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Access to Documents Correspondent

Brussels, 10 September 2024
eeas.sg.ld (2024) 6551099

To
Mr Luis Miguel Hurtado Coronado
by electronic mail

Subject: Your request for access to documents of 1 August 2024
EEAS reference: 2024/144

Dear Mr Hurtado Coronado,

I would like to thank you for your request for access to documents, which the EEAS has examined in the framework of Regulation (EC) No 1049/2001.¹

Following your application, we have searched in the EEAS filing systems and document management databases for the requested “*documents related to the 29 May 2024 EU - Azerbaijan Business Forum Launch Event:*

- *The list of participants in the event.*
- *The full text of the speech or speeches offered by Peter Michalko, EU Ambassador in Baku.*
- *The transcription of the Q&A that according to media reports took place in the event”.*

After this search, the EEAS has identified the following document matching your application, as referenced hereafter:

- List of participants.

The identified document contains the list of individuals attending the EU-Azerbaijan Business Forum Launch Event. As such, it contains personal data, i.e. name and surname, of the individuals attending the event and their disclosure would undermine the privacy and integrity of the individual, as per Article 4(1)(b) of the Regulation. In fact, Article 9(1)(b) of Regulation

¹ 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, of 31.5.2001, p. 43, hereafter the "Regulation"), as applied by the EEAS pursuant to Article 11(1) of the Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service (OJ L 201, of 3.8.2010, p. 30).

(EU) 2018/1725² does not allow the transmission of personal data, except if the recipient establishes that it is necessary to have the data transmitted for a specific purpose in the public interest, where there is no reason to assume that the legitimate interests of the data subject might be prejudiced and where the recipient establishes that it is proportionate to transmit the personal data for that specific purpose after having demonstrably weighed the various competing interests.

In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, a complete disclosure of the document is prevented by the exception of privacy and the integrity of the individual outlined in Article 4(1)(b) of the Regulation. However, you are granted partial access to the identified document, which is forwarded to you in attachment to this letter.

I take this opportunity to remind you that the document provided to you may be reused on condition that the source is acknowledged and that you do not distort its original meaning or message. Please note that the EEAS does not assume liability stemming from its reuse. In case of doubt on reuse, please do contact the EEAS for prior authorisation.

As regards the other two points of your request, i.e. the Ambassador speech at the same event and relevant Q&A report, no document was identified. This is due to the fact that the Ambassador improvised his speech and that there was no transcript of the speech nor of the Q&A session. As specified in Article 2(3) of the Regulation, the right of access as defined in that Regulation applies only to existing documents in the possession of the institution. Given that no such documents, corresponding to the description given in your application, are held by the EEAS, we are not in a position to fulfil your request.

Should you wish this position to be reviewed, you may make a confirmatory application within 15 working days in accordance with Article 7(2) of the Regulation.

Yours sincerely,

[e-signed]

Ludovic Promelle

² 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.