



**Brussels, 7 January 2025
(OR. en)**

5094/25

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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Public access to documents - Confirmatory application No 01/c/01/25

Delegations will find attached:

- the request for access to documents sent to the General Secretariat of the Council on 25 November 2024 and registered on 26 November 2024 (Annex 1);
- the reply from the General Secretariat of the Council dated 17 December 2024 (Annex 2);
- the confirmatory application dated 21 December 2024 and registered on 3 January 2025 (Annex 3).

[E-mail message sent to access@consilium.europa.eu on Monday 25 November 2024, 17:06.]

From: **DELETED**

Subject: access to documents request - ST 14806 2024 INIT - COVER NOTE 22/10/2024 Strategic Review of EUCAP Sahel Mali and the Regional Advisory and Coordination Cell

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:

ST 14806 2024 INIT - COVER NOTE 22/10/2024 Strategic Review of EUCAP Sahel Mali and the Regional Advisory and Coordination Cell <https://europa.eu/JV83VP>

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, 17 December 2024

DELETED

Email: **DELETED**

Ref. 24/2961

Request made on: 25.11.2024

Registered on: 26.11.2024

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 14806/24** cannot be given for the reasons set out below.

The requested document, drawn up by European External Action Service (EEAS) for the Political and Security Committee, contains the Strategic Review of [EUCAP Sahel Mali](#) and the [Regional Advisory and Coordination Cell](#). It contains, among other sensitive information, internal detailed analyses of the international relations and of the political and security situation of certain countries with respect to the Sahel 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).

Following our consultations with the EEAS, the General Secretariat is of the opinion that the release of the security-related information contained in this strategic document would cause prejudice to the proper functioning of the EU Missions concerned and the safety of personnel involved therein, potentially increasing the security challenges and threats (a non-hypothetical, but very concrete risk). Moreover, the disclosure of the abovementioned internal analyses of the political and security situation in the region would negatively affect EU's international relations with the third countries concerned.

Consequently, access to the requested document cannot be granted.²

We have also looked into the possibility of releasing parts of document **ST 14806/24**.³ However, as the information contained therein forms an inseparable whole, the General Secretariat is unable to give partial access.

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

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

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

[E-mail message sent to access@consilium.europa.eu on Saturday, 21 December 2024, 13:50.]

From: **DELETED**

Subject: Internal review of access to documents request - ST 14806 2024 INIT - COVER NOTE 22/10/2024 Strategic Review of EUCAP Sahel Mali and the Regional Advisory and Coordination Cell

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 'ST 14806 2024 INIT - COVER NOTE 22/10/2024 Strategic Review of EUCAP Sahel Mali and the Regional Advisory and Coordination Cell'.

You wrote that the document "contains, among other sensitive information, internal detailed analyses of the international relations and of the political and security situation of certain countries with respect to the Sahel region. Following our consultations with the EEAS, the General Secretariat is of the opinion that the release of the security-related information contained in this strategic document would cause prejudice to the proper functioning of the EU Missions concerned and the safety of personnel involved therein, potentially increasing the security challenges and threats (a non-hypothetical, but very concrete risk). Moreover, the disclosure of the abovementioned internal analyses of the political and security situation in the region would negatively affect EU's international relations with the third countries concerned."

You also wrote that "as the information contained therein forms an inseparable whole, the General Secretariat is unable to give partial access."

I beg to differ. First, the document I have asked for is not classified and there is no justification for completely denying me access. Second, I believe the more sensitive parts could be removed from the document and that you could thus give me partial access. It would be great if you could reconsider the matter.

Yours faithfully,

DELETED