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12472/25

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NOTE

From: General Secretariat of the Council
To: Delegations

No. prev. doc.: 12471/25

Subject: Public access to documents - Confirmatory application N° 22/c/01/25

Delegations will find attached a draft reply to confirmatory application No 22/c/01/25
(see 12471/25).

REPLY TO CONFIRMATORY APPLICATION 22/c/01/25

made by email on 27 August 2025 and registered on 3 September 2025

A. INTRODUCTION

The Council has considered the confirmatory application under [Regulation \(EC\) No 1049/2001](#) of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents and Annex II to the [Council's Rules of Procedure](#) and has come to the following conclusion:

1. On 4 July 2025, the Applicant submitted a request for public access to document WK 93272025 INIT which contains comments by Sweden on the draft Union submission to the International Maritime Organization's 20th Intersessional Working Group on greenhouse gases (GHG) proposing to advance the governance framework for the IMO Net-Zero Fund in view of the preparation of IMO/ISWG-GHG 20 which will take place in London from 20 to 24 October 2025.
2. On 19 August 2025, partial access was granted to document WK 9327/2025 INIT, with the exclusion of one comment which referred to a suggestion made by a third State. Access to this comment was refused based on the protection of the public interest as regards international relations, pursuant to Article 4(1)(a), third indent, of Regulation (EC) No 1049/2001.
3. On 27 August 2025, the Applicant submitted a confirmatory application requesting full access to the document arguing that all comments contained in document WK 9327/2025 INIT were submitted by Sweden and not by a third country.
4. Some emails were exchanged with the Applicant between 28 August and 3 September 2025 to explain the situation (i.e. that the comment was referring to a suggestion made by a third country) and to ask him if, in the light of the given explanations, he wishes to maintain his confirmatory application or not. On 3 September 2025, the Applicant informed the GSC that he wishes to maintain his confirmatory application.

B. ASSESSMENT OF THE APPLICATION UNDER REGULATION (EC) NO 1049/2001

5. The Council has carefully considered this confirmatory application. It has re-assessed, in full consideration of the principle of transparency underlying Regulation (EC) No 1049/2001 whether public access can be provided to the requested document in full.
6. Having thoroughly examined the content of the previously redacted passage of the document concerned by the request, the Council has come to the conclusion that this passage could be made public.

C. CONCLUSION

7. The Council decides that document WK 9327/2025 INIT can be fully disclosed.
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