Manager to FPI's Project Manager, in the form of a table 'URMOZ_delivery_control_EU', describing the state of play of items delivered to Mozambique until 20/02/2023 (Ares(2023)1213435).

By the time of your request no items other than those reported in this document had been provided to the Mozambican Armed Forces. Therefore, no other document relevant to the point 2 of your request has been identified.

Having examined the document requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that the document: 'URMOZ_delivery_control_EU' may be partially disclosed. Some parts of the document have been blanked out as their disclosure is prevented by the exception to the right of access laid down in Article 4(1)(a) first and second indent of this Regulation.

Information redacted concerns the information communicated by the EPF grant recipient (COGINTA) as regards contracts with its suppliers, including their identity. In view of the current security context in Mozambique disclosing the identity of these suppliers would expose them to the terrorist and insurgent threat that the EPF measure contributes to address. The disclosure of the redacted information would therefore undermine the protection of the public interest as regards public security.

Other information redacted concerns the nature, quantities of items and date of their delivery to the Mozambican Armed Forces trained and deploying in response to the insurgent and terrorist threat faced in some parts of the Mozambican territory. Disclosing this information would hinder the efficacy of the Mozambican Armed Forces military response, by giving insurgents and terrorist organizations a better ability to anticipate and adapt their tactics to the nature and pace of deployment of the military means deployed to combat them. The disclosure of the redacted information would therefore undermine the protection of the public interest as regards defense and military matters.

Please note that the document partially disclosed to you originates from a third party and is disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released document without the agreement of the originator, who may hold an intellectual property right on it. The European Commission does not assume any responsibility from their reuse.

As regards point 3 of your request, since at the date of your request no item had been provided to the Southern African Development Community (SADC) Mission in Mozambique (SAMIM) in the framework of the assistance measure you refer, there is no document falling within the scope of point 3 of your request.

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 to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

by asking for a review via your portal² account (available only for initial requests submitted via the portal account),

or by mail:

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

Yours faithfully,

e-signed

Peter M. Wagner

Annex : 'URMOZ_delivery_control_EU' - 20/02/2023 - redacted

² <https://www.ec.europa.eu/transparency/documents-request>