

Brussels, 26 June 2026
(OR. en)

11072/26

API 141
INF 191

NOTE

From: General Secretariat of the Council
To: Delegations
Subject: Public access to documents - Confirmatory application N° 36/c/02/26-
Information to delegations

Delegations will find attached:

- the requests for access to documents sent to the General Secretariat of the Council on 7 May 2026 and registered on the same day (*Annex 1*);
- the reply from the General Secretariat of the Council dated 23 June 2026 (*Annex 2*);
- the confirmatory application dated 23 June 2026 and registered on 25 June 2026 after reception of the clarification set out below in Annex 4 (*Annex 3*);
- the clarification email sent by the applicant on 25 June 2026 (*Annex 4*).

From: **DELETED**

Sent: Thursday, May 7, 2026 10:44 AM

To: TRANSPARENCY Access to documents (COMM) <Access@consilium.europa.eu>

Subject: access to documents request - Documents of the Ad hoc Working Party on the MFF January-May 2026

Dear Council of the European Union,

Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I am requesting documents which contain the following information:

The following documents that were added in the agenda of the Ad hoc Working Party on the Multiannual Financial Framework (Ahwp Mff):

-20 January 2026 Ahwp Mff meeting: Commission letter of 6 January 2026 on CAP and MFF

-23 January 2026 Ahwp Mff meeting: Commission's presentations on Third country participation, on EU Preference, on IPCEIs and accelerated support

-3 February 2026 Ahwp Mff meeting: Commission's presentations on Interinstitutional Agreement and the Steering Mechanism, on EU Facility, on Instruments over and above the ceilings

-5 February 2026 Ahwp Mff meeting: Commission's presentations on Co-financing – Common Agricultural Policy (CAP), on Degressivity and level playing field – CAP (DABIS and capping), on Agricultural prosperity gap, and the Information by the Presidency and by the Commission on CAP provisions in the Regulation on National and Regional Partnership Plans (NRPP);

-11 February 2026 Ahwp Mff meeting: Commission's presentation on Heading 4 - Administration, and Information by the Presidency on Heading 3 – Global Europe;

-27 February 2026 Ahwp Mff meeting: Commission's presentation on Heading 2 – European Competitiveness Fund, and Information by the Presidency on Presidency questionnaire: analysis of Member States' responses;

-14 April 2026 Ahwp Mff meeting: Commission's presentation on Common Agricultural Policy – Commission's letter of 6 January 2026, and Multiannual Financial Framework 2028-2034: Presidency note on draft Negotiating Box;

-20 April 2026 AHwp Mff meeting: Commission's presentation on Heading 4 - Budgetary savings, additional tasks, redeployments and JL Renovation;

-8 May 2026 Ahwp Mff meeting: Commission's presentation on Single Market in the Multiannual Financial Framework 2028-2034, and European Court of Auditors' presentation on European Court of Auditors opinions on the next MFF.

I also take the opportunity that a similar request of documents for the previous period was already satisfied (see here: **DELETED**) so we expect also this one to be fulfilled.

Yours faithfully,

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From: **DELETED**

Sent: Thursday, May 7, 2026 11:20 AM

To: TRANSPARENCY Access to documents (COMM) <Access@consilium.europa.eu>

Subject: access to documents request - Performance regulation - Council documents

Dear Council of the European Union,

Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I am requesting documents which contain the following information:

-Revised Presidency compromise proposal (Chapters 1 and 2) - doc. 7723/26

-Revised Presidency compromise proposal (Chapters 3 and 4, and ANNEX II) - doc. 8087/26

-Revised Presidency compromise proposal (Chapter 5 and ANNEX V) - doc. 8315/26

-Revised Presidency compromise proposal (Articles 14 and 19) - doc. 8605/2026

-doc. WK 4059/2026

-doc. WK 5315/2026

Yours faithfully,

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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, 23 June 2026

DELETED

E-mail: **DELETED**

Ref. 26/1762 and 26/1764

Request made on: 07.05.2026

Deadline extension: 02.06.2026

Dear **DELETED**,

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

The following documents have been identified as pertaining to your above-mentioned requests:

- WK 847 2026
- WK 1047 2026
- WK 1048 2026
- WK 1045 2026
- WK 1815 2026
- WK 1979 2026
- WK 2234 2026
- WK 6581 2026
- WK 984 2026 INIT + ADD1

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).

- ST 8006/26
- WK 6583 2026
- ST 7723/26
- ST 8087/26
- ST 8315/26
- ST 8605/26
- WK 5315 2026
- WK 4059 2026

Please note that an agenda item in a working party meeting does not necessarily have a document linked to it or being discussed under it.

Documents [WK 984 2026 INIT + ADD1](#), as well as documents [ST 7723/26](#), [ST 8087/26](#), [ST 8315/26](#) and [WK 5315 2026](#) are directly accessible in the [Council's Public Register](#).

Please find attached **ST 8006/26, WK 6583 2026 and ST 8605/26.**

I regret to inform you that access to documents WK 847 2026, WK 1047 2026, WK 1048 2026, WK 1045 2026, WK 1815 2026, WK 1979 2026, WK 2234 2026, WK 6581 2026 and WK 4059 2026 cannot be given for the reasons set out below.

