



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 7 December 2009

17208/09

**INF 311
API 146
JUR 532
POLARM 30**

COVER NOTE

from :	General Secretariat of the Council
to :	Working Party on Information
Subject :	Public access to documents
	- Confirmatory application No 32/c/01/09

Delegations will find attached:

- a request for access to documents sent to the General Secretariat of the Council on 14 May 2009 and registered on the same day (Annex 1);
- a prolongation letter from the General Secretariat of the Council concerning the applicant's initial request dated 9 June 2009 (Annex 2);
- a reply from the General Secretariat of the Council dated 14 July 2009 (Annex 3);
- a reply from the General Secretariat of the Council dated 8 September 2009 (Annex 4);
- a reply from the General Secretariat of the Council dated 28 October 2009 (Annex 5);
- a reply from the General Secretariat of the Council dated 23 November 2009 (Annex 6);
- a confirmatory application dated 1 December 2009 and registered on the same day (Annex 7).

[E-mail message sent on 14.05.2009 - 11:38]

This e-mail has been sent to access@consilium.europa.eu using the electronic form available in the Register application

This electronic form has been submitted in EN

Title/Gender:

Family Name:

First Name:

E-Mail:

Occupation:

On behalf of:

Address:

Telephone:

Mobilephone:

Fax:

Requested document(s):

Ladies and Gentlemen,

I hereby request the release/publication of documents drawn up in relation to the Council Working Party on European Arms Policy (POLARM) since its establishment on 26 July 1995 and bearing inter alia the classification "POLARM" (POLARM 1, 2, 3 etc. – the numbering obviously starts again each year), insofar as these documents are not yet accessible via the general document register (together with 8305/96 [POLARM 10 in 1996] and 12060/96 [POLARM 14 in 1996], which you have kindly sent me already). As far as I can judge, this applies in any case to all documents produced before 1999.

Many thanks

Yours faithfully

1st preferred linguistic version: DE - German

2nd preferred linguistic version: EN - English

[Prolongation letter from the General Secretariat of the Council concerning the applicant's initial request]



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 9 June 2009

GENERAL SECRETARIAT

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09/1050-6.3-jd

Dear _____,

Your request of 14 May 2009 for access to documents has been registered by the "Access to Documents" unit. Thank you for your interest.

Your request will be examined by the General Secretariat on the basis of Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (Official Journal 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 2006/683/EC, Euratom, Official Journal L 285, 16.10.2006. p. 47).

The General Secretariat will make every effort to process your request as quickly as possible. We wish, however, to draw your attention to Article 6(3) of the above Regulation, which provides that "In the event of an application relating to a very long document or to a very large number of documents, the institution concerned may confer with the applicant informally, with a view to finding a fair solution."

In view of the very large number of documents covered by your application, the General Secretariat is unable to process your request within the time-limit laid down in Article 7(1) and (3) of Regulation No 1049/2001. Under these circumstances, we hope that you will be able to accept that your request will be processed as quickly as possible.

Yours sincerely,

For the General Secretariat

Ramón Jiménez Fraile



**COUNCIL OF
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Brussels, 14 July 2009

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09/1050-jh/ank

Dear ,

Your request of 14 May 2009 for access to documents related to the European Arms Policy bearing subcode POLARM has been registered by the "Access to Documents" unit. Thank you for your interest.

The General Secretariat of the Council has examined your request on the basis of Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (Official Journal 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 2006/683/EC, Euratom, Official Journal L 285, 16.10.2006, p. 47). On 9 June 2009 the time-limit for replying to your application was extended pursuant to Article 6 (3) of the above Regulation.

Having examined the request, the General Secretariat has come to the following conclusion:

The General Secretariat has identified the following documents that cover your request:

1. ST 10374 1995 INIT	35. ST 14447 2002 INIT	69. ST 14886 2004 INIT
2. ST 4655 1996 INIT	36. ST 15261 2002 INIT	70. ST 14987 2004 INIT
3. ST 4985 1996 INIT	37. ST 15368 2002 INIT	71. ST 8971 2005 INIT
4. ST 8305 1996 INIT	38. ST 15754 2002 INIT	72. ST 8971 2005 REV1
5. ST 8191 1996 INIT	39. ST 5582 2003 INIT	73. ST 8971 2005 REV2
6. ST 12060 1996 INIT	40. ST 6833 2003 INIT	74. ST 14144 2005 INIT
7. ST 12061 1996 INIT	41. ST 9526 2003 INIT	75. ST 14457 2005 INIT
8. ST 7103 1997 INIT	42. ST 12267 2003 INIT	76. ST 14627 2005 INIT
9. ST 7667 1997 INIT	43. ST 13518 2003 INIT	77. ST 14684 2006 INIT
10. ST 8062 1997 INIT	44. ST 13998 2003 INIT	78. ST 14786 2006 INIT
11. ST 8983 1997 INIT	45. ST 14727 2003 INIT	79. ST 14788 2006 INIT
12. ST 10032 1997 INIT	46. ST 14741 2003 INIT	80. ST 14787 2006 INIT

