



Council of the European Union
General Secretariat

Brussels, 17 March 2021

CM 2020/21

INF
API
PROCED

COMMUNICATION

WRITTEN PROCEDURE

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Subject: PUBLIC ACCESS TO DOCUMENTS
– Confirmatory application No 04/c/01/21
– Outcome of the written procedure initiated by CM 2019/21

Delegations are informed that the written procedure opened by CM 2019/21 of 10 March 2021 was completed on 17 March 2021 and that the majority of delegations agreed to the approval of the Council's reply to the above-mentioned Confirmatory application, as set out in document 5799/21.

The statement by Portugal is reproduced in the Annex to this CM.

Statement by Portugal

Although Portugal has on several occasions, in the name of the principles of transparency and open administration, expressed its Government's desire for and interest in the declassification of all documents or any other solution that would ensure that all requested information is provided, we understand that this position must be reconciled with the majority view of the Council on this file, which favours confidentiality of proceedings and protection of the personal data of candidates in this process.

We would recall too that, in the spirit of transparency and in accordance with the principle of loyal cooperation which governs relations between the European institutions and the Member States, measures have been taken to allow Members of the European Parliament to consult all documents, subject to compliance with their security classifications, under the conditions set out in the Interinstitutional Agreement of 12 March 2014.

Lastly, we recognise the need to preserve the independence of and the ordinary course of pending cases on this matter at the Court of Justice of the European Union.
