



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, 12 January 2024

Mr Alexander Fanta
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Ref. 23/3410-ws/vk

Request made on: 21.11.2023
Registered on: 22.11.2023
Deadline extension: 13.12.2023

Dear Mr Fanta,

Thank you for your request for access to documents of the Council of the European Union.¹

Please find attached documents WK 9872 2023 INIT, WK 9873 2023 INIT, WK 9899 2023 INIT, WK 9946 2023 INIT, WK 11831 2023 INIT, WK 11832 2023 INIT, WK 11862 2023 INIT, WK 11862 2023 REV 1, WK 11924 2023 INIT, WK 12876 2023 INIT, WK 13331 2023 INIT, WK 13332 2023 INIT, WK 13333 2023 INIT, WK 13334 2023 INIT, WK 13533 2023 INIT, WK 14204 2023 INIT, WK 14204 2023 REV 1, WK 14485 2023 INIT, WK 14487 2023 INIT, WK 14488 2023 INIT, WK 14637 2023 INIT, WK 14931 2023 INIT, WK 15251 2023 INIT, WK 15252 2023 INIT, WK 15253 2023 INIT and WK 15376 2023 INIT.

You will furthermore find attached a partially accessible version of document WK 15375 2023 INIT.² However, I regret to inform you that full access cannot be given for the reasons set out below.

The redaction concerns the names of two members of staff of the European Central Bank, in other words personal data about identified persons. The personal data contained in this document is necessary for the organisation of the work of the Council.

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(6) of Regulation (EC) No 1049/2001.

EU data protection rules³ 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.⁴

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 individuals. Therefore, the General Secretariat has to refuse access to this data.⁵

Please note, in relation to documents WK 15375 2023 INIT and WK 15376 2023 INIT which contain presentations given by members of staff of the European Central Bank (ECB), that these presentations have not been adopted or endorsed by ECB decision-making bodies and therefore any views expressed shall not, under any circumstances, be regarded as an official position of the ECB. Their content was intended only for the purpose of facilitating discussions within the working party.

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: 27

Link to documents: <https://we.tl/t-EFssklYspj>

³ 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295 21.11.2018, p. 39).

⁴ Article 9 of Regulation (EU) No 2018/1725.

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