



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 October 2021

Mr Stefan Soesanto

Email: ask+request-9957-0a781379@asktheeu.org

Ref. 21/1546-lk/vk

Request made on: 19.09.2021

Registered on: 20.09.2021

Dear Mr Soesanto,

Thank you for your request for access to documents **ST 11658/1/20 REV 1** and **ST 11834/20** of the Council of the European Union.¹

I regret to inform you that access to these documents cannot be given for the reasons set out below.

Both documents refer to draft terms of reference for an EU demarche on advancing security and stability in cyberspace and relate to ongoing discussions within the United Nations on this subject. Release of the information contained in these documents would have a negative impact on the relations of the European Union with third countries. Should its internal views and negotiation strategy be made public while negotiations are still ongoing, the position of the Union in such international negotiations would be seriously weakened.

Disclosure of these documents would therefore undermine the protection of the public interest as regards international relations. As a consequence, the General Secretariat has to refuse access to these documents.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(1)(a), third indent, of Regulation (EC) No 1049/2001.

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.³

Yours sincerely,

Fernando FLORINDO

³ Council documents on confirmatory applications are made available to the public. Pursuant to data protection rules at EU level (Regulation (EU) No 2018/1725, if you make a confirmatory application your name will only appear in related documents if you have given your explicit consent.