



**European Council**  
Cabinet of the President

86818/04290

Brussels, 16 -05- 2018

Dear Mr Azmani,

Thank you for your letter of 20 December 2017 to President Tusk, who asked me to reply on his behalf.

First of all, I would like to stress that the President strongly values the important input provided by COSAC, and shares the goal to make the EU more transparent for its citizens, as emphasised in your report.

The European Council is since the Lisbon Treaty established as an institution of the European Union (Article 13, Treaty on European Union,). It works according to the transparency rules as set out in the Lisbon Treaty, as openly and as closely as possible to citizens.

As reflected in its Rules of Procedure, the European Council has decided to apply to its documents the provisions concerning public access to Council documents set out in Annex II to the Rules of Procedure of the Council. As a consequence the European Council currently already applies the provision of Regulation 1049/2001 regarding public access to European Parliament, Council and Commission documents<sup>1</sup> - and all the relevant case law - also in relation to requests for access it receives.

Article 15 of the Treaty on European Union, while stating that the European Council does not exercise legislative functions, contains provisions addressing its President, which has in particular the role of chairing it, ensuring the preparation and continuity of its work and presenting a report to the European Parliament after each of its meetings.

Arrangements for the preparation of the European Council meetings are provided for in Articles 2 and 3 of its Rules of Procedure.

**Mr Malik AZMANI**  
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<sup>1</sup> OJ L 154, 31.5.2001, p. 43.

In keeping with the abovementioned provisions, preparatory documents, and in particular annotated agendas, are publicly available online. Invitation letters by President Tusk to the Members of the European Council ahead of their meetings are also published and made available on the European Council website. European Council meeting conclusions from 2004 onwards are available in the public register.

As for the national parliaments' scrutiny power vis-à-vis individual Members of the European Council, Member States are free to adopt the model which is the most suitable to their constitutional setting and parliamentary traditions.

Finally, I would like to apologise for the late reply. This delay was partly due to the attempts to arrange for a personal meeting with the President, which unfortunately did not materialise in the end given diary constraints on our side.

Yours sincerely,



Paweł GRAŚ  
Senior Political and  
Communications Advisor