



EUROPEAN COMMISSION
DIRECTORATE-GENERAL MIGRATION and HOME AFFAIRS

The Director-General

Brussels,
HOME/MP/ACR/as



Subject: Your application for access to documents – GESTDEM 2022/3948

Ref.: Ares(2022)5006948

Dear Mr Maccanico,

We refer to your e-mails of 7 July 2022 in which you make a request for access to documents.

You request access to documents which contain the following information:

1. Documents (meeting minutes, agendas, participants' lists) relating to parallel negotiations of EU/Morocco readmission and visa facilitation agreements.
2. Documents referring to resources (financial or technical) provided to the Moroccan interior ministry to enhance its capabilities to fight irregular migration and secure its borders.
3. Documents referring to financial support from the EU to projects in Morocco concerning the news, the media and information campaigns since September 2020.
4. Agendas and documents on the outcomes and contents of discussion of the following meetings:
 - a. Visit by Head of Cabinet of Commissioner Avramopoulos to Rabat to meet senior officials on 25 April 2019.
 - b. Moroccan and EU Senior Officials Meeting (HOME/NEAR/EEAS) in Brussels 20-21 June 2019, for the Relaunch of the mobility EU-Morocco dialogue under the Mobility Partnership of 2013 on cooperation on migration and security ahead of the Association Council.
 - c. Commission (NEAR/HOME) mission to Morocco, 28/29 August 2019.
 - d. First Joint Committee EBCGA-Morocco in Warsaw, 31 October 2019.
 - e. Operational Committee of the EUTF for Africa – North of Africa window.

- f. Additional package on border management and the fight against human trafficking and migrant smuggling, 10 December 2019.
- g. Ministerial Conference of the Ministers of Interior of EU Member States and Partner Countries on countering Migrant Smuggling, Chaired by Italian Minister Luciana Lamorgese with the participation of Commissioners Johansson and Várhelyi, 13 July 2020.
- h. Second Joint Committee EBCGA- Morocco (VTC), 7 October 2020.
- i. Commissioners Johansson and Várhelyi's visit to Morocco, 1-2 December 2020.
- j. President von der Leyen's visit to Morocco, 8 February 2022.
- k. Commissioner Várhelyi's visit to Morocco to discuss overall cooperation, 9-10 March 2022.
- l. Senior Official Meeting on Migration. Inter-institutional mission led by DG Monique Pariat (DG HOME), 17-18 March 2022.
- m. Social Affairs and Migration Subcommittee, 19 May 2022.
- n. Technical meeting on readmission. Spring / Summer 2022.

Please note that the **point 4.m.** of your request have been transferred to the European External Action Service (EEAS) and that due to the wide scope of your request, covering also areas falling under the responsibility of other Directorates-General, other parts of your request, i.e. **points 2, 4.c., 4.e., 4.f., 4.j. and 4.k.**, have been attributed to other Directorates-General¹.

This reply relates only to the documents held by the Directorate-General for Migration and Home Affairs, i.e. the documents related to the following information:

Point 1. As per email sent to you on 29 July 2022, we have requested additional information and specifications on the description given in your application under point 1. You did not reply to this letter and therefore we are not in a position to identify documents falling within your application on this point.

Point 3. DG HOME manages sensitization projects in Morocco. For both projects Safe Journey and AMIF SHABABUNA all publicly available information regarding the action can be accessed via Funding and Tender Opportunities Portal under Projects & Results (europa.eu).

For Safe Journey please consult: <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/projects-details/31077795/958029/AMIF>

For Shababuna please consult: <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/projects-details/31077795/958054/AMIF>

Additionally, we identified the following two documents in the context of this request:

1. Grant agreement 958029, Safe Journey, 09.11.2020 - Ares(2020)6511090;
2. Grant agreement 958029, AMIF Shababuna 16.12.2020 - Ares(2020)7655423.

¹ GESTDEM 2022/4179 by DG NEAR and GESTDEM 2022/4180 by SG.

Given that the projects were awarded following the publication of an open call for proposals, following an evaluation by a specifically appointed evaluation committee, full disclosure of the descriptions of the action and other documents would undermine the protection of the interests the beneficiaries of the grant. Putting this information in the public domain would affect the future competitive position in similar procedures. Therefore, the exception laid down in Article 4(2) first indent of Regulation (EC) No 1049/2001 applies and as a result, any description of the action and estimated budget of the action, as well as their evaluation against the criteria set out in the published call for proposals in the documents requested is withheld.

