



AFFGEN.2  
Head of Division

Brussels, 01 OCT. 2020  
ccas.sg.affgen.2 (2020) 5085837

Ms Alexandra Salomonsová

*Subject: Your request for access to documents of 16 April 2020*  
*Our ref: 2020/047*

Dear Ms Salomonsová,

Thank you for your request for access to documents, which the EEAS has examined in the framework of Regulation (EC) No 1049/2001.<sup>1</sup>

After a search in the EEAS filing systems, document management databases and archives, the EEAS has identified the following documents matching your request, as referenced hereafter:

**ST DOCUMENTS**

8910/20	Council Conclusions on Security and Defence
7837/20	Military Advice on the general guidelines and proposed priorities for assistance measures during the inception period (2021/2023) of the European Peace Facility
5846/20	Special meeting of the European Council - draft conclusions
5652/20 ADD 1	Commission Work Programme 2020 - A Union that strives for more - Annexes to the Commission Communication (COM(2020) 37 final - Annexes 1 to 5
14585/19 ADD 1	Commission Staff Working Document accompanying the document "Report from the Commission to the European Parliament and the Council 2019 Annual Report on the implementation of the European Union's instruments for financing external actions in 2018 (SWD(2019) 409 final - Part 1/2

<sup>1</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (hereafter the "Regulation").

12616/2019	Revised text of Chapters 10 and 11 reflecting the two-pillar structure
12437/2019	Revised text of Chapters 6 and 7 reflecting the two-pillar structure
12081/2019	Revised text of Chapter 5 reflecting the two-pillar structure
11814/2019	Suggestions for Articles 21(4) and 22(3)
11569/2019	Revised text of Chapters 3 and 4 reflecting the two-pillar structure
11343/2019	EEAS comments on the revised draft of Chapter 2 presented on Monday 14 October
11174/2019	Revised text of Chapter 2 reflecting the two-pillar structure
10859/2019	Outline of a two-pillar structure for the EPF
10807/2019	DE proposal to establish EPF as a two-pillar structure
10523/2019	On the amount for future or expanding actions proposed for the EPF's annual budget
10455/2019	Commission proposals for Articles 19, 20, 21, 22 and 23
9701/2019	Possible College of Auditors - estimate of costs
9573/2019	Table III: Administrative/management structure
9522/2019 + REV 1	Commission proposals for Articles 12, 13, 14, 15, 16, 18, 32, 36, 43, 44, 46 and 47a
9414/2019	DE proposals for Articles 18 and 29
9178/2019	Table II: CSDP missions and operations/operations under Article 42(4) and 43(2) TEU
8924/2019	Support to third parties/actions under Art. 28 TEU - Articles 51d, 52, 52a, 53, 55 and recitals (1), (2), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), ...
8878/2019	RO proposal for amending option 1 of Article 12(14) and joint RO-LT-HR proposal for amending Article 49(3)
8794/2019	Support to third parties/actions under Art. 28 TEU - Articles 1, 5, 6, 8, 12, 13, 29, 47c, 47d, 48, 48a, 48b, 49, 51a, 51b, 51c and ANNEX III - ...
8717/2019	EL proposal for Article 29
8701/2019	DE proposal for Article 47c
8660/2019	NL proposal for recital 5, new recital 11 and Article 52
8510/2019	Article 5a - revised text
8470/2019	FR proposal for Article 29
8469/2019	Staffing estimate for financial implementation (the Administrator)
8468/2019	"To do" list
8398/2019	NL proposal for Articles 1, 5, 47c, 47d, 48, 48b, 49 and 51c
8326/2019	FR proposal for Articles 5, 6, 47c, 47d, 48, 48a, 48b, 49 and 51a
8324/2019	AT proposal for Article 1(2)
8323/2019	EEAS proposal for Article 1
8320/2019	Draft Council Statement on Article 5a(2)
8319/2019	Article 1 - revised text
7922/2019 + REV 1	Table I in Word format: Support to third parties/actions under Article 28 TEU
7757/2019	Presentation of the draft Council Decision REV 1 in RELEX
7756/2019	Revised text of the draft Council Decision
7756/2019 ADD 1	Revised text of the draft Council Decision - clean version
7755/2019	Recitals and Annexed - revised text