Document WK 847 2026 contains a presentation by the Commission on the NRP Plans / Letter of the President of 6 January on the Common Agricultural Policy - Presentation by the Commission
Document WK 1047 2026 contains a presentation by the Commission on the Support to IPCEIs in next MFF Accelerated and Targeted Actions for Competitiveness. *Document WK 1048 2026* contains a presentation by the Commission on the Association of third countries to Union programmes. *Document WK 1045 2026* contains a presentation by the Commission on Union preference and security. *Document WK 1815 2026* contains a presentation by the Commission on Interinstitutional Agreement, including the Steering mechanism EU Facility, and on Governance Special instruments. *Document WK 1979 2026* contains a presentation by the Commission on Common Agricultural Policy: Co-financing, Degressivity, Prosperity Gap, The CAP in the NRP Plans. *Document WK 2234 2026* contains a presentation by the Commission on Programme support expenditure & administrative expenditure. *Document WK 6581 2026* contains the Commission's presentation on Single Market in the Multiannual Financial Framework 2028-2034. *Document WK 4059 2026* contains Commission fiche no. 45 on the Requirements deriving from the Commission proposal for a Performance Regulation and applying to Member States, including interplay with the Commission proposal for a Regulation on the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security.

The Commission, author of these documents, has been consulted in line with Article 4(4) of Regulation 1049/2001 and considers that access to them should be refused, and this for the reasons that follow.

Having examined the documents requested, the Commission considers that access to these documents should be denied, based on Article 4(3) first subparagraph of Regulation (EC) No 1049/2001 regarding public access to documents. This provides that access to a document, for which disclosure would seriously undermine the institution's decision-making process, can be refused unless an overriding public interest in disclosure exists.

The documents in question have been produced by the Commission services and shared with Parliament and Council in the context of the ongoing interinstitutional decision-making process in relation to the Union's future multiannual financial framework. These documents are particularly sensitive as they concern the future financial framework of the Union. Disclosure of these technical documents, which may contain preliminary views or policy options not formally endorsed by the institutions, could lead to external pressure from interest groups or stakeholders, including those from third countries. Their content risks being misinterpreted or taken out of context, a particular risk given the interconnected nature of the MFF legal instruments. This could in turn undermine the trust between institutions in the context of ongoing negotiations and thereby hamper the efficient conduct of those negotiations.

The exceptions laid down in Article 4(3) of Regulation (EC) No 1049/2001 apply as the public interest in accessing these particular documents does not outweigh the potential harm disclosure could cause to the decision-making process. The institution has mechanisms to ensure transparency and accountability, including release of documents post-decision, allowing for public scrutiny at a stage where such access would not impede effective functioning of the Union's decision-making processes.

Given the potential adverse effects on the ongoing decision-making process, and in the absence of an overriding public interest, access to the requested documents should be denied under Article 4(3) first subparagraph of Regulation (EC) No 1049/2001.

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.

Moreover, the General Secretariat of the Council would like to draw your attention to the fact that for the requested documents originate from the European Commission, you may contact directly this institution with your request, at: [European Commission → Transparency → Access to documents](#) .

Yours sincerely,

Fernando FLORINDO

Enclosures

From: **DELETED**

Sent: Tuesday, June 23, 2026 5:00 PM

To: TRANSPARENCY Access to documents (COMM) <Access@consilium.europa.eu>

Subject: Internal review of access to documents request - Documents of the Ad hoc Working Party on the MFF January-May 2026

Dear Council of the European Union,

Please pass this on to the person who reviews confirmatory applications.

I am filing the following confirmatory application with regards to my access to documents request 'Documents of the Ad hoc Working Party on the MFF January-May 2026'.

The motivation given to withhold the publication of the requested documents is that "they concern the future financial framework of the Union. Disclosure of these technical documents, which may contain preliminary views or policy options not formally endorsed by the institutions, could lead to external pressure from interest groups or stakeholders, including those from third countries. Their content risks being misinterpreted or taken out of context, a particular risk given the interconnected nature of the MFF legal instruments. This could in turn undermine the trust between institutions in the context of ongoing negotiations and thereby hamper the efficient conduct of those negotiations. The exceptions laid down in Article 4(3) of Regulation (EC) No 1049/2001 apply as the public interest in accessing these particular documents does not outweigh the potential harm disclosure could cause to the decision-making process. The institution has mechanisms to ensure transparency and accountability, including release of documents post-decision, allowing for public scrutiny at a stage where such access would not impede effective functioning of the Union's decision-making processes."

Such motivation was used in a previous (and similar) request of mine, where I have detailed the reasons why it does not stand: following that explanation, I received access to all the documents requested (I had already sent in my initial request of mine the link to it, but here it is again:

DELETED). In that sense, in order to have a different outcome than the previous one, it would be needed to be explained more specifically why those specific documents would constitute a 'higher

risk' than those that were released with my previous request, considering that they are similar in nature. Failing to do so would lead to unjustified, discretionary treatment of documents.

As indicated also in my previous request, the value of publication of such presentations remounts to a more in depth explanation of technically complex policy proposals, which is in the interest of the public to understand better before their final approval. We therefore ask you to reverse your decision and publish the identified documents.

A full history of my request and all correspondence is available on the Internet at this address:

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Yours faithfully,

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From: **DELETED**

Sent: Thursday, June 25, 2026 10:17 AM

To: TRANSPARENCY Access to documents (COMM) <Access@consilium.europa.eu>;

Subject: RE: Internal review of access to documents request - Documents of the Ad hoc Working Party on the MFF January-May 2026

Dear TRANSPARENCY Access to documents (COMM),

thank you very much for the email and for the clarification. Indeed, I meant to refer to the entirety of the reply from the GSC, therefore covering both the requests No 26/1762 and No 26/1764; I apologise for not having been clear in my previous email.

Yours sincerely,

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