



Brussels, 23 October 2019
(OR. en)

13352/19

INF 283
API 145

NOTE

From: General Secretariat of the Council
To: Working Party on Information
Subject: Public access to documents
- Confirmatory application No 33/c/01/19

Delegations will find attached the:

- request for access to documents sent to the General Secretariat of the Council on 1 October 2019 and registered on the same day (Annex 1);
- reply from the General Secretariat of the Council dated 18 October 2019 (Annex 2);
- confirmatory application dated 8 October and registered on the same day (Annex 3).

[E-mail message sent to access@consilium.europa.eu on 1 October 2019 - 14:04 using the electronic form available in the Register application]

Title/Gender: **DELETED**

Family Name: **DELETED**

First Name: **DELETED**

E-Mail: **DELETED**

Occupation:

On behalf of:

Address:

Telephone

Mobile:

Fax:

Requested document(s): ST 11502 2019 INIT

1st preferred linguistic version: EN - English

2nd preferred linguistic version:



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, 18 October 2019

DELETED

Email: **DELETED**

Ref. 19/2083-rh/mf

Request made on: 01.10.2019

Dear **DELETED**,

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

Please find attached a partially accessible version of document **ST 11502/19 INIT**.² However, I regret to inform you that full access cannot be given for the reasons set out below.

Document **ST 11502/19 INIT** of 4 September 2019 is a note from the Presidency to Delegations on *Whole of route approach to migratory movement of Afghans along the Silk Route*. It contains detailed information on migration dynamics on the Silk Route focused mainly on Afghan migrants and refugees and implications for Europe.

Full release of the information contained in this document would have a negative impact on the relations between the European Union and countries of the Silk Route region.

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 No 2009/937/EU, OJ L 325, 11.12.2009, p. 35).

² Article 4(6) of Regulation (EC) No 1049/2001.

Full disclosure of the document would therefore undermine the protection of the public interest as regards international relations. As a consequence, the General Secretariat has to refuse full access to the document.³

You can ask the Council to review this decision within 15 working days of receiving this reply (confirmatory application).⁴

Yours sincerely,

Fernando FLORINDO

Enclosure

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

⁴ 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 (EU) No 2018/1725, if you make a confirmatory application your name will only appear in related documents if you have given your explicit consent.

From: **DELETED**

Sent: Friday, October 18, 2019 15:57 PM

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

Subject: Re: Ref. 19/2083-rh/mf

Your unwillingness to fully inform the citizens of Bihac about the movement of these people toward our city gives you a bad reputation here in Bosnia. Europe has betrayed us for several times in history and I wish to believe that your relations with us is more significant to you, as the EU, than with these far and distant regions that you've just mentioned.

This city was sacked and destroyed by foreign invaders before as it was defending the southern entrance into this continent for centuries and Europe never helped us.

Now I, as the citizen of this great but endangered city, ask you to review your decision and give us a full access to this document, ST 11502/19 INIT.

Regards,

DELETED