The projects are underway, so no other information can be released yet. Publicly available deliverables of the projects will be progressively made available on the portal at the links mentioned above.

Point 4.a. In the context of this request, we have identified one document. This document presents tentatively the programme of the visit.

3. Programme, Rabat - 24-26 April 2019 - Ares(2022)6073046.

Point 4.b. In the context of this request, we have identified one document. This document presents tentatively the programme of the visit.

4. Dialogue Migration et Sécurité UE-Maroc Réunion haut niveau Agenda 20.06.2019 – Ares(2019)3745313.

Point 4.d. We have identified 3 documents related to this request.

5. Meeting Report - FRONTEX - Morocco Comité Mixte - 1st meeting 31 October 2019 - Ares(2022)6073087.

6. Reports of HOME-led missions meetings on migration since 13 July 2020 - Ares(2022)6073113.

7. 24th International border Police conference 29-30 October 2019 - Ares(2022)6073139.

Point 4.g. We have identified the following information available publicly on the Ministerial conference on following links:

https://neighbourhood-enlargement.ec.europa.eu/news/commissioner-varhelyi-participate-ministerial-conference-eu-member-states-and-african-partners-2020-07-10_en

[https://ec.europa.eu/commission/commissioners/2019-](https://ec.europa.eu/commission/commissioners/2019-2024/johansson/announcements/opening-statement-eu-member-states-and-african-partners-conference-counterering-smuggling_en)

[2024/johansson/announcements/opening-statement-eu-member-states-and-african-partners-conference-counterering-smuggling_en](https://ec.europa.eu/commission/commissioners/2019-2024/johansson/announcements/opening-statement-eu-member-states-and-african-partners-conference-counterering-smuggling_en)

<https://newsroom.consilium.europa.eu/events/20200707-informal-meeting-of-home-affairs-ministers-via-video-conference-july-2020>

Point 4.h. With regards to this request, we have identified 2 documents of interest.

8. Meeting Report - Second Meeting FRONTEX-Morocco Comité Mixte - 7 October 2020 - Ares(2022)6073182.

9. Annotated agenda - Second meeting of the FRONTEX Comité Mixte - 7 October 2020 - Ares(2022)6073182.

Point 4.i. The following information has been identified with regard to this request

10. Programme Visit Commissioner Ylva JOHANSSON Rabat and Tangier 1-2 December 2020 - Ares(2022)6073226.

<https://twitter.com/ylvajohansson/status/1333821903916634113>

Point 4.l. The following information has been identified with regard to this request

11. Report - EU high-level mission to Morocco informal SOM on migration 17-18 March 2022 - Ares(2022)6073009.

12. Dialogue informel migratoire - Réunion informelle de haut niveau - Rabat 17 mars 2022 - Ares(2022)6072962.

Point 4.n. With regard to this request, no technical meeting on readmission has taken place in spring or summer 2022.

Please note that some parts of the documents have been blanked out as some parts fall out of the scope of your application.

In addition, for 4.d and 4.l documents a complete disclosure is prevented by the exception concerning the protection of public interest as regard to international relations outlined in Article 4(1)(a) third indent of Regulation 1049/2001.

Indeed, these are internal documents and reports that have not been reviewed or approved by Morocco. The EU is not at liberty to share the stance of Morocco presented in the documents as Morocco's official line. In that regard, sharing Morocco's stance or position during the meetings could directly harm the need to ensure a trust-based relationship with Morocco and impact international relations and negotiations with Morocco on migration and security related aspects during meetings.

However, partial access to these documents is granted for the parts not covered by this exception.

Similarly, a complete disclosure of the documents listed above is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation 1049/2001, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons;
- handwritten signatures/abbreviated signatures of natural persons;
- other information relating to an identified or identifiable natural person such as functions, telephone numbers and office locations.

Article 9(1)(b) of the Data Protection Regulation² does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a

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, OJ L 295, 21.11.2018, p. 39.

specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. 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, we conclude that, pursuant to Article 4(1)(b) of Regulation 1049/2001, access cannot be granted to a complete disclosure of the documents..

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
Secretariat-General
Unit C.1. 'Transparency, Document Management and Access to Documents'
BERL 7/076
B-1049 Brussels

or by email to: sg-acc-doc@ec.europa.eu.

I take the opportunity to thank you for your interest in our work.

Yours sincerely,

Monique PARIAT