



Council of the  
European Union

Brussels, 3 June 2015  
(OR. en)

9562/15

INF 105  
API 59

**NOTE**

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From: General Secretariat of the Council  
To: Working Party on Information  
Subject: Public access to documents  
- Confirmatory application No 14/c/03/15

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Delegations will find attached:

- request for access to documents sent to the General Secretariat of the Council on 11 April 2015 and registered on 13 April 2015 ([Annex 1](#));
- reply from the General Secretariat of the Council dated 28 May 2015 ([Annex 2](#));
- confirmatory application dated 28 May 2015 and registered on 29 April 2015 ([Annex 3](#));

[E-mail message sent to [access@consilium.europa.eu](mailto:access@consilium.europa.eu) on 11 April 2015 - 9:42 AM]

**From:** **DELETED**

**Sent:** Saturday 11 April 2015 - 9:42 am

**To:** SECRETARIAT DGF Access

**Subject:** Problems site

Dear Ms/Mr,

I have some problems requesting documents via the site for a week and a half now.

I would like to request the following documents:

ST18094 2011 INIT (08/12/2011) 'Outcome of proceedings of Trade Policy Committee (Deputies) meeting on 2 December 2011' (only partial)

ST16591 2011 INIT (14/11/2011) 'Outcome of proceedings of Trade Policy Committee (Deputies) meeting on 9 November 2011' (only partial) ST 15892 2011 INIT (26/10/2011) 'Outcome of proceedings of Trade Policy Committee (Deputies) meeting on 21 October 2011' (only partial)

ST7771 2010 INIT (24/03/2010) 'Outcome of proceedings of Trade Policy Committee (Full Members) meeting on 19 March 2010' (only partial)

ST7338 2010 INIT (11/03/2010) 'Outcome of proceedings of Trade Policy Committee (Services & Investment) on 10 March 2010' (only partial)

ST6710 2010 INIT (24/02/2010) 'Outcome of proceedings of Trade Policy Committee (Deputy members) meeting on 19 February 2010' (only partial)

ST5930 2010 INIT (02/02/2010) 'Outcome of proceedings of Trade Policy Committee (Deputy Members) meeting on 29 January 2010' (only partial)

ST5768 2010 INIT (28/01/2010) 'Outcome of proceedings of Trade Policy Committee (Services) on 27 January 2010' (only partial)

ST5119 2010 INIT (13/01/2010) 'Outcome of proceedings of Trade Policy Committee (Deputy members) meeting 8 January 2010' (only partial)

ST17181 2009 INIT (10/12/2009) 'Outcome of proceedings of Trade Policy Committee (deputy members) meeting on 4 December 2009' (only partial) ST 17374 2009 INIT (10/12/2009) 'Outcome of proceedings of Trade Policy Committee (Services) on 9 December 2009' (only partial)

First preference: Dutch, Second: English

Many thanks,

Kind regards,

**DELETED**

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**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. 15/0898-nh/jj

Request made on: 11.04.2015

Registered on: 13.04.2015

Extended on: 05.05.2015

Dear **DELETED**,

Thank you for your request for access to documents of the Council of the European Union.<sup>1</sup>

Please find attached partially accessible versions of documents 17374/09, 17181/09, 5119/10, 5768/10, 5930/10, 6710/10, 7338/10, 7771/10, 15892/11, 16591/11 and 18094/11.<sup>2</sup> However, I regret to inform you that full access cannot be given for the reasons set out below.

Documents **17374/09, 17181/09, 5119/10, 5768/10, 5930/10, 6710/10, 7338/10, 7771/10, 15892/11, 16591/11** and **18094/11** are outcomes of proceedings of the Trade Policy Committee respectively of the meetings on 9 December 2009, 4 December 2009, 8 January 2010, 27 January 2010, 29 January 2010, 19 February 2010, 10 March 2010, 19 March 2010, 21 October 2011, 9 November 2011 and 2 December 2011.

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<sup>1</sup> 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).

<sup>2</sup> 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.<sup>3 4</sup>

You can ask the Council to review this decision within 15 working days of receiving this reply.<sup>5</sup>

Yours sincerely,

Jakob THOMSEN

Enclosures

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<sup>3</sup> Article 4(1)(a), third indent, of Regulation (EC) No 1049/2001.

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

<sup>5</sup> 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](mailto:access@consilium.europa.eu) on 28 May 2015 - 5:08 PM ]

From: **DELETED**

**Sent:** Thursday, May 28, 2015 5:08 PM

**To:** SECRETARIAT DGF Access

From: **DELETED**

**Subject:** Re: Ref. 15/0898-nh/jj

Dear Mr, Ms,

I would like a review for the partially given access to Documents 17374/09, 17181/09, 5119/10, 5768/10, 5930/10, 6710/10, 7771/10, 15892/11, 16591/11 and 18094/11. I would like access to the part that concern the Association Agreement with the Andean Community and the Trade Agreement with Colombia and Peru, and the parts about trade after the Lisbon Agreement.

Kind regards,

**DELETED**

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