



Council of the
European Union

Brussels, 2 June 2015
(OR. en)

9544/15

INF 102
API 56

NOTE

From: General Secretariat of the Council
To: Working Party on Information
Subject: Public access to documents
- Confirmatory application No 13/c/02/15

Delegations will find attached:

- request for access to documents sent to the General Secretariat of the Council on 10 April 2015 and registered on the same day ([Annex 1](#));
- reply from the General Secretariat of the Council dated 11 May 2015 ([Annex 2](#));
- confirmatory application¹ dated 28 May 2015 and registered on the same day ([Annex 3](#));

¹ The first requested document should read 5797/12 and not 5795/12

[E-mail message sent to access@consilium.europa.eu on 10 April 2015 - 10:03 AM using the electronic form available in the Register application]

From: **DELETED**

Sent: Friday 10 April 2015 - 10:03 am

To: SECRETARIAT DGF Access

Subject: Electronic Request for Access

Title/Gender: Ms **DELETED**

Family Name: **DELETED**

First Name: **DELETED**

E-Mail: **DELETED**

Occupation: **DELETED**

On behalf of: **DELETED**

Requested document(s):

ST 7409 2012 INIT (15/03/2012) 'Outcome of proceedings of the Trade Policy Committee (Deputies) meeting on 9 March 2012' (only partial)

ST 6873 2012 INIT (28/02/2012) 'Outcome of proceedings of Trade Policy Committee (Full members) meeting on 24 February 2012' (only partial)

ST 6633 2012 INIT (21/02/2012) 'Outcome of proceedings of Trade Policy Committee (Deputies) meeting on 17 February 2012' (only partial)

ST 6373 2012 INIT (14/02/2012) 'Outcome of proceedings of Trade Policy Committee (Deputies) meeting on 10 February 2012' (only partial)

ST 5797 2012 INIT (01/02/2012) 'Outcome of proceedings of Trade Policy Committee (Deputies) meeting of 27 January 2012' (only partial)

1st preferred linguistic version: NL - Dutch

2nd preferred linguistic version: EN - English



Council of the European Union

General Secretariat

Directorate-General Communication and Document Management

Directorate Document Management

Transparency and Access to Documents Unit

Brussels, 28 May 2015

DELETED

Ref. 15/0890-nh/ns

Request made on: 10.04.2015

Extended on: 04.05.2015

Dear **DELETED**,

Thank you for your request for access to documents of the Council of the European Union.²

Please find attached partially accessible versions of documents 5795/12, 6373/12, 6633/12, 6873/12 and 7409/12.³ However, I regret to inform you that full access cannot be given for the reasons set out below.

Documents 5795/12, 6373/12, 6633/12, 6873/12 and 7409/12 are outcomes of proceedings of the

Trade Policy Committee (Deputies) respectively of the meeting on 27 January, 10 February, 17 February, 24 February and 9 March 2012.

² The General Secretariat of the Council 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 concerning public access to Council documents set out in Annex II to the Council's Rules of Procedure (Council Decision No 2009/937/EU, OJ L 325, 11.12.2009, p. 35).

³ Article 4(6) of Regulation (EC) No 1049/2001.

These documents contain information on various negotiations. Where access must be partially refused, this is because the parts withheld contain internal information and assessments on international negotiations release of which would affect future negotiations with different partners, weaken the EU's position vis-à-vis these current and future negotiating partners and seriously affect the Council's decision-making process in relation to such negotiations.

Full disclosure of the documents would therefore undermine the protection of the public interest as regards international relations and seriously undermine the Council's decision-making process . As a consequence, the General Secretariat has to refuse full access for this reason as well.^{4 5}

You can ask the Council to review this decision within 15 working days of receiving this reply.⁶

Yours sincerely,

Jakob THOMSEN

Enclosures

4 Article 4(1)(a), third indent, of Regulation (EC) No 1049/2001.

5 Article 4(3), first subparagraph, of Regulation (EC) No 1049/2001.

6 Article 7(2) of Regulation (EC) No 1049/2001.

Council documents on confirmatory applications are made available to the public. According to data protection rules at EU level (Regulation (EC) No 45/2001), if you make a confirmatory application your name will only appear in related documents if you have given your explicit consent.

[E-mail message sent to access@consilium.europa.eu on 28 May 2015 - 4:53 PM]

From: **DELETED**

Sent: Thursday, May 28, 2015 4:53 PM

To: SECRETARIAT DGF Access

From: **DELETED**

Subject: Re: Ref. 15/0890-nh/ns

Dear Mr, Ms,

I would like to ask for a review of the decision for only partially giving Documents 5795/12, 6373/12, 6633/12, 6873/12 and 7409/12. I would like access to the parts of these documents concerning the Trade Agreement with Colombia and Peru.

Kind regards,

DELETED
