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|  | Brussels, 18 December 2017 |
| Mr Peter TefferEmail: ask+request-4757-388dda8d@asktheeu.org |
| Ref. 17/2302-rh/nsRequest made on: 01.11.2017Registered on: 03.11.2017Deadline extension: 15.12.2017 |
| Dear Mr Teffer*,* |

Thank you for your request for access to documents of the Council of the European Union.[[1]](#footnote-1)

Please find attached a list of documents related to the trilogue meetings between the Parliament and the Council on the organic farming regulation that we have identified following your request for access to documents:

11254/17 INIT of 17 July 2017

10790/17 INIT of 4 July 2017

10460/17 INIT of 22 June 2017

15105/16 COR 1 of 12 December 2016

15105/16 INIT of 8 December 2016

15269/15 INIT of 15 December 2015

13485/15 INIT of 4 November 2015

13436/15 INIT of 27 October 2015

13176/15 INIT of 20 October 2015

11093/15 INIT of 22 July 2015

9750/15 REV 1 of 18 June 2015

9750/15 INIT of 9 June 2015

9741/15 INIT of 8 June 2015

8830/5 INIT of 4 June 2015

8576/15 INIT of 6 May 2015

8322/15 COR 1 of 5 May 2015

7969/15 ADD 7 of 4 May 2015

8529/15 INIT of 4 May 2015

8322/15 INIT of 24 April 2015

7969/15 ADD 5 of 23 April 2015

7969/15 ADD 6 of 23 April 2015

7969/15 ADD 4 of 22 April 2015

7969/15 ADD 2 of 20 April 2015

7969/15 ADD 1 of 17 April 2015

7969/15 INIT of 16 April 2015

7212/15 COR 1 of 10 April 2015

7212/15 INIT of 27 March 2015

7049/15 ADD 5 of 26 March 2015

7049/15 ADD 4 of 25 March 2015

7049/15 ADD 3 of 23 March 2015

7392/15 INIT of 20 March 2015

6975/15 REV 1 of 10 March 2015

6975/15 INIT of 9 March 2015

6792/15 INIT of 5 March 2015

6763/15 INIT of 4 March 2015

6357/15 ADD 3 of 3 March 2015

6357/15 ADD 2 of 26 February 2015

6496/15 INIT of 25 February 2015

5907/15 ADD 1 of 19 February 2015

6357/15 ADD 1 of 19 February 2015

6357/15 INIT of 18 February 2015

6021/15 ADD 2 of 16 February 2015

5907/15 INIT of 13 February 2015

6021/15 ADD 1 of 13 February 2015

6021/15 INIT of 6 February 2015

5666/15 ADD 2 of 5 February 2015

5658/15 INIT of 2 February 2015

5132/15 INIT of 27 January 2015

5316/15 INIT of 15 January 2015

16538/14 ADD 1 of 9 January 2015

16628/14 INIT of 12 December 2014

16538/14 INIT of 4 December 2014

16341/14 INIT of 2 December 2014

15803/14 INIT of 19 November 2014

15625/14 INIT of 17 November 2014

11007/14 ADD 40 of 14 November 2014

15291/14 ADD 1 of 14 November 2014

15460/14 INIT of 13 November 2014

14089/14 COR 1 of 6 November 2014

14760/14 COR 1 of 5 November 2014

11007/14 ADD 39 of 30 October 2014

14760/14 INIT of 20 October 2014

11007/14 ADD 38 of 27 October 2014

14776/14 INIT of 27 October 2014

11007/14 ADD 37 of 23 October 2014

11007/14 ADD 34 of 10 October 2014

14089/14 INIT of 9 October 2014

11007/14 ADD 32 of 6 October 2014

11007/14 ADD 33 of 6 October 2014

11007/14 ADD 30 of 3 October 2014

11007/14 ADD 29 of 1 October 2014

11007/14 ADD 27 of 26 September 2014

11007/14 ADD 23 of 17 September 2014

11007/14 ADD 21 of 21 August 2014.

All the above-mentioned documents are available in the Public Register of the Council:

<http://www.consilium.europa.eu/register/en/content/int?typ=ADV>

with the exception of documents 6357/15 ADD3, 5666/15 ADD 2 and 14760/14 COR 1(attached).

