



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

The Director-General

Brussels,

**PERSONAL
DETAILS**

Subject: Your application for access to documents – EASE 2026/1467

Dear Mr. Zandonini,

I refer to your request for access to European Commission documents registered on 13 March 2026 under the above-mentioned reference number.

1. SCOPE OF YOUR REQUEST

By means of your request, you seek access to:

- All correspondence, in all format, including any annex, between DG Home and Europol, referring to the Agreement, or Draft Agreement, "between the European Union, on the one part, and the Government of Israel, on the other part, on the exchange of personal data between the European Union Agency for Law Enforcement Cooperation (Europol) and the authorities of Israel competent for fighting serious crime and terrorism;
- All document (internal briefing notes, minutes of meetings, reports and assessments), referring to the same Agreement.

The time frame for the request is from **1 June 2022 to 10 March 2026**.

2. IDENTIFICATION OF DOCUMENTS

The following documents have been identified as falling within the scope of your request:

1. FLASH REPORT- Third round of negotiations between the European Union and Israel on the international Agreement on the exchange of personal data between Europol and the competent Israeli authorities – 30th June 2022, dated 08 July 2022, with reference to Ares(2022)4989907 (hereafter ‘Document 1’);
2. FLASH REPORT- Fourth round of negotiations between the European Union and Israel on the international Agreement on the exchange of personal data between Europol and the competent Israeli authorities – 13th and 14th September 2022, dated 22 September 2022, with reference to Ares(2022)6545720 (hereafter ‘Document 2’);
3. Annex to Document 2, dated 22 September 2022, with reference to Ares(2022)6545720 (hereafter ‘Document 3’).

4. Annex to Document 2, summary of discussions, dated 22 September 2022, with reference to Ares(2022)6545720 (hereafter 'Document 4').
5. Annex to Document 2, Draft agreement version 14 SEPT, dated 22 September 2022, with reference to Ares(2022)6545720 (hereafter 'Document 5').
6. Annex to Document 2, draft declaration contracting parties, dated 22 September 2022, with reference to Ares(2022)6545720 (hereafter 'Document 6').
7. Flash report on VTC held with Israel on 17.03.2025, dated 18 March 2025, with reference to Ares(2025)2196920 (hereafter 'Document 7').
8. Report - Informal meeting with Jonathan Rosenzweig, Deputy Head of the Israeli Mission to the EU and NATO - 28 January 2026, dated 02 February 2026, with reference to Ares(2026)1143237 (hereafter 'Document 8').
9. RE: [E-1478/23] Data exchange agreement between Europol and Israel in view of the recent Israeli judicial reform, dated 07 June 2023, with reference to Ares(2023)3942075 (hereafter 'Document 9').
10. RE: [E-1189/24] - Agreement on the exchange of personal data with Israel, dated 15 July 2024, with reference to Ares(2024)5117771 (hereafter 'Document 10').
11. Briefing BASIS 441 – Meeting with the Ambassador of Israel, Avi Nir-Feldklein (5), dated 04 November 2025, (hereafter 'Document 11').
12. Briefing for Meeting DG Gminder with IL Ambassador Regev 7 March 2024, dated 04 March 2024, (hereafter 'Document 12').
13. Report of meeting between Beate Gminder and Ambassador Haim Regev (Israel) on 7 March 2024, dated 12 March 2024, with reference to Ares(2024)1891930 (hereafter 'Document 13').
14. Briefing 20250528_Basis Cab Brunner 263_Meeting HoC Winterstein with IL Ambassador Haim Regev_V2_revTC (003), dated 26 May 2025, (hereafter 'Document 14').
15. Briefing 28677 for Meeting MFA of Israel Mr Cohen Eli - 230418 - SG-PDT-VPs28677 - VP92023101.04 Meeting MFA of Israel Mr Eli COHEN version 1130 1804.docx, dated 18 April 2023, (hereafter 'Document 15').
16. Briefing HOME/2974 - Meeting with Mr Rosenzweig, Mission of Israel to the EU and NATO, 13 March 2024, (hereafter 'Document 16').
17. Briefing 14th Meeting of the Joint Parliamentary scrutiny group (JPSG) on the European Union Agency for Law Enforcement Cooperation (Europol) on 18-19 February 2024, (hereafter 'Document 17').

