



**Council of the European Union**  
General Secretariat

Directorate-General Communication and Information  
Knowledge Management  
Transparency  
*Head of Unit*

Brussels, 6 April 2017

Mr Tony Bunyan  
Email: [statewatch-off@geo2.poptel.org.uk](mailto:statewatch-off@geo2.poptel.org.uk)

Ref. 17/0502-ld/ns

Request made on: 03.03.2017

Dear Mr Bunyan,

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

The General Secretariat of the Council would like to make clear that the Council does not consider the EU-Turkey statement set out in a press release of 18 March 2016 as reflecting an international agreement within the meaning of Article 218 TFEU. The Statement refers to political commitments by Members of the European Council and their Turkish counterpart, and has no legal effects under Union law. It aims mainly at facilitating the actions to be taken by Greece and Turkey under their national law. The General Court's Orders of 28 February 2017 in cases T-192/16, T-193/16 and T-257/16, confirm that the EU-Turkey Statement was not an act of the European Council, nor an act of any other Union institution, body, office or agency of the Union.

The meeting between the EU and Turkey to which the press release that contains the Statement refers, was not a meeting of the European Council, but an informal meeting of representatives of Heads of State or Government of which no minutes are kept.

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<sup>1</sup> The General Secretariat of the Council - acting as secretariat for the European Council pursuant to Article 235(4) of the Treaty on the Functioning of the European Union - 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 of the European Council's Rules of Procedure (European Council Decision No 2009/882/EU, OJ L 315, 2.12.2009, p. 51) set out in Article 10(2) which makes Annex II to the Council's Rules of Procedure (Council Decision No 2009/937/EU, OJ L 325, 11.12.2009, p. 35) applicable *mutatis mutandis*.

Since no documents or e-mails complying to your request exist, I regret that we are not able to send you the requested list .

Yours sincerely,

Fernando PAULINO PEREIRA