



Brussels, 8 May 2026  
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**NOTE**

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| From:    | General Secretariat of the Council                                                                   |
| To:      | Delegations                                                                                          |
| Subject: | Public access to documents – Confirmatory application No 26/c/02/26<br>— Information for delegations |

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Delegations will find enclosed:

- the request for access to documents sent to the General Secretariat of the Council on 19 March 2026 and registered on 20 March 2026 (Annex 1);
- the reply of the General Secretariat of the Council dated 7 May 2026 (Annex 2);
- the confirmatory application dated 7<sup>o</sup>May 2026 and registered on the same day (Annex 3).

**From:** **DELETED**

**Sent:** Thursday, March 19, 2026 10:31 PM

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

**Subject:** Consilium - Request for access to documents under Regulation (EC) No 1049/2001 - the situation in Venezuela

**Importance:** High

Dear Sir/Madam,

Please find attached a digitally signed request for access under Regulation (EC) No 1049/2001.

A response is expected within the deadlines set out in Article 7(1) of Regulation (EC) No 1049/2001.

Yours sincerely,

**DELETED**



To the Council of the European Union

**Subject:** Access to documents under Regulation (EC) No 1049/2001 – the situation in Venezuela



**Having regard to**

- Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, and
- the Charter of Fundamental Rights of the European Union, in particular Articles 41 (good administration) and 42 (access to documents) thereof;

**Requests access**

to a digital certified copy of the following documentation:

- all documents, communications and text messages (SMS, iMessage, WhatsApp, Signal or similar) exchanged by the Council, or its officials, with other EU institutions or agencies, with the governments and/or institutions of EU Member States and non-EU countries, citizens and natural or legal persons, concerning the military presence of the United States of America on the territory of the Bolivarian Republic of Venezuela, and the removal of the President of the Republic, Mr Nicolás Maduro, and his wife, Ms Cilia Flores;
- all documents, communications and text messages (SMS, iMessage, WhatsApp, Signal or similar) exchanged by the Council with other EU institutions or agencies, with the governments and/or institutions of EU Member States and non-EU Member countries, citizens and natural or legal persons, concerning the amnesty law recently passed by the Venezuelan National Assembly on the categories of offences committed between April 2002 and the end of 2025;
- It should be noted that this request concerns both documents drawn up by the Council and documents it holds of the abovementioned nature received from third parties.

## **Reasons for the request**

This request for access to documents is based on an overriding public interest, within the meaning of Regulation (EC) No 1049/2001, as it concerns documents and communications relating to matters of significant geopolitical and institutional importance. In particular, it concerns the military presence of hostile foreign forces on the territory of the Bolivarian Republic of Venezuela, the subsequent kidnapping of the Head of State and his wife and the recent amnesty law passed by the Venezuelan National Assembly.

The request also covers any communications between the European Union, its agencies and its officials and Member States and third countries in relation to these events. Access to the requested documents is necessary in order to enable citizens to understand the nature and content of the Council's communications with national governments and institutional actors outside the Union, the political, legal or diplomatic assessments made or shared within EU institutions, and the degree to which the EU's action is consistent with its international obligations and the objectives of the common foreign and security policy.

The matters covered by this request fall fully within the scope of the European Union's activities, both internal and external. Transparency as regards these documents is therefore essential to enable citizens and supervisory bodies to assess whether the EU's actions are in line with the principles enshrined in international and EU law and with the Union's ability to contribute to international stability and the protection of fundamental rights.

In this context, access to the requested documents will therefore serve to verify whether the Council has adopted intervention, monitoring or sanctioning measures in accordance with its legal obligations, and to assess the implications that such actions may have for the Union's security, its international reputation and the EU's overall credibility within the multilateral system.

### **Inapplicability of the exceptions provided for in Article 4(1)(a) and (b) of Regulation (EC) No 1049/2001**

#### **Subparagraph (a)**

The disclosure of the documents requested does not undermine the protection of public security, defence and military matters, international relations or the financial policies of the Union. The request concerns documents and communications of an institutional and diplomatic nature, which are not classified and do not relate to sensitive operations or where the dissemination of which could specifically harm the interests protected by Article 4(1)(a) of Regulation (EC) No 1049/2001.

