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|  | Brussels, 18 September 2015 |
| Mr Diego Naranjo  Email: ask+request-2199-61f031ea@asktheeu.org | |
| Ref. 15/1972-mjb/dm  Request made on: 07.08.2015 | |
| Dear Mr Naranjo*,* | |

Thank you for your request for access to documents of the Council of the European Union of 7 August 2015 regarding the Proposal for a Directive of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and the free movement of such data.[[1]](#footnote-1)

In addition to our letter of 28 August concerning your request, please be informed that the Council does not have a *"list of the categories of documents held in relation to the preparation of the general approach of the aforementioned Directive"*. The documents hold by the Council in relation to this file are standard Council documents.

The proposed Directive has been discussed in the Working Party on information exchange and data protection (DAPIX) since the first semester 2012. These internal discussions are still on-going with the aim to find a general approach in October.

DAPIX does not draft a report after each meeting. Following discussions at a meeting, a new document which takes account of the discussions held at that meeting is drafted. It is generally a note from the Presidency to the working party.

At this stage, the general approach which will serve as the basis for negotiations with the European Parliament, has not yet been agreed by the Council. Trilogues with the European Parliament have not yet started and no three- and/or four-column documents exist.

The documents identified as covered by your request are the following :

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| --- | --- | --- | --- |
| 5833/12 | 6002/13 | 6799 /14 | 7740/15 |
| 5833/12 ADD 1 | 8208/13 | 6846/14 | 7979/15 |
| 5833/12 ADD 2 | 11624/13 | 6846/14 ADD 1 | 10133 /15 |
| 6912/2012 | 11624/13 REV 1 | 6846/14 ADD 2 | 10208/15 |
| 7375/12 | 14901/13 | 6846/14 ADD 3 | 10335/15 |
| 7455/12 | 14901/13 ADD 1 | 7428/14 | 10440/15 |
| 7568/12 | 14901/13 ADD 2 | 7507/14 | 10603/15 |
| 8366/12 | 14901/13 ADD 3 | 7659/14 | 10607/15 |
| 8596/12 | 14901/13 ADD 4 | 8972/14 | 10963/15 |
| 16497/12 | 14901/13 ADD 5 | 9873/14 | 10964/15 COR 1 |
| 16497/12 ADD 1 | 14901/13 ADD 6 | 9873/1/14 REV 1 | 10964/15 |
| 16497/12 ADD 2 | 14901/13 ADD 7 | 11109/14 | 11404/15 |
| 16497/12 ADD 3 | 14901/13 REV 1 | 13260/14 |  |
|  | 14901/13 REV 2 | 14356 /14 |  |
|  | 14901/13 REV 3 | 15391/14 |  |
|  | 14901/13 REV 4 | 15659/14 |  |
|  |  | 15659/1/14 REV 1 |  |
|  |  | 15730/14 |  |
|  |  | 15730/14 COR 1 |  |

We will find attached the above listed documents with the exception of **7507/14.** The General Secretariat is still examining this document and you will receive a reply as soon as possible.

Yours sincerely,

Jakob THOMSEN

Enclosures

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). [↑](#footnote-ref-1)