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INFORMATION NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 2)
Subject: Evaluation of the impact of the Court ruling in case C-280/11 P
(Council v. Access Info Europe)

1. By judgment of 17 October 2013, the Court of Justice (First Chamber) rejected the Council's appeal against the judgment of the General Court in Case T-233/09 (Access Info Europe v. Council).
2. On 13 December 2013¹, Coreper was informed about the implications of the judgment of the Court of Justice as regards the handling of applications for public access to documents under Regulation (EC) No 1049/2001².
3. On 15 May 2014, Coreper considered three options regarding the naming of Member States in documents relating to on-going legislative procedures³. It indicated its preference for the so-called "third option" which consists in *continuing to record Member States' names in documents relating to on-going legislative procedures where it is deemed appropriate*. At that occasion, Coreper decided to evaluate the impact and functioning of that option after one year⁴.

¹ See document 17177/13 and document 7356/14.

² 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, 31.5.2001, p. 43).

³ See document 8622/1/14.

⁴ See document 10078/14.

4. On 19 May 2016, the Working Party of Information was informed of the outcome of the evaluation as set out in the document 8863/16 .
 5. Coreper is therefore invited to take note of the outcome of the evaluation.
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