13. ST 11094 1997 INIT	47. ST 14847 2003 INIT	81. ST 15005 2006 INIT
14. ST 12653 1997 INIT	48. ST 14820 2003 INIT	82. ST 15054 2006 INIT
15. ST 13209 1997 INIT	49. ST 14688 2003 INIT	83. ST 9305 2007 INIT
16. ST 5460 1998 INIT	50. ST 14743 2003 INIT	84. ST 14379 2007 INIT
17. ST 6726 1998 INIT	51. ST 8014 2004 INIT	85. ST 15085 2007 INIT
18. ST 8421 1998 INIT	52. ST 8575 2004 INIT	86. ST 15092 2007 INIT
19. ST 9232 1998 INIT	53. ST 8576 2004 INIT	87. ST 15270 2007 INIT
20. ST 9647 1998 INIT	54. ST 8578 2004 INIT	88. ST 9304 2008 INIT
21. ST 11199 1998 INIT	55. ST 8912 2004 INIT	89. ST 9304 2008 REV1
22. ST 12126 1998 INIT	56. ST 9124 2004 INIT	90. ST 9378 2008 INIT
23. ST 13146 1998 INIT	57. ST 9191 2004 INIT	91. ST 10178 2008 INIT
24. ST 7287 1999 INIT	58. ST 9266 2004 INIT	92. ST 10947 2008 INIT
25. ST 8631 1999 INIT	59. ST 9734 2004 INIT	93. ST 10947 2008 REV1
26. ST 10263 1999 INIT	60. ST 10152 2004 INIT	94. ST 13186 2008 INIT
27. ST 5630 2001 INIT	61. ST 10336 2004 INIT	95. ST 13616 2008 INIT
28. ST 6865 2001 INIT	62. ST 10930 2004 INIT	96. ST 14347 2008 INIT
29. ST 13989 2001 REV1	63. ST 11246 2004 INIT	97. ST 14875 2008 INIT
30. ST 10844 2002 INIT	64. ST 11616 2004 INIT	98. ST 15043 2008 INIT
31. ST 10863 2002 INIT	65. ST 12055 2004 INIT	99. ST 15133 2008 INIT
32. ST 11718 2002 INIT	66. ST 12055 2004 COR1	100. ST 15780 2008 INIT
33. ST 12337 2002 INIT	67. ST 12822 2004 INIT	101. ST 15665 2008 INIT
34. ST 12198 2002 INIT	68. ST 14818 2004 INIT	102. ST 15780 2008 REV1
		103. ST 9578 2009 INIT

Due to the large number of the documents covered by your application the reply to your request will be sent to you gradually. Herewith you will find the decision concerning the first part of the request.

You may have access to the following documents:

