



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, 16 November 2022

Mr Nicolas Laarman
Email: ask+request-11914-5b69efa4@asktheeu.org

Ref. 22/2015-mj-adb/nb

Request made on: 03.10.2022
Deadline extension: 24.10.2022

Dear Mr Laarman,

Thank you for your request for access to:

- *“documents and/or information on attendance of third parties (including identity of third party attendees and the organisations represented) at the meetings of the Working Party on International Environment Issues (Biodiversity and Biosafety) since January 2022, up to and including for the second semester of 2022;*

- *documents and/or information on attendance of third parties (including identity of third party attendees and the organisations represented) at the meetings of the Working Party on Genetic Resources and Innovation in Agriculture since January 2022, up to and including for the second semester of 2022”¹.*

For the first part of your request, we have identified the following documents:

- ST 5454/22
- ST 5842/22
- ST 10750/22
- ST 10766/22

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).

You may have full access to documents **ST 5454/22** and **ST 5842/22**. You may also have access to documents **ST 10750/22** and **ST 10766/22** except to the personal data of a person for whom the General Secretariat has not received a response as to its disclosure.

Disclosure of this information would undermine the protection of privacy and the integrity of the individual in question, in particular in accordance with European legislation regarding the protection of personal data.² Accordingly, pursuant to Article 4(1)(b) of the Regulation (EC) No 1049/2001 (protection of privacy and the integrity of the individual), the General Secretariat is unable to grant you access to these parts of the documents.

However, as abovementioned, pursuant to Article 4(6) of the Regulation, you may have access to the rest of the documents which is not covered by this exception.

For the second part of your request, we have identified the following documents:

- ST 9605/22
- WK 9628/2022
- ST 11097/22
- WK 12354/2022
- ST 12641/22

Documents **ST 9605/22**, **ST 11097/22** and **ST 12641/22** are public and available for downloading in the public register of Council documents. Please find them here attached for your convenience. Please find attached as well **WK 9628/2022**.

The Council's public register contains references to most Council documents since 1999 (exceptions may apply regarding classified documents), of which approximately 75% are public and available for downloading. You can consult the register at: [Documents and publications](#) . By choosing the option "Search for documents", you can search for documents using several criteria, for example: document number, words in subject or text, subject matter, date and interinstitutional file number. If you find a document in the register that cannot be directly downloaded, you may introduce a request for access by using the available electronic form.

Please find attached a partially accessible version of document **WK 12354/2022**³.

² Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data (OJ L 295, 21.11.2018, p. 39).

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

I regret to inform you that full access cannot be granted, since this document contain personal data which is necessary for the organisation of the work of the Council. The data protection rules at EU level⁴ provide that when the personal data collected is to be used for a different purpose, including disclosure to the public, a balance needs to be established between the public interest in having access to such data and the legitimate right of individuals to protect their personal data.

After carefully considering all the principles related to this request, on balance the General Secretariat has concluded that disclosure of the personal data contained in the document would undermine the protection of privacy and the integrity of the identified individuals⁵.

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

Enclosures: 9

⁴ Regulation (EU) No 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data (OJ L 295 21.11.2018, p. 39).

⁵ Article 4(1)(b) of Regulation (EC) No 1049/2001