



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, 14 August 2026

Mr. Andre Meister
E-mail: andre@netzpolitik.org

Ref. 26/2506

Request made on: 02.07.2026
Deadline extension: 24.07.2026

Dear Mr. Meister,

Thank you for your request for access to documents of the Council of the European Union.¹

I regret to inform you that access to documents **WK 9138/26** and **WK 9138/26 REV1** which you requested cannot be given for the reasons set out below.

Documents **WK 9138/26** of 22 June 2026 and **WK 9138/26 REV1** of 23 June 2026 are notes from the General Secretariat of the Council to delegations containing the *Framework Agreement between the European Union and the United States of America on the reciprocal exchange of information for security screenings and identity verifications relating to border procedures and applications for visa* - second revised draft text.

The two documents contain sensitive information that would enable to identify the aspects of the EU-US negotiations that garnered clear support, and those for which it was more difficult to find an agreement. Releasing such information to the public could weaken the EU's negotiating position vis-à-vis the United States.

Consequently, the General Secretariat of the Council has to refuse access to these documents with the motivation that public access would undermine the protection of international relations. This assessment is based on Article 4(1)(a), third indent, of Regulation (EC) No 1049/2001 of the

¹ 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).

European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents.

We have also looked into the possibility of releasing parts of the requested documents.² However, as the exception to the right of access applies to the entire content, the General Secretariat is unable to give partial access.

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

² Article 4(6) of Regulation (EC) No 1049/2001.