4. ST 8305 1996 INIT	48. ST 14820 2003 INIT	68. ST 14818 2004 INIT
5. ST 8191 1996 INIT	49. ST 14688 2003 INIT	69. ST 14886 2004 INIT
6. 12060 1996 INIT	50. ST 14743 2003 INIT	70. ST 14987 2004 INIT
7. 12061 1996 INIT	51. ST 8014 2004 INIT	71. ST 8971 2005 INIT
20. ST 9647 1998 INIT	52. ST 8575 2004 INIT	72. ST 8971 2005 REV1
24. ST 7287 1999 INIT	53. ST 8576 2004 INIT	73. ST 8971 2005 REV2
25. ST 8631 1999 INIT	54. ST 8578 2004 INIT	74. ST 14144 2005 INIT
26. ST 10263 1999 INIT	55. ST 8912 2004 INIT	75. ST 14457 2005 INIT
27. ST 5630 2001 INIT	56. ST 9124 2004 INIT	76. ST 14627 2005 INIT
28. ST 6865 2001 INIT	57. ST 9191 2004 INIT	77. ST 14684 2006 INIT
29. ST 13989 2001 REV1	58. ST 9266 2004 INIT	78. ST 14786 2006 INIT
34. ST 12198 2002 INIT	59. ST 9734 2004 INIT	79. ST 14788 2006 INIT
35. ST 14447 2002 INIT	60. ST 10152 2004 INIT	80. ST 14787 2006 INIT
38. ST 15754 2002 INIT	61. ST 10336 2004 INIT	81. ST 15005 2006 INIT
39. ST 5582 2003 INIT	62. ST 10930 2004 INIT	82. ST 15054 2006 INIT
40. ST 6833 2003 INIT	63. ST 11246 2004 INIT	83. ST 9305 2007 INIT
42. ST 12267 2003 INIT	64. ST 11616 2004 INIT	85. ST 15085 2007 INIT
43. ST 13518 2003 INIT	65. ST 12055 2004 INIT	86. ST 15092 2007 INIT
44. ST 13998 2003 INIT	66. ST 12055 2004 COR1	87. ST 15270 2007 INIT
45. ST 14727 2003 INIT	67. ST 12822 2004 INIT	99. ST 15133 2008 INIT
46. ST 14741 2003 INIT		
47. ST 14847 2003 INIT		

Documents **9304/1/08 REV 1** and **10178/08** contain opinions of the Legal Service of the Council concerning a Proposal for a Directive of the European Parliament and of the Council on simplifying terms and conditions of transfers of defence-related products within the Community. The requested documents contain legal advice, except for paragraphs 1, 2, 11 and 41 in doc. 9304/1/08 REV 1 and except for paragraphs 1 and 2 in doc. 10178/08.

The legal advice contained in document 9304/1/08 REV 1 is of a particularly sensitive nature, since it analyses sensitive questions relating to the transfer of defence-related products between the Member States. In view of the particular nature of the issues examined by the Legal Service in the requested document, the General Secretariat considers that the legal advice contained therein is particularly sensitive. In addition, the legal advice contained in the document is particularly wide in scope, since it examines the limits of the powers of the Community legislator under Articles 30, 95 and 296 EC to adopt measures such as those proposed by the Commission.

The legal advice contained in document 10178/08 is of a particularly sensitive nature, since it analyses sensitive questions on the impact of the adoption of the proposed Directive on external Community competences. In addition, the legal advice contained in the document is particularly wide in scope, since it examines the limits of the powers of the Community legislator under Article 133 EC Treaty to adopt measures such as those proposed by the Commission, and, in addition, the delimitation between EU and EC competences.

Were the documents be released to the public, there is a risk that the legal advice would be taken out of its specific context and be applied in other areas where the question of the scope of the above Articles of the Treaty is raised.

In the light of the above, divulgation of the legal advice contained in the documents would undermine the protection of legal advice, since it would make known to the public an internal opinion of the Legal Service, intended for the members of the Council. The possibility that the legal advice in question be disclosed to the public, may lead the Council to display caution when requesting written opinions from its Legal Service, since it could find itself in a situation where it would need to defend the decision it has taken against a - potentially critical - advice given by its Legal Service. Moreover, the Legal Service could come under external pressure which could affect the way in which legal opinions are drafted and hence prejudice the possibility of the Legal Service to express its views free from external influences. Disclosure of the legal advice would also affect the ability of the Legal Service to effectively defend the decision taken by the Council before the Community courts.

Taking into consideration the sensitivity of the dossier, the General Secretariat is unable to grant you full access to these documents, since the disclosure of the documents would prejudice the protection of legal advice under Article 4(2) second indent of Regulation 1049/2001. As regards the existence of an overriding public interest in disclosure, the General Secretariat considers that, on balance, the principle of transparency which underlies the Regulation would not, in the present case, prevail over the above public interest so as to justify disclosure of the documents.

However, pursuant to Article 4(6) of the Regulation, you may have access to paragraph 1, the first sentence of paragraph 2, paragraph 3, 11, 13-24, 41 and paragraphs 1-7 of the Annex of the document 9304/1/08 REV 1 and paragraphs 1, 2, and to the Annex of the document 10178/08, which are not covered by any of the exceptions under the Regulation.

According to Article 7(2) of the Regulation, you may submit a confirmatory application requesting the Council to reconsider this position, within 15 working days of receiving this reply ¹.

