



Brussels, 16 September 2026
(OR. en)

13140/26

API 186
INF 255

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Public access to documents - Confirmatory application N° 50/c/01/26 - Information to delegations

Delegations will find attached:

- the request for access to documents sent to the General Secretariat of the Council on 18 August 2026 and registered on the same day (Annex 1);
- the reply from the General Secretariat of the Council dated 8 September 2026 (Annex 2);
- the confirmatory application dated 14 September 2026 and registered on the same day (Annex 3).

From: **DELETED**

Sent: Tuesday, August 18, 2026 3:21 PM

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

Subject: Request for public access

Dear Access to Documents Unit,

Under Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents, we hereby formally request public access to a specific document package held by the Council of the European Union.

We request access to the "Evidence Pack" (including the accompanying cover letter and the 18 press/news articles) that was formally transmitted by the Council of the European Union to Norebo JSC (and/or its legal representatives, Daldewolf) on or around 24 June 2025.

This "Evidence Pack" was provided to Norebo following their formal request for the evidence base justifying their listing under Council Decision (CFSP) 2025/966 and Implementing Regulation (EU) 2025/965 (under Council Regulation (EU) 2024/2642).

Since this entire "Evidence Pack" and its cover letter have already been fully disclosed by the Council to the sanctioned entity (Norebo) and their legal counsel, providing the package to the public will not harm the integrity of any ongoing court proceedings (such as Case T-518/25) or investigation. The content is already in the hands of the opposing party.

There is a substantial and overriding public interest in verifying the quality and nature of the evidence used by EU institutions to impose severe economic sanctions on commercial entities, especially when those sanctions directly impact the security and diplomatic relations of EEA partner nations, such as Norway, and neighboring territories like the Faroe Islands.

According to public representations by Norebo's legal counsel, the 'Evidence Pack' comprises solely publicly available news articles. The purpose of this request is to verify the accuracy of Norebo's position. If any documentation or relevant information exists that can clarify this matter, we request that it be included.

If the Council deems that any part of the cover letter or accompanying administrative notes must be withheld under Article 4 exceptions, we request that partial access be granted to the remainder of the package (the 18 articles and non-sensitive parts of the correspondence) in accordance with Article 4(6) of the Regulation.

Please provide the documents in electronic format to this email address.

Sincerely,

DELETED

NRK

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, 8 September 2026

DELETED

Email: **DELETED**

Ref. 26/2915

Request made on: 18.08.2026

Dear **DELETED**,

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

We have identified document **WK 6026/2025 INIT** as corresponding to your request.

While it is true that such documents containing supporting evidence – colloquially called “evidence packs” – are indeed routinely shared, on request, with the persons or entities concerned, in order to respect their rights of defence, this does not make them public documents or prejudice their assessment under Regulation (EC) No **1049/2001** regarding public access to documents.

We have assessed document **WK 6026/2025 INIT** under the criteria of Regulation (EC) No **1049/2001** and have come to the conclusion that public release of its content would allow to draw conclusions on the process of selection of the evidence and the way the Council has assessed and weighed it; this could then weaken the international position of the European Union and thus the effectiveness of the adopted restrictive measures. The document also contains individualised information on envisaged restrictive measures, release of which would interfere with the entity's

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).

commercial interests. Disclosure of this information would therefore undermine the protection of the public interest as regards international relations,² and – in the absence of any indication of an overriding public interest in disclosure – the protection of commercial interests.³

We have also looked into the possibility of releasing parts of the document.⁴ However, as it is specifically the selection and presentation of the information that allow to draw conclusions the public dissemination of which would harm the protected interests mentioned above, the document forms an inseparable whole, and the General Secretariat is therefore also unable to give partial access to it.

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), third indent, of Regulation (EC) No 1049/2001.

³ Article 4(2), first indent, of Regulation (EC) No 1049/2001.

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

To: Council of the European Union – General Secretariat
Directorate-General Communication and Information (COMM)
Information Services Unit / Transparency
Email: access@consilium.europa.eu

Date: 14.09.2026

Subject: CONFIRMATORY APPLICATION under Article 7(2) of Regulation (EC) No 1049/2001 – Request for review of refusal decision Ref. 26/2915 regarding document WK 6026/2025 INIT

Dear Sir / Madam,

I hereby submit a Confirmatory Application pursuant to Article 7(2) of Regulation (EC) No 1049/2001, requesting the Council of the European Union to review its decision of 8 September 2026 (Ref. 26/2915) refusing public access to document WK 6026/2025 INIT (the supporting dossier / "Evidence Pack" concerning the listing of Norebo JSC).

Through this confirmatory application, I specifically request full access to document WK 6026/2025 INIT, or at minimum, partial access in the form of a complete list/inventory of the documents and source materials contained within this file.

My application for review is based on the following grounds:

1. Misapplication of Exceptions and Failure to Grant Partial Access (Article 4(6))

In its initial response, the General Secretariat refused access on the grounds that public release of document WK 6026/2025 INIT would reveal the Council's selection and assessment process, thereby undermining international relations (Article 4(1)(a), 3rd indent) and commercial interests (Article 4(2), 1st indent). The General Secretariat further claimed that the document forms an "inseparable whole".

This blanket refusal is disproportionate and violates Article 4(6) of Regulation (EC) No 1049/2001. While the Council asserts that its internal assessment methodology must remain protected, this rationale cannot justify withholding a purely factual inventory or document list specifying the titles, dates, publishers, or reference numbers of the underlying source materials compiled in file WK 6026/2025 INIT. Releasing an itemized index of the documents in the dossier does not disclose internal deliberative notes or confidential diplomatic assessments.

2. Public Claims Regarding Open-Source Material

Statements made in public court filings and parliamentary submissions by representatives of the designated entity indicate that the supporting file consists of open-source media reports.

If the compiled file indeed contains publicly available open-source publications, the Council has failed to demonstrate how releasing an index or document list of materials that are already in the public domain could pose a concrete, non-hypothetical risk to international relations or commercial secrets.

3. Overriding Public Interest in Transparency (Article 4(2))

Sanctions imposed under Council Regulation (EU) 2024/2642 impact North Atlantic fisheries, maritime commerce, and public security debates across European states. There is a clear overriding public interest in enabling the press and the public to inspect the list of source materials that underpin executive sanction decisions.

Remedy Sought

I respectfully request the Council to review decision Ref. 26/2915 and grant full or partial public access to document WK 6026/2025 INIT, or at least release a complete document inventory/list specifying the titles and source details of the materials compiled in file WK 6026/2025 INIT.

Yours sincerely,

DELETED

NRK (Norwegian Broadcasting Corporation)

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