

Brussels, 5 January 2026  
(OR. en)

5020/26

API 1  
INF 1

**NOTE**

---

From: General Secretariat of the Council  
To: Delegations  
Subject: Public access to documents - Confirmatory Application - 01/c/01/26

---

Delegations will find attached:

- the request for access to documents sent to the General Secretariat of the Council on 13 November 2025 and registered on the same day (Annex 1);
- the reply from the General Secretariat of the Council dated 4 December 2025 (Annex 2);
- the confirmatory application dated 29 December 2025 and registered on 5 January 2026 (Annex 3).

**From:** document-request@cis.consilium.europa.eu <document-request@cis.consilium.europa.eu>  
**Sent:** Thursday, November 13, 2025 11:55 AM  
**To:** TRANSPARENCY Access to documents (COMM) <Access@consilium.europa.eu>  
**Subject:** Consilium - Electronic Request for Access to documents [ENGLISH]

This e-mail has been sent to [access@consilium.europa.eu](mailto:access@consilium.europa.eu) using the electronic form available in the Register application.

This electronic form has been submitted in ENGLISH.

**Title**

**DELETED**

**First name**

**DELETED**

**Family name**

**DELETED**

**E-mail**

**DELETED**

**Occupation**

**DELETED**

I submit this request on my own behalf.

**Name of the organisation**

**Full postal address**

**Telephone**

**Requested document(s)**

To the Council of the European Union.

On 20 May 2025 the Council adopted

(i) Council Decision (CFSP) 2025/963 of 20 May 2025 amending Decision (CFSP) 2024/2643 concerning restrictive measures in view of Russia's destabilising activities, article 2(1)(a)(i); and

(ii) Council Regulation (EU) 2025/964 of 20 May 2025 amending Regulation (EU) 2024/2642 concerning restrictive measures in view of Russia's destabilizing activities, article 3(1)(a)(i) (together, the "Acts of 20 May 2025").

By the Acts of 20 May 2025, a number of significant amendments were made to the wording of the listing criteria contained in Article 1(1) of Decision (CFSP) 2024/2643 and Article 2(3) of Regulation (EU) 2024/2642, including listing criterion (a).

I hereby respectfully request, under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, any and all information (including, in particular, the proposal for their adoption (including any non-papers or discussions papers), meeting agendas concerning discussion relating to them, working documents containing evidence justifying their adoption) underlying or connected to the amendment of the listing criteria through the Acts of 20 May 2025.

Yours faithfully,

**DELETED**

**1st option**

EN

**2nd option**

FR



**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, 4 December 2025

**DELETED**

Email: **DELETED**

Ref. 25/3447

Request made on: 13.11.2025

Dear **DELETED**,

Thank you for your request for access to documents of the Council of the European Union.<sup>1</sup>

We have identified documents 8426/1/25 REV 1, 8426/25 ADD 1 REV 1, 8424/1/25 REV 1, 8427/1/25 REV 1 ADD 1, 8427/1/25 REV 1, 8427/25 ADD 1, 8427/25, 8426/25, 8424/25, 8426/2025 ADD 1, 8425/25, 8425/25 ADD 1, 8423/25, WK 5933/2025 INIT and WK 5931/2025 INIT as well as the evidence packs listed below as relevant to your request.

Please find attached documents **8424/1/25 REV 1, 8426/1/25 REV 1, 8426/25 ADD 1 REV 1** and **8427/1/25 REV 1**.

However, I regret to inform you that access to documents **8427/1/25 REV 1 ADD 1, 8427/25 ADD 1, 8427/25, 8426/25, 8424/25, 8426/2025 ADD 1, 8425/25, 8425/25 ADD 1, 8423/25, WK 5931/2025 INIT** and **WK 5933/2025 INIT** cannot be given for the following reasons:

---

<sup>1</sup> 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).

These are preparatory documents containing information on internal discussions regarding the legal acts concerned, release of which would weaken the international position of the European Union and thus the effectiveness of the adopted restrictive measures. Disclosure of this part would therefore undermine the protection of the public interest as regards international relations and public security.<sup>2</sup> As a consequence, the General Secretariat has to refuse access to this information.

The **evidence packs listed below** – which concern the preparation of the same legal acts – cannot be released either for the same reason, but additionally for the following:

These documents contain evidence on natural persons or legal entities against whom restrictive measures were considered. Public disclosure of the selection and presentation of the evidence would affect the integrity and rights of defence of the persons and entities concerned. It would therefore undermine the protection of the privacy and the integrity of the identified individuals and of commercial interests. As a consequence, the General Secretariat has to refuse access to the documents for this reason as well.<sup>3</sup>

We have also looked into the possibility of releasing parts of the documents.<sup>4</sup> However, as the information contained in each of the documents forms an inseparable whole, the General Secretariat is also unable to give partial access to them.

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: 4

---

<sup>2</sup> Article 4(1)(a), first and third indent, of Regulation (EC) No 1049/2001.

<sup>3</sup> Article Article 4(1)(b) and – in the absence of any indication of an overriding public interest in release – also Article 4(2), first indent, of Regulation (EC) No 1049/2001.

<sup>4</sup> Article 4(6) of Regulation (EC) No 1049/2001.

