**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 15 June 2012

10345/12

**INF 91
API 66
JUR 292**

"I/A" ITEM NOTE

from	:	Working Party on Information
to	:	Coreper (part 2)/Council
No. prev. doc.:		10344/12
Subject :		Public access to documents
		- Confirmatory application No 14/c/01/12

Delegations will find enclosed a draft reply from the Council to confirmatory application
No 14/c/01/12, following consultation of delegations and discussions in the Working Party
on Information at its meeting on 8 June 2012.

The Permanent Representatives Committee is accordingly asked to suggest that the Council at its
next meeting record its agreement to the draft reply annexed to this document, as an "A" item.

The Annex is available in English only.

_____

DRAFT

REPLY ADOPTED BY THE COUNCIL ON ....

TO CONFIRMATORY APPLICATION No 14/c/01/12,

MADE BY E-MAIL ON 23 May 2012,

pursuant to Article 7(2) of Regulation (EC) No 1049/2001,

for public access to documents DS 1264/12, DS 1270/12 and DS 1276/12

The Council has considered this confirmatory application under 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 (OJ L 145 of 31.5.2001, p. 43) (hereafter "Regulation No 1049/2001") and Annex II to the Council's Rules of Procedure (Council Decision 2009/937/EU, Official Journal L 325, 11.12.2009, p. 35) and has come to the following conclusion:

1.   The applicant refers to documents DS 1264/12, DS 1270/12 and DS 1276/12.

2.   In its reply dated 7 May 2012, the General Secretariat refused public access to these documents pursuant to Article 4(3), first subparagraph of the Regulation (protection of the institution's decision-making process).

3.   Following the applicant's confirmatory application dated 23 May 2012, the Council has thoroughly examined the documents concerned. In the light of its examination, the Council has come to the conclusion that full public access may be granted to the requested documents.

_____