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Brussels, 28 August 2008

**Mr Martin Ottmann**

**08/1176-jp/ij  
08/1219-jp/ij**

Dear Mr Ottmann,

Your request of 15 July 2008 has been registered by the "Access to Documents" unit. It concerns the following:

*".... a listing of all written/electronic correspondence between the EU Council and the federal government of the United States of America between September 11th, 2001 and July 14th, 2008 with regards to all aspects of the so-called "extraordinary rendition program", i. e.*

*a) the illegal kidnapping of individuals by federal agencies of the U.S. government on the territory of the European Union,*

*b) the illegal detention by or on behalf of federal agencies of the U.S. government on the territory of the European Union,*

*c) the illegal transportation of so-called "battlefield detainees"/"unlawful combatants" and "terror suspects" by federal agencies of the U.S. government using airspace and airports belonging to the territory of the European Union.*

*The listing should contain the date, the title, the index number, the sender, the addressee and a short description of the contents of each individual document."*

On 23 July 2008 you re-introduced this request, changing the second date in the first paragraph of your message to "July 22nd, 2008".

Thank you for your interest.

The General Secretariat of the Council has examined your requests on the basis of Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (Official Journal 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 2006/683/EC, Euratom, Official Journal L 285, 16.10.2006, p. 47).

On 6 and 13 August 2008, the time-limit for replying to your applications was extended by 15 working days. Having examined the requests, the General Secretariat has come to the conclusion that no such documents can be identified within the General Secretariat of the Council.

Yours sincerely,

For the General Secretariat

Ramón Jiménez Fraile