3. ASSESSMENT OF THE IDENTIFIED DOCUMENTS

Having examined the identified documents under the provisions of 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 (hereafter 'Regulation (EC) No 1049/2001') ⁽¹⁾, I have come to the conclusion that:

- documents 9 and 10 can be fully shared with the public,
- no public disclosure is possible regarding documents 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16 and 17.

My detailed assessment is set out below.

⁽¹⁾ OJ L 145, 31.5.2001, p. 43; ELI: <http://data.europa.eu/eli/reg/2001/1049/oj>.

3.1. Full disclosure

I enclose links to the following references to documents, which are already publicly available:

Referred to Document 9: [Parliamentary question | Answer for question E-001478/23 | E-001478/2023\(ASW\) | European Parliament](#).

Referred to Document 10: [Parliamentary question | Answer for question E-001189/24 | E-001189/2024\(ASW\) | European Parliament](#)

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3.2. Refusal

The third indent of Article 4(1)(a) of Regulation (EC) No 1049/2001 provides that “[t]he institutions shall refuse access to a document where disclosure would undermine the protection of [...] the public interest as regards [...] international relations”.

Documents 1, 2, 3, 4, 6, 7, and 8 consist of reports and annexes outlining discussions held during the ongoing negotiations of the draft envisaged Agreement. They contain:

- The European Commission’s internal assessments and strategic considerations,
- Sensitive legal analyses, negotiation positions, and lines to take,
- Tactical approaches adopted by both parties in the course of discussions.

Due to the highly sensitive nature of this information, and in accordance with relevant EU case law, the disclosure of these documents would:

- Undermine the overall relations between the EU and Israel, particularly in the context of law enforcement and diplomatic cooperation,
- Expose confidential negotiation tactics and bargaining strategies, thereby undermining mutual trust and weakening the EU’s negotiating position,
- Compromise the EU’s ability to engage effectively with Israeli authorities, potentially sabotaging future diplomatic initiatives.

The release of these documents would prejudice the ongoing negotiations and disrupt the delicate balance of concessions necessary for a successful agreement.

Document 5 is a preliminary draft of the envisaged international agreement. As negotiations remain unresolved, its disclosure would:

(²) OJ L 330, 14.12.2011, p. 39; ELI: <http://data.europa.eu/eli/dec/2011/833/oj>.

- Prejudice the Commission's ability to secure favourable terms,
- Undermine the confidentiality required for constructive dialogue,
- Risk destabilising the negotiation process, thereby compromising the EU's broader interests.

Documents 11, 12, 14, 15 and 16 are internal briefing notes prepared for Commission officials in advance of meetings with Israeli authorities (Documents 11-16) and a Joint Parliamentary scrutiny group (Document 17), **Document 13** is a report of one of those meetings. The meetings addressed some topics outside the scope of your request. For the elements relevant to your request, the documents collectively include:

- Sensitive assessments on EU-Israel relations, including ongoing negotiations and diplomatic discussions,
- Confidential considerations that, if disclosed, could adversely affect the EU's diplomatic engagements and compromise the effectiveness of future negotiations.

As with the aforementioned documents, their release would pose a substantial risk to the public interest, particularly in preserving the integrity of international relations and the EU's strategic objectives.

Hence, due to the sensitive nature of 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16 and 17, the disclosure of the documents would undermine the overall relations and nature of law enforcement cooperation with Israel. Indeed, the documents would expose confidential negotiation tactics and bargaining strategies, undermining mutual trust, and weakening the EU's negotiating position. This would in turn compromise the EU's ability to engage in a meaningful and effective manner with Israel's authorities, potentially sabotaging future diplomatic initiatives.

Therefore, the exception laid down in the third indent of Article 4(1)(a) of Regulation (EC) No 1049/2001 applies to these documents (protection of the public interest as regards international relations).

As laid down in Article 4(6) of Regulation (EC) No 1049/2001, I have considered the possibility of granting partial access to the requested documents. However, after careful examination, I have come to the conclusion that they are entirely covered by the exception invoked so that a wider disclosure cannot presently be granted without harming the protected interests.

4. MEANS OF REDRESS

In accordance with Article 7(2) of Regulation (EU) 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 to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

by asking for a review via your portal ⁽³⁾ account (available only for initial requests submitted via the portal account),

⁽³⁾ <https://www.ec.europa.eu/transparency/documents-request>

or by mail:

European Commission
Secretariat-General
Document Management & Access to Documents (SG.A.2)
BERL 7/DCS
B-1049 Brussels

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

5. ACKNOWLEDGMENT OF RECEIPT

Yours faithfully,

Beate GMINDER

