



Council of the
European Union

106960/EU XXVII. GP
Eingelangt am 30/06/22

Brussels, 30 June 2022
(OR. en)

10811/22

INF 112
API 52

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Public access to documents - Confirmatory application No 06/c/01/22

Delegations will find attached:

- the request for access to documents sent to the General Secretariat of the Council on 20 June 2022 and registered on the same day (Annex 1);
- the reply from the General Secretariat of the Council dated 23 June 2022 (Annex 2);
- the confirmatory application dated 24 June 2022 and registered on the same day (Annex 3).

[E-mail message sent to access@consilium.europa.eu on 20 June 2022 - 13:06 using the electronic form available in the Register application]

From: **DELETED**

Sent: Monday, June 20, 2022 1:06 PM

To: TRANSPARENCY Access to documents (COMM) Access@consilium.europa.eu

Subject: Consilium - Electronic Request for Access to documents [FRENCH]

DELETED

Family name **DELETED**

First name **DELETED**

E-mail **DELETED**

Occupation **DELETED**

On behalf of **DELETED**

Full postal address **DELETED**

Telephone **DELETED**

Requested document(s): ST 10393 2022 INIT - NOTE



Council of the European Union

General Secretariat

Directorate-General Communication and Information - COMM

Directorate Information and Outreach

Information Services Unit / Transparency

Head of Unit

Brussels, 23 June 2022

DELETED

Email: **DELETED**

Ref. 22/1350-vl/nb

Request made on: 20.06.2022

Dear **DELETED**,

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

I regret to inform you that access to document **ST 10393/22** cannot be given, for the reasons set out below.

This document is a note dated 17 June 2022 from the Presidency to the Permanent Representatives Committee (Coreper) and concerns EU enlargement, with a focus on North Macedonia.

Given the outcome of our consultations with the departments of the General Secretariat responsible for this matter, disclosure of document **ST 10393/22** cannot be granted as it would weaken the European Union's current strategy in this sensitive area, undermining the protection of the public interest as regards international relations and seriously undermining the Council's decision-making process.

As a consequence, the General Secretariat has to refuse access to this document.²

¹ 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 2009/937/EU, OJ L 325, 11.12.2009, p. 35).

² Article 4(1)(a), third indent and Article 4(3), first subparagraph, of Regulation (EC) No 1049/2001.

Having examined the context in which the document was drafted and the current state of play on this matter, on balance the General Secretariat could not identify any evidence suggesting an overriding public interest in its disclosure.

We have also looked into the possibility of releasing parts of document **ST 10393/22**.³ However, as the information contained in the document forms an inseparable whole, the General Secretariat is unable to give partial access at this stage.

Pursuant to Article 7(2) of Regulation (EC) No 1049/2001, you may ask the Council to review this decision within 15 working days of receiving this reply. Should you see the need for such a review, you are invited to indicate your reasons.

Yours sincerely,

Fernando FLORINDO

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

[E-mail message sent to access@consilium.europa.eu on 24 June 2022 - 13:13]

From: **DELETED**

Sent: Friday, June 24, 2022 1:13 PM

To: TRANSPARENCY Access to documents (COMM) Access@consilium.europa.eu

Subject: Re: Réf. 22/1350-vl/nb

Dear Transparency team,

With regard to the request made on 20 June 2022 for access to document ST 10393/22, I request that the decision be reviewed.

The reasons for this request are as follows:

- (a) it should have been published
- (b) alternatively, it should have been published in redacted form
- (c) there is an overriding public interest in disclosure

Yours sincerely,

DELETED