Yours sincerely,

For the General Secretariat

Ramón Jiménez Fraile

Enclosures

¹ Should you decide to do so, then please indicate whether you permit the Council to make your confirmatory application fully public in the Council's Register of documents. If you do not reply or reply in the negative, then your application will be dealt with confidentially. Your reply will in no way prejudice your rights under Regulation (EC) No 1049/2001.



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 8 September 2009

GENERAL SECRETARIAT

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09/1050-ADD-jh/ank

Dear ,

With reference to our letter of 14 July 2009 we would like to inform you that the General Secretariat of the Council has examined the second part of the documents that cover your request on the basis of Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (Official Journal 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 2006/683/EC, Euratom, Official Journal L 285, 16.10.2006, p. 47) and has come to the following conclusion:

You may have access to document **8062/97**.

The documents **10374/95**, **4655/96**, **7103/97**, **7667/97** and **8983/97** are Outcomes of Proceedings of the ad hoc Working Party on European Armaments Policy held in 1995, 1996 and 1997.

The documents: **11094/97**, **12653/97**, **5460/98**, **6726/98**, **8421/98**, **9232/98**, **11199/98**, **12126/98**, and **13146/98** are Outcomes of Proceedings of the ad hoc Working Party on European Arms Policy held in 1997 and 1998.

Document **10032/97** is an Outcome of Proceedings of the Working Party on Economic Questions held on 28 April 1997.

Document **9526/03** is an Outcome of Proceedings of the Working Party on European Arms Policy held on 19 May 2003.

The documents contain detailed opinions and positions expressed by delegations on sensitive questions. The General Secretariat considers that protection of the institution's decision-making process outweighs possible public interest in disclosure of that information. In the framework of preliminary discussions and negotiations within the Council's preparatory bodies, it is essential that delegations are able to express their views freely so that the Council can find compromise solutions and achieve progress on delicate questions.

Disclosure of those parts of the documents which allow identification of the delegations that have adopted positions on the subject under discussion would jeopardise this process, since it could seriously narrow delegations' room for manoeuvre to review their positions in the light of arguments put forward during discussion. The General Secretariat is of the opinion that disclosure of these parts of the documents could seriously undermine the Council's decision making process. Accordingly, pursuant to Article 4(3), second subparagraph of the Regulation (protection of the Council's decision-making process), the General Secretariat is unable to grant you access to those parts of the documents.

However, you may have access to those parts of the documents that are not covered by this exception to the principle of transparency, as provided for in Article 4(6) of the Regulation.

Please note that documents 11094/97 and 9526/03 do not exist in German. Therefore you will be given an English version of these documents.

According to Article 7(2) of the Regulation, you may submit a confirmatory application requesting the Council to reconsider this position, within 15 working days of receiving this reply ¹.

Yours sincerely,

For the General Secretariat

Ramón Jiménez Fraile

Enclosures

¹ Should you decide to do so, then please indicate whether you permit the Council to make your confirmatory application fully public in the Council's Register of documents. If you do not reply or reply in the negative, then your application will be dealt with confidentially. Your reply will in no way prejudice your rights under Regulation (EC) No 1049/2001.



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 28 October 2009

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09/1050-ADD1-jh/ank

Dear ,

With reference to our letter of 8 September 2009 we would like to inform you that the General Secretariat of the Council has examined the third part of the documents that cover your request on the basis of Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (Official Journal 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 2006/683/EC, Euratom, Official Journal L 285, 16.10.2006, p. 47) and has come to the following conclusion:

You may have access to documents: **4985/96, 13209/97, 8192/96, 10844/02, 10863/02, 11718/02, 15261/02, 15368/02, 13186/08, 15665/08, 15780/08 and 15780/1/08 REV 1**. Documents 11718/02, 12337/02, 15261/02, 15665/08 and 15780/08 + REV 1 exist only in English.

The documents **9378/08, 15043/08, 9578/09 and 9458/1/95 REV 1** were already sent to you on 15 September 2009 and 16 September 2009 respectively (request no. 09/1672 and 09/1741)

Partial access to document **14875/08** was given you already on 4 February 2009 (ref no. 08/2234). The General Secretariat maintains its position concerning this document.

Document **14379/07 INIT** should be considered null and void. You will find attached a relevant Corrigendum.

Document **11056/96** was cancelled.