Evidence packs covered by the request:

LIMITE:

WK 6194/2025 INIT  
WK 6193/2025 INIT  
WK 6189/2025 INIT  
WK 6188/2025 INIT  
WK 6186/2025 INIT  
WK 6184/2025 INIT  
WK 6041/2025 INIT  
WK 6040/2025 INIT  
WK 6038/2025 INIT  
WK 6037/2025 INIT  
WK 6036/2025 INIT  
WK 6034/2025 INIT  
WK 6032/2025 INIT  
WK 6029/2025 INIT  
WK 6028/2025 INIT  
WK 6039/2025 REV 1  
WK 9933/2025 INIT  
WK 9932/2025 INIT  
WK 9930/2025 INIT  
WK 9695/2025 INIT  
WK 9694/2025 INIT  
WK 9692/2025 INIT  
WK 9691/2025 INIT  
WK 9689/2025 INIT  
WK 9687/2025 INIT  
WK 9684/2025 INIT  
WK 9680/2025 INIT  
WK 9677/2025 INIT  
WK 9662/2025 INIT  
WK 9661/2025 INIT  
WK 9660/2025 INIT  
WK 9659/2025 INIT  
WK 9657/2025 INIT  
WK 9656/2025 INIT  
WK 8709/2025 INIT  
WK 8708/2025 INIT  
WK 6039/2025 INIT  
WK 8209/2025 INIT  
WK 6891/2025 INIT  
WK 6048/2025 ADD 1  
WK 6044/2025 ADD 1  
WK 6042/2025 ADD 1  
WK 6049/2025 INIT  
WK 6048/2025 INIT

WK 6046/2025 INIT  
WK 6045/2025 INIT  
WK 6044/2025 INIT  
WK 6042/2025 INIT  
WK 6033/2025 INIT  
WK 6031/2025 INIT

EU RESTRICTED:

WK 6734/2025 INIT  
WK 6733/2025 INIT  
WK 6731/2025 INIT

**From:** **DELETED**

**Sent:** Monday, December 29, 2025 12:34 PM

**To:** TRANSPARENCY Access to documents (COMM) <Access@consilium.europa.eu>; **DELETED**

**Cc:** **DELETED**

**Subject:** RE: Ref. 25/3447 - Ares(2025)10703499

Dear Sir, Madam,

Please find attached the confirmatory application concerning Ref. 25/3447, initially submitted on 13 November 2025, in accordance with Article 7(2) of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents.

I would appreciate confirmation of receipt of this confirmatory application at your earliest convenience.

Yours sincerely,

**DELETED**

Council of the European Union  
General Secretariat RELEX.1  
Rue de la Loi 175  
1048 Bruxelles  
BELGIQUE

By e-mail: [sanctions@consilium.europa.eu](mailto:sanctions@consilium.europa.eu)

Brussels, 29 December 2025

**Subject: Confirmatory application in public access request Ref. 25/3447**

Dear Madam, Sir,

Pursuant to Article 7(2) of Regulation (EC) No 1049/2001, I request the Council to review its decision of 4 December 2025 in ref. 25/3447, originally made on 13 November 2025. In addition to reviewing your decision generally to the extent that you decline to give public access, I would request that you consider the following matters:

1.1 Documents 8423/25 and 8425/25 + ADD1 are, respectively, a proposal for a Council Decision, and a proposal for a Council Regulation, submitted on 2 May 2025 by the High Representative to the Council, as is apparent from paragraph 6 of document 8427/1/25 REV 1, to which you have provided access. These documents are referred to in the citations of the legal acts subsequently adopted, and in fact required by their legal basis (cf. expressly Art 215(1) TFEU for the Regulation).

1.2 It appears likely that a number of the other documents identified by you as relevant likewise fall into the category of "legislative documents" within the meaning of Article 12(2) of Regulation (EC) No 1049/2001, that is to say, "documents drawn up or received in the course of procedures for the adoption of acts which are legally binding in or for the Member States". In accordance with Recital (6) and Articles 2(4) and 12 of Regulation (EC) No 1049/2001, wider access should be granted to such documents, which should be made directly accessible to the greatest possible extent.

1.3 Indeed, in the absence of public access to these documents, the possibility of assessing the legality of the adoption of the legal acts ultimately adopted is curtailed - undermining transparency and openness of the decision-making procedures generally in the eyes of members of the public, as well as any assessment of whether judicial review proceedings would have prospects of success.

1.4 It is moreover not apparent why access to these documents could not at least be given in redacted form.

1.5 In addition, in the absence of any details regarding the nature and content of the documents which you have identified as relevant while at the same time refusing access thereto, it is impossible to make any more detailed observations and for me to properly exercise my right of access. In relation to documents 8427/1/25 REV 1 ADD 1, 8427/25ADD 1, 8427/25, 8426/25, 8424/25, 8426/2025 ADD 1, 8425/25, 8425/25 ADD 1, 8423/25, WK5931/2025 INIT and WK 5933/2025 INIT you merely provide the reference number and a generic mention that these are “preparatory documents”. This information falls well short of the details provided for in Article 11(2) of Regulation (EC) No 1049/2001, which requires “the subject matter and/or a short description of the content of the document and the date on which it was received or drawn up” to be identified. An indication of the number of pages would also be helpful to guide any requests for access to avoid making unnecessarily onerous requests.

1.6 As regards the nature of the documents, it would in particular be relevant to know whether any of the documents contained impact assessments or input from specific Member States.

1.7 Finally, to the extent that some of the documents appear to be revisions of, or addenda to, documents to which you have provided access (e.g. "8427/1/25 REV 1 ADD 1" where access was denied while access to 8427/1/25 REV 1 was granted), it stands to reason that access to those revisions and addenda should also be provided.

Yours sincerely,

**DELETED**