



Council of the
European Union

169406/EU XXVII. GP
Eingelangt am 17/01/24

Brussels, 17 January 2024
(OR. en)

5472/24

INF 14
API 17

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Public access to documents - Confirmatory application No 04/c/01/24

Delegations will find attached:

- the request for access to documents sent to the General Secretariat of the Council on 4 December 2023 and registered on the same day (Annex 1);
- the reply from the General Secretariat of the Council dated 16 January 2024 (Annex 2);
- the confirmatory application dated 16 January 2024 and registered on the same day (Annex 3).

[E-mail message sent to access@consilium.europa.eu on Monday 4 December 2023, 16:57.]

From: **DELETED**

Sent: lundi 4 décembre 2023 16:57

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

Subject: access to documents request - Consequences for CAP budget of Ukraine joining the EU

Dear Council of the European Union,

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:

Modelling, analysis, estimates, extrapolations, calculations papers, studies or other documents, including internal correspondence about the potential effects of the accession of nine new member states on the CAP budget. These documents were mentioned in this story by the Financial Times:

<https://www.ft.com/content/a8834254-b8f9-4385-b043-04c2a7cd54c8>

Since the information might at least partly also concern "activities affecting or likely to affect" the "state of the elements of the environment", I believe Regulation 1367/2006 applies.

Should you encounter any difficulties in interpreting or processing my request, I am ready to discuss ways to clarify or amend it to keep the effort required on your part to the necessary minimum.

Please send me an acknowledgement of receipt for this request, as foreseen by Article 7 (1) of Regulation 1049/2001. I would appreciate it if you could send a list of documents that correspond to my request. Please note I prefer to receive the documents in digital format, not by physical mail.

Yours faithfully,

DELETED



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, 16 January 2024

DELETED

Email: **DELETED**

Ref. 23/3594-adb/vk

Request made on: 04.12.2023

Deadline extension: 03.01.2024

Dear **DELETED**,

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

You have requested documents which contain the following information: Modelling, analysis, estimates, extrapolations, calculations papers, studies or other documents, including internal correspondence about the potential effects of the accession of nine new member states on the CAP budget.

The General Secretariat of the Council has identified an Internal GSC Note concerning enlargement and the EU's absorption capacity as falling under the scope of your request. I regret to inform you that this document cannot be disclosed because it contains information on certain countries and their relations with the European Union. A release of the information contained in this document could undermine the conduct of the EU's relations with the concerned countries, resulting in a negative impact on their relations with the EU. For the sake of preserving mutual trust between the parties involved, this information must consequently remain confidential. The disclosure of this document could therefore undermine the protection of the public interest as regards international relations. As a consequence, the General Secretariat has to refuse access to this document.

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 the reasons thereof.

Yours sincerely,

Fernando FLORINDO

[E-mail message sent to access@consilium.europa.eu on Tuesday, 16 January 2024, 10:40.]

From: **DELETED**

Sent: mardi 16 janvier 2024 10:40

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

Subject: Internal review of access to documents request - Consequences for CAP budget of Ukraine joining the EU

Dear Council of the European Union,

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 'Consequences for CAP budget of Ukraine joining the EU'.

I have three arguments why I think the Council should disclose these documents:

1. It is in the interests of Ukraine and the EU that the direct consequences of accession are clear in advance, so that these problems can be dealt with. It is evident that the CAP budget is a topic to be discussed because the CAP is largely distributed per hectare and everyone knows the accession of nine new member states will thus influence the CAP-budget.
2. The FT published an article which supposedly referred to these documents, and there is no evidence that relations between the EU and the nine new member states have deteriorated as a result.
3. The request also concerns the current EU-budget and its impact on current EU citizens.

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

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

Yours faithfully,

DELETED