Please note that the information provided in the above-mentioned documents contributed to shape the Council General Approach and fed into the subsequent discussions during trilogues. The Council General Approach (document 8750/15 REV 1), which represented the basis for the trilogues on the Council side, is already public. Document 13485/15 INIT, which is the 4-column document prepared in view of the first trilogue and document 10790/17 INIT, containing the outcome of the last trilogue, are already public. The related document 11254 INIT has been recently disclosed and it is available in the Public Register of the Council. In addition, document 10460 INIT, containing the preparation of the mandate for the last trilogue, is also already public.

I regret to inform you that (full) access to following documents cannot be given for the reasons set out below:

8993/17 INIT of 19 May 2017

8215/17 INIT of 12 April 2017

7990/17 INIT of 6 April 2017

5936/17 ADD 1 of 22 February 2017

5936/17 INIT of 13 February 2017

15109/16 INIT of 1 December 2016

14769/16 COR 1 of 24 November 2016

14769/16 INIT of 23 November 2016

13083/16 ADD 4 of 17 November 2016

13737/16 INIT of 27 October 2016

13083/16 ADD 3 of 20 October 2016

13215/16 INIT of 17 October 2016

13083/16 INIT 12 October 2016

12712/16 INIT of 30 September 2016

12425/16 INIT of 22 September 2016

11966/16 INIT of 6 September 2016

10195/16 INIT of 17 June 2016

8222/16 INIT of 2 May 2016

6699/16 INIT of 3 March 2016

WK 7504/17 INIT of 3 July 2017

WK 6497/17 INIT of 9 June 2017

WK 4699/17 ADD 1 of 26 April 2017

WK 4699/17 INIT of 24 April 2017

WK 2469/17 REV 1 of 3 March 2017

WK 2469/17 INIT of 3 March 2017

Informal working documents dated 15 April 2016, 2 June 2016, 17 June 2016, 15 September 2016, 25 November 2016 (two), 28 February 2017, 15 March 2017 (two) and 28 April 2017.

These documents contain sensitive political information such as delegations' positions during particularly difficult, complex and protracted negotiations. The decision-making process is still ongoing and no agreement has yet been reached between the Council and the European Parliament. Disclosure to the public of the Council's compromise proposals at this stage would affect the negotiating process and diminish the chances of reaching an agreement with the European Parliament.

Disclosure of the documents would therefore seriously undermine the decision making-process of the Council. As a consequence, the General Secretariat has to refuse access to the documents at this stage.[[2]](#footnote-2)

Having examined the context in which the documents were drafted and the current state of play on this matter, on balance the General Secretariat could not identify any evidence suggesting an overriding public interest in immediate disclosure of the documents in question.

We have also looked into the possibility of releasing parts of these documents.[[3]](#footnote-3) The informal working documents mentioned above contain information that is already public and you will accordingly find enclosed partially accessible version of those documents. The remaining parts of those documents and all parts of the other documents are covered by the above-mentioned exception and no further partial access is therefore possible.

Please also note that we are preparing partially accessible versions of the following documents:

10508/16 INIT of 21 September 2016

14863/16 INIT of 2 December 2016

14863/16 ADD1 of 2 December 2016

8215/17 ADD1 of 12 April 2016

8215/17 ADD2 of 12 April 2017

8993/17 ADD1 of 19 May 2017

8993/17 ADD2 of 19 May 2017

However, the work hasn't been completed yet because of the length of the documents. The partially accessible versions will be sent to you as soon as possible.

You can ask the Council to review this decision within 15 working days of receiving this reply (confirmatory application).[[4]](#footnote-4)

Yours sincerely,

Ramón CHISMOL IBÁÑEZ

Enclosures

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). [↑](#footnote-ref-1)
2. 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). [↑](#footnote-ref-2)
3. Article 4(6) of Regulation (EC) No 1049/2001. [↑](#footnote-ref-3)
4. Article 7(2) of Regulation (EC) No 1049/2001.

 Council documents on confirmatory applications are made available to the public. Pursuant to data protection rules at EU level (Regulation (EC) No 45/2001), if you make a confirmatory application your name will only appear in related documents if you have given your explicit consent. [↑](#footnote-ref-4)