Document **9304/08** contains opinion of the Legal Service of the Council concerning a Proposal for a Directive of the European Parliament and of the Council on simplifying terms and conditions of transfers of defence-related products within the Community. The requested documents contain legal advice, except for paragraphs 1, 2, 11 and 41. The legal advice contained in this document is of a particularly sensitive nature, since it analyses sensitive questions relating to the transfer of defence-related products between the Member States. In view of the particular nature of the issues examined by the Legal Service in the requested document, the General Secretariat considers that the legal advice contained therein is particularly sensitive in nature. In addition, the legal advice contained in the document is particularly wide in scope, since it examines the limits of the powers of the Community legislator under Articles 30, 95 and 296 EC to adopt measures such as those proposed by the Commission.

Were the document be released to the public, there is a risk that the legal advice would be taken out of its specific context and be applied in other areas where the question of the scope of the above Articles of the Treaty is raised.

In the light of the above, divulgation of the legal advice contained in the document would undermine the protection of legal advice, since it would make known to the public an internal opinion of the Legal Service, intended for the members of the Council. The possibility that the legal advice in question be disclosed to the public, may lead the Council to display caution when requesting written opinions from its Legal Service, since it could find itself in a situation where it would need to defend the decision it has taken against a - potentially critical - advice given by its Legal Service. Moreover, the Legal Service could come under external pressure which could affect the way in which legal opinions are drafted and hence prejudice the possibility of the Legal Service to express its views free from external influences. Disclosure of the legal advice would also affect the ability of the Legal Service to effectively defend the decision taken by the Council before the Community courts.

Taking into consideration the sensitivity of the dossier, the General Secretariat is unable to grant you full access to this document, since the disclosure of the document would prejudice the protection of legal advice under Article 4(2) second indent of Regulation 1049/2001. As regards the existence of an overriding public interest in disclosure, the General Secretariat considers that, on balance, the principle of transparency which underlies the Regulation would not, in the present case, prevail over the above public interest so as to justify disclosure of the document.

However, pursuant to Article 4(6) of the Regulation, you may have access to paragraph 1, the first sentence of paragraph 2, paragraph 3, 11, 13-24, 41 which are not covered by any of the exceptions under the Regulation. Since the document does not exist in German you will receive an English version.

Documents **10947/08** and **10947/1/08 REV 1** are Outcomes of Proceedings on *the Proposal for a Directive of the European Parliament and of the Council on simplifying terms and conditions of transfers of defence-related products within the Community*.

They contain discussions of the Working Party. You may have access to the content of the document, excluding those parts which allow the identification of the delegations having expressed opinions. As there is no evidence suggesting an overriding public interest to warrant disclosure of the parts in question, the General Secretariat has concluded that protection of the decision making process outweighs the public interest in disclosure. Accordingly, pursuant to Article 4(3), second subparagraph, of the Regulation (protection of the Council's decision-making process), the General Secretariat is unable to grant access to the parts in question.

According to Article 7(2) of the Regulation, you may submit a confirmatory application requesting the Council to reconsider this position, within 15 working days of receiving this reply ¹.

Yours sincerely,

For the General Secretariat

Ramón Jiménez Fraile

Enclosures

¹ Should you decide to do so, then please indicate whether you permit the Council to make your confirmatory application fully public in the Council's Register of documents. If you do not reply or reply in the negative, then your application will be dealt with confidentially. Your reply will in no way prejudice your rights under Regulation (EC) No 1049/2001.



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 23 November 2009

GENERAL SECRETARIAT

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Dear ,

With reference to our letter of 29 October 2009 we would like to inform you that the General Secretariat of the Council has examined the last part of the documents that cover your request on the basis of Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (Official Journal 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 2006/683/EC, Euratom, Official Journal L 285, 16.10.2006, p. 47) and has come to the following conclusion:

You may have access to document **13616/08 and 14347/08**.

The documents **11625/95, 5211/96, 6033/96, 6640/96, 7703/96, 7935/96, 9337/96 and 10514/96** are Outcomes of Proceedings of the ad hoc Working Party on European Armaments Policy held in 1995 and 1996.

The documents contain detailed opinions and positions expressed by delegations on sensitive questions. The General Secretariat considers that protection of the institution's decision-making process outweighs possible public interest in disclosure of that information. In the framework of preliminary discussions and negotiations within the Council's preparatory bodies, it is essential that delegations are able to express their views freely so that the Council can find compromise solutions and achieve progress on delicate questions.

Disclosure of those parts of the documents which allow identification of the delegations that have adopted positions on the subject under discussion would jeopardise this process, since it could seriously narrow delegations' room for manoeuvre to review their positions in the light of arguments put forward during discussion. The General Secretariat is of the

opinion that disclosure of these parts of the documents could seriously undermine the Council's decision making process. Accordingly, pursuant to Article 4(3), second subparagraph of the Regulation (protection of the Council's decision-making process), the General Secretariat is unable to grant you access to those parts of the documents.

