EUROPEAN COMMISSION
Service for Foreign Policy Instruments

Director – Head of Service

Brussels,
ARES (2021)

By registered letter with acknowledgment of receipt

Privacy International
62 Britton Street
London EC1M 5UY
United Kingdom
[redacted]

Subject: **Application for access to documents under Regulation 1049/2001**

Ref.: **GestDem 2021/5314**

Dear Sir/Madam,

We refer to your joint letter of 13 August 2021 sent originally to EEAS in which you make a request for access to documents, registered on 02 September 2021 under the above-mentioned reference number.

You request access to different types of documents.

Concerning "*a. documents relating to any kind of financing provided to the UN Countering Terrorist Travel Programme or to specific countries in relation to the Programme by the EU*", an implementing Decision is already publicly available. We enclose a link to the financing decision of the UN-EU Countering Terrorism Travel project as requested https://ec.europa.eu/international-partnerships/system/files/c-2019-5631-f1-commission-implementing-decision-v8-p1_en.pdf.

We also include its related annex in attachment to this letter. You may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf based on the Commission Decision on the reuse of Commission documents. You may reuse the document disclosed free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the document. Please note that the Commission does not assume liability stemming from the reuse.

We regret to inform you that the Commission does not hold any documents that would correspond to the description given in your application below:

"b) Audits and evaluation documents conducted in the context of the EU financing the UN Countering Terrorist Travel Programme and/other EU financing of the use of the UN goTravel software in specific countries;

c) Documents relating to any kind of official or unofficial training provided by the UN and/or EU Member States and/or EU Bodies to countries where the UN goTravel software is used;

d) Documents relating to any Human Rights Risks and Impact Assessments, including Data Protection Impact Assessments, conducted in the context of financing the UN countering Terrorist Travel Programme and the use of the UN goTravel software in specific countries;

e) Documents relating to the involvement of the Agency and/or EU member states and/or other EU bodies in the negotiation, promotion, abolition or adoption of any laws or frameworks that seek to regulate the deployment of the UN goTravel software in a specific country."

As specified in Article 2(3) of Regulation (EC) No 1049/2001, 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 Commission, the Commission is not in a position to fulfil your request.

We also confirm that the EU is not involved in "*the negotiation, promotion, abolition or adoption of any laws or frameworks that seek to regulate the deployment of the UN goTravel software in a specific country*".

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 within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Brussels

or by email to: [redacted]

Yours faithfully,

[redacted]

Encl.: Annex I of the Commission Implementing Decision on the financing of the annual action programme to be financed from the general budget of the Union for Article 5 of the Instrument contributing to Stability and Peace for 2019.

Electronically signed on 15/09/2021 11:07 (UTC+02) in accordance with article 11 of Commission Decision C(2020) 4482