



Council of the
European Union

138310/EU XXV. GP
Eingelangt am 28/03/17

Brussels, 27 March 2017
(OR. en)

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NOTE

From: General Secretariat of the Council
To: Working Party on Information
Subject: Public access to documents
- Confirmatory application No 07/c/01/17

Delegations will find attached the:

- request to the European Council for access to documents sent to the General Secretariat of the Council on 18 February 2017 and registered on 20 February 2017 ([Annex 1](#));
- reply from the General Secretariat of the Council dated 14 March 2017 ([Annex 2](#));
- confirmatory application dated 22 March 2017 and registered on 23 March 2017 ([Annex 3](#))

[E-mail message sent to access@consilium.europa.eu on 18 February 2017- 00:04]

From: Rachael Tackett <ask+request-4003-b1e05110@asktheeu.org>

Sent: Saturday, February 18, 2017 00:04

To: SECRETARIAT DGF Access

Subject: access to documents request - Request for Privacy Shield Records

Dear European Council,

Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I am requesting documents which contain the following information:

I request all reports, correspondence, and memorandum on the Privacy Shield framework. I would like to you search for records from October 1, 2015 to the present.

I request to be provided these records free of charge, because it is in the public interest to release these records. If any part of this request is denied, I request to be informed of the decision and the reason why.

Thank you,

Rachael Tackett

This is a request for access to information under Article 15 of the TFEU and, where applicable, Regulation 1049/2001 which has been sent via the AsktheEU.org website.

Please kindly use this email address for all replies to this request: ask+request-4003-b1e05110@asktheeu.org

If Access@consilium.europa.eu is the wrong address for information requests to European Council, please tell the AsktheEU.org team on email team@asktheEU.org

This message and all replies from European Council will be published on the AsktheEU.org website. For more information see our dedicated page for EU public officials at <https://www.asktheeu.org/en/help/officers>



Council of the European Union
General Secretariat

Directorate-General Communication and Information
Knowledge Management
Transparency
Head of Unit

Brussels, 14 March 2017

Ms Rachael Tackett
Email: ask+request-4003-b1e05110@asktheeu.org

Ref. 17/0376-ws/jj

Request made on: 18.02.2017
Registered on: 20.02.2017
Deadline extension: 13.03.2017

Dear Ms Tackett,

Thank you for your request for access to documents of the European Council.¹

No documents held on behalf of the European Council have been identified as covered by your request.

Please note that documents held by the General Secretariat on behalf of the Council of the EU are subject to our reply letter of today with reference 17/0375-ws/jj.

Yours sincerely,

Fernando PAULINO PEREIRA

¹ The General Secretariat of the Council - acting as secretariat for the European Council pursuant to Article 235(4) of the Treaty on the Functioning of the European Union - has examined your request on the basis of the applicable rules: Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43) and the specific provisions of the European Council's Rules of Procedure (European Council Decision No 2009/882/EU, OJ L 315, 2.12.2009, p. 51) set out in Article 10(2) which makes Annex II to the Council's Rules of Procedure (Council Decision No 2009/937/EU, OJ L 325, 11.12.2009, p. 35) applicable mutatis mutandis.

[E-mail message sent to access@consilium.europa.eu on 22 March 2017- 19:20]

From: Rachael Tackett <ask+request-4003-b1e05110@asktheeu.org>

Sent: Wednesday, March 22, 2017 19:20

To: SECRETARIAT DGF Access

Subject: Internal review of access to documents request - Request for Privacy Shield Records

Dear European Council,

Please pass this on to the person who reviews confirmatory applications.

I am filing the following confirmatory application with regards to my access to documents request 'Request for Privacy Shield Records'.

The European Council claims that it does not have public documents on the US-EU Privacy Shield agreement. I believe the European Council does have public documents on the US-EU Privacy Shield and is illegally preventing me from accessing the public documents.

A full history of my request and all correspondence is available on the Internet at this address:

https://www.asktheeu.org/en/request/request_for_privacy_shield_recor_4

Yours faithfully,

Rachael Tackett

Please use this email address for all replies to this request:

ask+request-4003-b1e05110@asktheeu.org

This message and all replies from European Council will be published on the AsktheEU.org website. For more information see our dedicated page for EU public officials at <https://www.asktheeu.org/en/help/officers>
