COUNCIL OF THE EUROPEAN UNION

Brussels, 17 July 2000 (25.07)

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NOTE

from:	Presidency
to:	COREPER (Part 2)
Subject :	Procedure for preparing decisions on access to classified documents in accordance with Article 5 of Decision 93/731/EC as amended.

Article 5 of Decision 93/731/EC on public access to Council documents, as amended by the Council with regard to documents concerning security and defence, or military and non-military crisis management, provides that Coreper shall ensure that the necessary measures are taken to ensure that preparation of decisions on access to Council documents is entrusted to persons authorised to inspect the documents in question.

Therefore, the following organisational measures should be taken:

A. Examination of confirmatory applications:

1. Except as stated in the following paragraphs, the Working Party on Information should be responsible for examining confirmatory applications and for preparing the proceedings of Coreper and of the Council on general matters relating to access to documents. Under the instructions of Coreper, it should ensure that the Council's practice with regard to access to documents is consistent.

2. Confirmatory applications relating to Council documents classified as CONFIDENTIAL or RESTRICTED on matters concerning the security and defence of the Union or of one or more Member States, or concerning military or non-military crisis management, should be examined by the working party/committee which either produced the document in question or studied it (i.e., as the case may be, the Interim Political and Security Committee, the Politico-Military Working Party, the Interim Military Committee or the Interim Military Working Party).

3. Delegates examining a confirmatory application within a Council body must be authorised to have access to the document in question.

B. Initial examination by the General Secretariat of applications for access and assistance provided by the General Secretariat in the examination of confirmatory applications by Council bodies:

The General Secretariat should take the necessary measures relating to its internal organisation to ensure that, when an application for access to a classified document is examined, only those staff of the General Secretariat authorised to have access to such documents participate in the examination.