



Brussels, 24 July 2018  
(OR. en)

10638/18

INF 133  
API 82

**NOTE**

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From: General Secretariat of the Council  
To: Working Party on Information  
Subject: Public access to documents  
- Confirmatory application No 19/c/01/18

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Delegations will find attached the:

- request for access to documents sent to the General Secretariat of the Council on 6 June 2018 and registered the same day ([Annex 1](#));
- reply from the General Secretariat of the Council dated 10 July 2018 ([Annex 2](#))<sup>1</sup>;
- confirmatory application dated 18 July 2018 and registered the same day ([Annex 3](#))<sup>2</sup>.

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<sup>1</sup> Reply sent to the applicant in HU language  
<sup>2</sup> Official translation from HU language

[E-mail message sent to [access@consilium.europa.eu](mailto:access@consilium.europa.eu) on 6 June 2018 - 2018 - 14:45 using the electronic form available in the Register application]

This electronic form has been submitted in **HU**

Title/Gender: Mr

Family Name: **DELETED**

First Name: **DELETED**

E-Mail: **DELETED**

Occupation:

On behalf of:

Address:

Telephone:

Mobile:

Fax:

Requested document(s): ST 10388 2006 DCL 1  
ST 10388 2006 EXT 2  
ST 10388 2006 EXT 1

1st preferred linguistic version: EN - angol

2nd preferred linguistic version: HU - magyar



**Council of the European Union**

General Secretariat

Directorate-General for Communication and Information

Directorate for Information and Knowledge Management

Transparency

*Head of Unit*

Brussels, 10 July 2018

Mr **DELETED**

Email: **DELETED**

Ref. 18/1158-ld/jj

Request made on: 06.06.2018

Deadline extension: 27.06.2018

Dear **DELETED**,

Please find attached public documents **10388/06 EXT1 and EXT2** you requested.

I regret, however, that access to document **10388/06 DCL1** cannot be given for the reasons set out below.

Document **10388/06 DCL1** is a Note from the Article 36 Committee to COREPER/Council on the "Implementation of the Radicalisation and Recruitment Action Plan - Media Communication Strategy".

This document is the declassified version of document **10388/06** which was a document bearing the classification "RESTREINT UE". This means that the unauthorised disclosure of its contents could be disadvantageous to the interests of the European Union or of one or more of its Member States.<sup>3</sup>

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<sup>3</sup> Council Decision of 23 September 2013 on the security rules for protecting EU classified information (2013/488/EU), OJ L 274, 15.10.2013, p. 1.

Despite its declassification, the document still contains, in certain of its parts, information that if released to the public, could undermine the protection of the public interest as regards public security.<sup>4</sup> As a consequence, the General Secretariat has to refuse full access to this document.

Documents **10388/06 EXT1 and EXT2**, which are enclosed, contain the parts which do not fall under this exception.

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

Yours sincerely,

Sally BLISS

Enclosures: 2

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<sup>4</sup> Article 4(1)(a), first indent, 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. Pursuant 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 18 July 2018 - 10:57]

Please see my answer below.

Best regards,

**DELETED**

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Dear Sally Bliss,

The document does not appear to contain any military secrets or business information. I do not know what else the secret document contains, but the publicly available excerpts that have been cited from it describe nothing more than a communications strategy. Any information for the media should clearly be a public matter, and here the political establishment is attempting to influence the way the press reports and influences public opinion. That in itself runs contrary to the most basic principles of democracy; in a democratic society, the political establishment does not directly influence the press, nor does it draft guidelines or instructions telling the press how to report to citizens. Since that is happening nevertheless (which I think is clear from the documents that are accessible), I think citizens are entitled to consider that they should at least be able to find out exactly what the political establishment is telling the press.

Or to put it slightly differently, what is the political establishment in the European Union telling representatives of the press that an average citizen is not entitled to know about?

If informing the public about what the European political establishment is communicating to the European media encroaches on any interests, it is my view that such communication is surely detrimental to citizens, otherwise everyone would be allowed to know its content. For that reason, I hereby wish to apply for the Council to review its decision and make the requested document publicly available.

Yours faithfully,

**DELETED**

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