

Luisa Izuzquiza

Sent to: [ask+request-5357-ace9e73d@asktheeu.org](mailto:ask+request-5357-ace9e73d@asktheeu.org)

Asiatisk Plads 2  
DK-1448 København K  
Telefon +45 33 92 00 00  
Telefax +45 32 54 05 33  
E-mail: [um@um.dk](mailto:um@um.dk)  
<http://www.um.dk>



Bilag	Sag/ID Nr.	Enhed	Dato
-	2018 - 15709 / 3191208	Koncernjura, Offentlig ret og Arkiv (JTK)	19-04-2018

## **Request for information regarding meetings held between the Danish Permanent Representation to the EU and companies, etc. during the last 12 months**

By e-mail of 6 April 2018, you have requested information from the Ministry of Foreign Affairs of Denmark as follows:

“With reference to The Danish Access to Public Administrative Documents Act I would like to request the following information:

How many meetings have employees of the Danish Permanent Representation to the EU had with representatives of companies, organisations and other stakeholders during the last 12 months?

I would like to request a list of these meetings: who was present at the meeting, including the names of organisations/lobbyists presents, as well as the date of the meeting, and the subject matter discussed.”

Your inquiry is processed on the basis of the Danish Access to Public Administration Files Act.

...

According to the Danish Access to Public Administration Files Act, article 7, section 1, anyone can request access to documents that have been sent to or created by a public authority in connection to the authority’s administrative processing of cases. Furthermore, according to the Access to Public Administration Files Act, article 9, section 1, subsection 1, the processing of a FOI-request must consist of adequate information to allow for the identification of the file(s) and/or document(s) requested.

The Ministry of Foreign Affairs notes initially that it does not consider your question about the number of meetings held between the Danish Permanent Representation to the EU and stakeholders during the last 12 months, as a FOI-request covered by the Danish Access to Public Administration Files Act.

The ministry can inform you that the Danish Permanent Representation to the EU does not keep a list of meetings of any of its staff, so it is not possible to make a count of these meetings. The Representation has an open door policy and is generally accepting meeting requests from relevant stakeholders such as organisations, companies and civil society as long as the subject relates to the work of or in the European Union.

The Ministry considers therefore only the second part of your request concerning a list of meetings between employees of the Danish Permanent Representation to the EU and representatives of companies, etc., during the last 12 months, as a FOI-request.

The Danish Ministry of Foreign Affairs finds that your FOI-request does not provide adequate information to allow for the identification of the list requested, cf. article 9, section 1, subsection 1.

The Danish Ministry of Foreign Affairs has searched for the requested document and has not been able to find a list in the ministry's file system of meetings held between employees of the Danish Permanent Representation to the EU and representatives of companies, organisations and other stakeholders during the last 12 months.

The ministry has used the following search criteria: "Danmarks Faste Repræsentation ved den Europæiske Union", "møde", "repræsentanter", "virksomhed", "organisation" and "lobbyist".

Moreover, as article 7, section 1, concerns existing documents only, the provision does not set out any obligation for a public authority to create new documents.

As the list requested does not already exist, the Ministry of Foreign Affairs cannot grant you access to any document on the basis of your FOI-request. Furthermore, the ministry does not find itself obliged to create such a list nor has the ministry found any legitimate reason to do so.

...

According to article 9, section 1, subsection 2, a FOI-request must specify which theme the requested file(s) and/or document(s) is related to.

The Danish Ministry of Foreign Affairs finds that your FOI-request does not provide a specific theme or subject for your request.

The Ministry notes that the Danish Ministry of Justice has stated in the Guidelines no. 9847 of 19. December 2013 on the Danish Access to Public Administration Files Act, section 4.3.1, that e.g. a FOI-request for correspondence between a minister and a named person during a certain period, does not suffice as a theme or subject in accordance with article 9, section 1, subsection 2.

The Danish Ministry of Foreign Affairs therefore rejects your FOI-request. The Ministry will reexamine your access to files and/or documents if you send a new FOI-request, which contains adequate information to allow for the identification of file(s) and/or document(s) and a specific theme/subject for your request.

It is not possible to make a complaint about this decision to another administrative authority.

As always, should you have any questions regarding this decision you are welcome to contact me by telephone +45 3392 1048 or by email at [tanynd@um.dk](mailto:tanynd@um.dk).

Yours sincerely,

Tanja Yndigegn  
Special Consultant