



EUROPEAN COMMISSION

Directorate-General for European Civil Protection and Humanitarian Aid Operations (ECHO)

The Director-General

 Ref. Ares(2018)4147635 - 07/08/2018

Brussels,
Ares(2018)

EUobserver
Mr Peter Teffer
Rue Montoyer 18B
1000 Brussels
Belgium

Advance copy by email:

ask+request-5657-1068a8d3@asktheeu.org
pt@euobserver.com

Dear Mr Teffer,

Subject: Your application for access to documents – Ref GestDem No 2018/3311

We refer to your e-mail dated 03/06/2018 in which you make a request for access to documents registered on 18/06/2018 under the above mentioned reference number.

Your request concerns *"All documents since 30 March 2016 about the Commission Implementing Decision of that date financing the distribution of dairy products as part of the response to humanitarian crises from the general budget of the European Union (ECHO/-ME/BUD/2016/01000), including but not limited to minutes of meetings related to the decision, reports, evaluations, e-mails sent by and to the Commission, and presentations of the decision's results."*

This request includes documents which were sent to the Commission by third parties, namely Single Form with reference number 2016/01021 (in two versions, submitted at initial stage - RQ and at an intermediary report - IR – stage pf the action), including annexes submitted at various points of time, modification requests as well as reports and email updates on the milk scheme sent to the Commission by email. It includes also internal documents of the Commission; some of them contain statements from Member States. With regard to the documents concerned which originate or contain statements from third parties, the Commission consulted their authors on the disclosure pursuant to Article 4(4) and Article 4(5) of Regulation 1049/2001. Germany replied on 25 of July 2018, France replied on 1 of August 2018 and WFP replied on 25 July 2018.

Certain documents had already been fully disclosed to another requestor (Gestdem 2016/5587). As a consequence, the Commission is obliged to give access to them to the subsequent applicants in accordance with the "erga omnes" principle (disclosure to the public at large). This applies to the following documents:

1. Annex I to Single Form - ECHO - FSSP.docx
2. Annex III to Single Form - Milk Distribution Plan.xlsx

3. Annex V to Single Form - Workplan.xlsx
4. Annex VI to Single Form - ECHO - Remote Management Note.docx
5. Attachment to the email 17 June 2016: a map of School Feeding Programme - Concept of Operation (Syrian Crisis)
6. Attachment to the email 26 May 2016 containing technical specifications for milk.

Some other documents have been partially disclosed to the previous requestor (disclosure with redactions). The Commission consulted the originator of the documents (WFP) with respect to the previously requested redactions, in order to ask for a reassessment of its position in view of potential changes of legal or factual elements since the previous request. With regard to the following documents, the originator noted that no change of factual or legal elements has occurred and therefore the following documents will be disclosed with the redactions originally made by the originator of the document:

7. Single Form 2016/01021/RQ/01/02
8. Annex II to Single Form 2016/01021/RQ/01/02 – List of Schools;
9. Annex IV to Single Form 2016/01021/RQ/01/02 – Implementing Partners;
10. Email exchange between WFP and the Commission of 19 September 2016
11. Email exchange between WFP and the Commission of 1 August 2016
12. Email exchange between WFP and the Commission of 4 October 2016

With regard to the document

13. Email of 26 May 2016 exchange between WFP and the Commission

the originator agreed to remove the redactions originally made with exception of names which are protected by an exception from disclosure for reasons of privacy and integrity of individuals in accordance with Article 4(1)b of the Regulation 1049/2001.

Having examined new (i.e. not previously disclosed in full or in part) documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents and taking into account the opinion of the third part, after consulting the originator of the documents, we have come to the conclusion that the following documents may be disclosed in their entirety.

14. Additions into modification request (MR) form
15. ECHO - FSSP
16. Inclusion of milk into GFA programme
17. Milk Distribution Plan 2017-2018
18. Inclusion of milk into GFA programme_160617
19. ECHO - FSSP_160617
20. Syria budget
21. ECHO_Milk_Interim_Report

Concerning remaining documents, some parts of the documents have been redacted as their disclosure is prevented by exceptions to the right of access laid down in Article 4 of Regulation 1049/2001.

Regarding documents which originated from third parties (mainly emails), some parts were redacted as they fall under the exception of protection of privacy and integrity of an individual as foreseen by Article 4(1)b of the Regulation 1049/2001.

This concerns the following documents:

22. Email internal EC (fw WFP report) 10 August 2016
23. Email internal EC (fw WFP report) 20 October 2016 mail 2
24. Email internal EC (fw WFP report) 20 October 2016 mail 1
25. Email internal EC (fw WFP report) 20 October 2016 mail 3
26. Email internal EC 17 November 2016 with pictures
27. Annex 1 with pictures to the above mentioned email
28. Annex 2 with pictures to the above mentioned email
29. E-mail internal EC (FW WFP report) 06 December 2016
30. Email internal EC (FW WFP pictures/ppt on the milk operation) 15 December 2016
31. Email EC to WFP - 14 February 2017
32. Email 02 February 2017 - internal EC with WFP Feb 2017
33. Report in attachment to the above mentioned email
34. Email 10 April 2017 - internal EC with WFP
35. Report in attachment to the above mentioned email March 2017
36. Email 03 May 2017 - internal EC with WFP
37. Report in attachment to the above mentioned email April 2017
38. Email 05 June 2017 - internal EC with WFP
39. Report in attachment to the above mentioned email May 2017
40. Email 27 October 2017 WFP to EC with WFP
41. Report in attachment to the above mentioned email October 2017
42. E-mail 30 November 2017 - WFP to EC with WFP
43. Report in attachment to the above mentioned email November 2017
44. Email 12 January 2018 - internal EC with WFP
45. Report in attachment to the above mentioned email December 2017
46. Email 07 February 2017 - internal EC with WFP
47. Report in attachment to the above mentioned email January 2018
48. Email 11 April 2018 - WFP to EC with WFP
49. Report in attachment to the above mentioned email March 2018
50. E-mail 10 May 2018 - WFP to EC with WFP
51. Report in attachment to the above mentioned email April 2018
52. E-mail 11 June 2018 - WFP to EC with May 2018
53. Report in attachment to the above mentioned email (last report)
54. Single Form updated at the Interim Report stage 2016_01021_IR
55. Logframe "Emergency Food Assistance to People Affected by Unrest in Syria"

Furthermore, information which is not related to the request for access (i.e. to the Commission Implementing Decision (ECHO/ME/BUD/2016/01001) have been expunged from document 24 mentioned above ('Email internal EC (fw WFP report) 20 October 2016').

With regard to the internal documents of the Commission, personal data has been removed from the documents in accordance with Article 4(1)(b) of Regulation No 1049/2001 in order to protect the privacy and integrity of the individuals (documents 58 and 60-63). Moreover, in documents 56 and 57 (Minutes of the 140th and 141st Humanitarian Aid Committee) paragraphs which do not concern issues related to your request, i.e. to the *Commission Implementing Decision of that date financing the distribution of dairy products* have been redacted as well. On the minutes of the Committee the Commission consulted Germany and France who made statements on the aspects falling into the scope of the request. Document 59 ('39. 20170411 XC EU replies', which goes together with document 58) is disclosed in its entirety.

In accordance with Article 7(2) of Regulation 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
Secretary-General
Transparency unit SG-B-4
BERL 5/282
B-1049 Bruxelles or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Monique Pariat

Enclosures: 63 documents