### **Subparagraph (b)**

The events that are the subject of this application, including the foreign military presence in Venezuela, the kidnapping of the Head of State and his wife, and the recent amnesty law passed by the National Assembly, are in the public domain and have been widely reported by international institutional and media sources.

There is therefore no specific and foreseeable risk that disclosure of the requested documents would undermine the privacy or integrity of the persons concerned.

A response is expected within the deadlines set out in Article 7(1) of Regulation (EC) No 1049/2001.

Italy, 19 March 2026

**Requesting party**

  
(signed digitally)



**Council of the European Union**

General Secretariat

Directorate-General for Communication and Information (COMM)

Directorate for Information and Outreach

Information Services Unit / Transparency

*Head of Unit*

Brussels, 7 May 2026

**DELETED**

E-mail: **DELETED**

Ref. 26/1170

Request sent on: 19 March 2026

Registered on: 20 March 2026

Deadline extended on: 15 April 2026

Dear Mr **DELETED**,

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

Please find attached a partially accessible version of the document identified by the General Secretariat of the Council, which appears to be the subject of your inquiry.<sup>2</sup> However, I regret to inform you that full access cannot be given for the reasons set out below.

After consulting the relevant departments of the General Secretariat of the Council and the European External Action Service (EEAS)<sup>3</sup>, we are providing you with a partially accessible version of a joint report relevant to your request.

The report is an internal document.

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<sup>1</sup>The General Secretariat of the Council has reviewed your request in accordance with 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.

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

Full disclosure of the information contained in the document would undermine relations between the European Union and third countries.

Full disclosure of the document would therefore undermine the protection of the public interest as regards international relations. As a consequence, the General Secretariat must refuse full access to the document.<sup>1</sup>

This document does not exist in the language version requested.

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 consider such a review necessary, please state the reasons for your request.

Yours sincerely,

Fernando Florindo

Annex

**From:** **DELETED**

**Sent:** Thursday, May 7, 2026 4:56 PM

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

**Subject:** Confirmatory application under Article 7(4) - Access to documents under Regulation (EC) No 1049/2001 - Ref. 26/1170

Dear Sir/Madam,

Please find attached a confirmatory application under Article 7(4) of Regulation (EC) No 1049/2001, signed digitally, concerning access request ref. 2026/1170.

A response is expected within the deadlines set out in Article 9(1) and (2) of Regulation (EC) No 1049/2001.

Yours sincerely,

**DELETED**





To the Council of the European Union

**Subject:** Confirmatory application under Article 7(4) - Access to documents under Regulation (EC) No 1049/2001 - Ref. 26/1170



**Having regard to**

- Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, and
- the Charter of Fundamental Rights of the European Union, in particular Articles 41 (good administration) and 42 (access to documents) thereof;

**With reference to**

the request for access to documents under Regulation (EC) No 1049/2001 sent to the Council on 19 March 2026 and registered on 20 March 2026 under reference number 26/1170;

**Whereas**

the Council replied to the request for access on 7 May 2026, granting the requesting party partial access to a document (a joint report) identified as falling within the scope of the request for access;

**The following conclusion is reached:**

- This is a confirmatory application pursuant to Article 7(4) of Regulation (EC) No 1049/2001 concerning the Council's response dated 23 March 2026 regarding the request for access to documents pursuant to Regulation (EC) No 1049/2001 sent to the Council on 19 March 2026 and registered on March 20 2026, under reference number 26/1170, requesting that the Council reconsider the request for access, assess the existence of additional documents, and grant full access to the document to which the Council has granted partial access, on the grounds that the public interest outweighs the exceptions set out in Regulation (EC) No 1049/2001.

A response is expected within the deadlines set out in Article 8(1) and (2) of Regulation (EC) No 1049/2001.

Italy, 7 May 2026

**Requesting party**



(signed digitally)