



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, 10 May 2022

Mr Peter Teffer

Email: ask+request-11174-98b758e8@asktheeu.org

Ref. 22/0977-lk/vk

Request made on: 04.05.2022

Dear Mr Teffer,

Thank you for your request for access to “Any documents discussing the creation of an independent ethics body, including but not limited to ST 8013 2022 INIT - NOTE 08/04/2022”.¹

The following documents have been identified as falling within the scope of your request :

a) **ST 7701/22** : this document contains a letter sent by the Commission President to the Council Presidency, inviting the Council’s views on the European Parliament’s non-legislative resolution concerning the setting up of an independent EU ethics body. This document is available on the Council’s [Public Register](#).

b) **WK 5726/2022** : this is a paper from the Presidency aimed at structuring discussions within the Council on the idea of setting up of an independent EU ethics body. It contains a set of questions around the possible creation of such a body, which the Presidency considers that delegations should focus on in the upcoming discussions within the Council on this subject. To reveal the contents of this paper at this juncture could jeopardise the conclusion of an agreement within the Council. Disclosure of this document would therefore seriously undermine the Council's decision-making process. As a consequence, the General Secretariat has to refuse access to this document.²

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(3), first subparagraph, of Regulation (EC) No 1049/2001.

We have also looked into the possibility of releasing parts of the document. However, as the exception to the right of access applies to its entire content, the General Secretariat is unable to give partial access.

c) **ST 8013/22** : this is a Note from the General Secretariat of the Council inviting the Permanent Representatives Committee to hold an initial exchange of views on the idea of setting up of an independent EU ethics body and to decide on the next steps to be taken regarding this issue. The Note contains in the Annex the above-mentioned Presidency paper contained in WK 5726/2022. For the reasons mentioned above under b), the General Secretariat has to refuse access to this Annex. You may, however, have access to the rest of the document. Please find attached a partially accessible version of document ST 8013/22. ³

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

Enclosure

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