However, you may have access to those parts of the documents that are not covered by this exception to the principle of transparency, as provided for in Article 4(6) of the Regulation.

According to Article 7(2) of the Regulation, you may submit a confirmatory application requesting the Council to reconsider this position, within 15 working days of receiving this reply ¹.

Yours sincerely,

For the General Secretariat

Ramón Jiménez Fraile

Enclosures

¹ Should you decide to do so, then please indicate whether you permit the Council to make your confirmatory application fully public in the Council's Register of documents. If you do not reply or reply in the negative, then your application will be dealt with confidentially. Your reply will in no way prejudice your rights under Regulation (EC) No 1049/2001.

[Confirmatory application sent by e-mail on 1 December 2009 - 13:00]

Ladies and Gentlemen,

I hereby submit a confirmatory application under Art. 7(2) of Reg. No 1049/2001 for reconsideration in respect of some of the documents to which I was given only partial access under the procedure referred to (09/1050). As I am in principle more than willing to go along with the considerations you put forward as grounds for deleting the passages or pages concerned (protection of the decision-making process), I will confine my application for a review to the following aspects:

- Where the deleted sections contain positions/arguments of Union institutions (in particular the Commission of the European Communities and the Council Presidency), I request that the relevant passages be disclosed.
- As regards certain Member States' positions I would ask you to consider whether deletion of the references to the countries concerned would not be sufficient to meet the anonymity requirement. Deletion of the country name while allowing the arguments presented to stand is, moreover, in line with recent practice regarding the release of Council documents (as for instance in the case of documents relating to interinstitutional file 2007/0280/COD or certain of the documents to which I was given only partial access, such as 4655/96). I would ask you to bear in mind here that my interest is in arms procurement matters (and related aspects, such as security of supply). I would therefore ask you to give special attention to this aspect when reconsidering your position (cf. e.g. the complete deletion of passages on procurement policy on pp. 3 et seq. of 6033/96; see also 6640/96, p. 3; 9337/96, p. 4 et seq.; 7103/97, p. 2 et seq.; 7667/97, p. 1 et seq.; 6726/98, p. 2 et seq. and 9232/98, p. 1 et seq.).
- Finally, I would ask that where deletions are unavoidable they be made in such a way that the page sequence is not overly distorted and the page references of passages still accessible in the partly published document correspond to those in the original. For example, the deletions on pages 3 and 4 of 4655/96 seem to me to have resulted in a radical change in the page numbering, to the extent that the page references on pages 5 et seq. of the document no longer correspond to those in the original document. The same goes, as I see it, for e.g. 10032/97, pp. 1 et seq.

In reconsidering my request for access to the following documents I would ask you to take account of the above points and of the fact that, in contrast to the documents listed below, virtually all POLARM documents since 1999 have been made available in their entirety:

1995

POLARM 2: 10374/95 (4.10.1995)
POLARM 3: 11625/95 (13.11.1995)

1996

POLARM 1: 4655/96 (30.1.1996)
POLARM 3: 5211/96 (21.2.1996)
POLARM 4: 6033/96 (20.3.1996)
POLARM 5: 6640/96 (19.4.1996)
POLARM 6: 7703/96 (28.5.1996)

POLARM 7: 7935/96 (4.6.1996)
POLARM 11: 9337/96 (22.7.1996)
POLARM 12: 10514/96 (8.10.1996)

1997

POLARM 1: 7103/97 (3.4.1997)
POLARM 2: 7667/97 (24.4.1997)
POLARM 5: 10032/97 (18.7.1997)
POLARM 6: 11094/97 (3.10.1997)
POLARM 7: 12653/97 (24.11.1997)

1998

POLARM 1: 5460/98 (22.1.1998)
POLARM 2: 6726/98 (10.3.1998)
POLARM 3: 8421/98 (12.5.1998)
POLARM 4: 9232/98 (4.6.1998)
POLARM 6: 11199/98 (16.9.1998)
POLARM 7: 12126/98 (16.10.1998)
POLARM X: 13146/98 (18.11.1998)

I crave your indulgence for my request (it is in connection with historical research for a legal doctoral thesis on approaches to arms procurement regulation under the European Union umbrella), and would ask you to excuse any additional administrative effort that this confirmatory application might entail.

Yours faithfully
