



SG.2
Acting Head of Division

Brussels, 17 February 2022
eeas.sg.2 (2021) 409219

To
Mr Arne Semsrott
by electronic mail

Subject: Your request for access to documents of 26 April 2021
Our ref: 2021/181

Dear Mr Semsrott,

I would like to thank you for your request for access to documents, which the EEAS has examined in the framework of Regulation (EC) No 1049/2001.¹

Following your request and after a search in the document management systems and databases, the EEAS has identified the following documents matching your request, as referenced hereafter:

1. Memorandum of Understanding Operation SOPHIA and LCG&N - 23.08.2016
2. Memorandum of Understanding Operation SOPHIA and LCG&N amendment 1 - 18.01.2017
3. Technical Arrangement Operation SOPHIA, Hellenic MOD & LCG&N - 19.01.2017
4. Technical Arrangement Operation SOPHIA and Guardia di Finanza - 30.01.2017
5. Working arrangement Operation SOPHIA and Fondazione Rava - 15.02.2017
6. Memorandum of Understanding Operation SOPHIA, the Armed Forces of Malta - 17.03.2017
7. Operation SOPHIA the Libyan Coast Guard & Navy (LCG&N) Annex F - 21.08.2017
8. Amendment 1 to Technical Arrangement Operation SOPHIA the Hellenic Republic - 06.03.2018
9. Technical Arrangement Operation Sophia and the Republic of Croatia - 07.11.2018
10. Amendment II to TA Operation SOPHIA and the Hellenic Republic - 07.03.2019
11. Additional Agreement to TA Operation SOPHIA, Republic of Croatia - 29.03.2019
12. Additional Agreement II TA Operation SOPHIA, Republic of Croatia - 10.06.2019
13. Technical Arrangement Operation SOPHIA, Kingdom of Spain

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (hereafter the "Regulation").

Following our examination of the documents above, I am pleased to forward you in full the documents 2, 5, 11, 12, while documents 1, 3, 4, 6, 7, 8, 9, 10, 13 are only partially disclosed. You will find these documents in the attachment of this letter.

Concerning the above mentioned partially released documents, our examination concluded that these contain sensitive information related to the training provided by EUNAVFOR MED Operation SOPHIA to the Libyan coast Guard & Navy. If the content of these training courses were released to the public domain, it would weaken the effectiveness of the ongoing Operation IRINI by revealing information that could be used by adverse actors and by weakening the EU's position during the negotiations with the Libyan side. Furthermore the disclosure of the document in full to the general public would harm EU's international relations with Libya and Member States and constitute a breach of trust between partners at local and international levels that are needed for the functioning of the Operation, as per Article 4(1)(a), third indent, of the Regulation.

Please note that documents 3, 8 and 10 contain personal information and data, which if disclosed, would constitute a breach of Regulation (EU) 2018/1725 in accordance with Article 4(1)(b) of the Regulation 1049/2001. Relevant redactions of such personal data were therefore made in these documents.

Furthermore, it is to be noted that the documents 9 and 13 were only found in their paper version in the EEAS archives. The archived copies contain only the odd pages of the documents.

Therefore, I regret to inform you that we are not in a position to disclose documents 1, 3, 4, 6, 7, 8, 9, 10, 13 in full at this point in time, since it would seriously undermine the protection of defence and military matters, as well as international relations, as per Article 4(1)(a), second and third indents, of the Regulation 1049/2001.

However, I am pleased to forward you, attached to this letter, the parts of these documents that are not covered by the above-mentioned exceptions.

I take this opportunity to remind you that the documents provided may be reused given that the source is acknowledged and that you do not distort the original meaning or message of the documents. Please note that the EEAS does not assume liability stemming from the reuse. In case of doubt on reuse, please do contact the EEAS for prior authorisation.

Should you wish this position to be reviewed, you may confirm your initial request within 15 working days.

Yours sincerely,

[e-signed]

Guillem Riutord Sampol