7551/2019	Main elements of the HR/VP's draft reply to the NGO's letter on the EPF capacity building component
7550/2019	Chapters 10 and 11 - revised text
7223/2019	Indicative list of topics for the RELEX and COARM session on 13 June
7216/2019	Chapter 9 - revised text
6917/2019	Chapters 6, 7 and 8 - revised text
6683/2019	Joint letter by 14 NGOs on EPF
6671/2019 + REV 1	EEAS presentation on the proposed lists of common costs
6282/2019	EEAS presentation on Financial Ceilings - Cost Assessment
6114/2019	Practicalities, controls and guarantees for the provision of military equipment to a regional or international organization or to a partner third country
5571/2019	EEAS presentation on Adoption steps for AMs & APs
5379/2019	Chapters 3, 4 and 5 - revised text
5320/2019 + REV 1	Practicalities for the provision of equipment
4928/2019	EEAS presentation on contributions
4706/2019	Chapter 2 - revised text
4704/2019	Non-paper on the Athena mechanism and the EPF
4696/2019	Food for Thought Paper on the EPF
3977/2019	Amount for future actions in the EPF budget - Info Note
3692/2019	Chapter 1 - revised text
3376/2019	Annual budget, amending budgets and Contributions to the Budget: presentation
2473/2019	Articles 5-8 - revised text
2074/2019	Peace Support Operations - Terminology
2072/2019	Amendments proposed in Chapter 1 of the draft Council Decision regarding the position of Denmark and possible constructive abstention
1192/2019	Drafting suggestion for Article 1
216/2019	EEAS presentation on governance
15363/2018	Athena GNI key
15284/2018	Athena Mechanism GNI key
15165/2018	EEAS presentation: EPF - EU military operations
14838/2018	Commission presentation on CBSD under IcSP and NDICI
14835/2018	EEAS presentation on capacity building under EPF
14526/2018	Presentation of APF - document referred to by the EEAS
14475/2018	Presentation on cooperation with AU under African Peace Facility and EPF
14301/2018	APF - Continuation of current components post-2020
14046/2018	Expert assessment related to the efficient financing of common costs for military CSDP missions and operations....
13959/2018	EPF vs APF
12902/2018	DK participation in EPF
12137/2018	EEAS presentation of the proposal

Following our examination of the documents above, I am pleased to forward to you the **WK document 14835/2018** in attachment to this letter and to inform you that you can have full access to the **ST documents 8910/20, 5846/20, 5652/20 ADD 1, 14585/19 ADD 1, 14518/1/19REV 1, 13978/18, 10246/18 and 9736/18** (available through the Council of the European Union registry: <https://www.consilium.europa.eu/register/en/content/int?typ=ADV>).

I take this opportunity to remind you that the documents provided may not be copied or reproduced for commercial purposes without prior consultation with the EEAS.

Concerning **the remaining WK documents listed above** and the **ST documents 7837/20 and 14379/19**, our examination concluded that they contain information which refer to several core aspects of the proposals such as governance, controls and guarantees, staffing, as well as some details on the initial foreseen setting which are completely outdated at present. If publicly disclosed, they would reveal the margin of manoeuvre of the parties. Furthermore, the release of the proposals at such initial stage would generate misperceptions, misunderstandings and confusion in relation to the status of the negotiations at this point of time, thus having a negative impact on the current works on these elements.

Therefore, I regret to inform you that the above mentioned documents cannot be disclosed either fully or partially at this point in time, since their release to the general public would harm the ongoing complex negotiating process within the Council, undermining the trust between the EEAS and EU Member States, as well as undermine public interest with regard to defence and military matters and international relations, as per Article 4(1) (a), 2<sup>nd</sup> and 3<sup>rd</sup> indents, of the Regulation 1049/2001.

Should you wish this position to be reviewed, you may confirm your initial request within 15 working days.

Yours sincerely,



Gabriele Visentin