



EUROPEAN COMMISSION  
NEIGHBOURHOOD AND ENLARGEMENT NEGOTIATIONS

The acting Director-General

Brussels,

Dear 

We refer to your e-mail of 16 November 2020<sup>1</sup>, registered under the reference number GESTDEM 2020/6340 on 18 November 2020<sup>2</sup>. With this e-mail you submitted a refined version of your initial request registered under the reference number GESTDEM 2019/5444.

Your request refers to “*documents pertaining to any kind of impact assessments (human rights impact assessments, including privacy or data protection impact assessments, due diligence assessments, audit reports or any other risk assessment) that were produced in the context of transfer of surveillance capabilities by the European Union to third countries*” with reference to “*Turkey, Montenegro, North Macedonia, Albania, Serbia, Kosovo, Bosnia and Herzegovina, as well as any African country*”

We regret to inform you that the Directorate General for Neighbourhood and Enlargement Negotiations does not hold any documents that would correspond to the description given in your application.

Although we have not identified documents that correspond to your request, please be assured that the Commission’s cooperation with third countries follows a human-rights based approach. The projects funded by the EU aim to ensure that the rule of law and human rights are respected in the activities related to these projects, and as far as possible in beneficiary countries’ own regulations and procedures.

As specified in Article 2(3) of Regulation (EC) No 1049/2001<sup>3</sup>, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

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<sup>1</sup> Ref. Ares(2020)6866747.

<sup>2</sup> Ref. Ares(2020)6874573.

<sup>3</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, Official Journal L 145 of 31 May 2001, p. 43.

  
Privacy International  
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London EC1M 5UY  
United Kingdom  
by email onl @privacyinternational.org

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.

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: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

[e-signed]

