



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 10 November 2025

Alexander Fanta
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Ref. 25/3057

Request made on: 20.10.2025

Dear Alexander Fanta,

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

Please find attached, as requested, document **WK 10284/2025 ADD 1** as well as partially accessible versions of documents WK 10247/2025 INIT and WK 10284/2025 INIT.² However, I regret to inform you that full access cannot be given to these documents for the reasons set out below.

Document **WK 10247/2025 INIT** is a request for contribution of 24 July 2025 from the General Secretariat of the Council to the Working Party on International Environment Issues (Global) WPIEI (Global) which contains a call for comments on the revised draft EU+MS scenario C for Article 6 (Sustainable production) for the INC-5.2 preparation.

Document **WK 10284/2025 INIT** is a consultation of 25 July 2025 from the General Secretariat of the Council to the Working Party on International Environment Issues (Global) on the INC-5.2 preparation. It concerns an informal silence procedure on the revised draft EU+MS scenario C for Article 6 (Sustainable production).

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).

² Article 4(6) of Regulation (EC) No 1049/2001.

These documents contain different scenarios on the EU negotiating position for Article 6 (Sustainable production) in view of the second part of the fifth session of the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment (INC-5.2) which took place in Geneva from 5 to 15 August 2025. No agreement could be reached at this session and the negotiations should resume in the future even if no date has yet been set.

Article 6 is one of the most sensitive issues at the core of the treaty. Any disclosure of the EU scenario concerning this article would undermine the EU position in these forthcoming negotiations. Full release of the information contained in these documents at this point would have a negative impact on the relations of the European Union with the other negotiating parties. Should its internal views and negotiation strategy be made public while negotiations are ongoing, the position of the Union in such international negotiations would be seriously weakened.

Full disclosure of the documents would therefore undermine the protection of the public interest as regards international relations. As a consequence, the General Secretariat is not able to grant a full access to the documents.³

However, as abovementioned, pursuant to Article 4(6) of the Regulation, you may have access to those parts of the documents which are not covered by this exception. Please note that documents WK 10247/2025 INIT and WK 10284/2025 INIT are redacted for personal data.⁴

Please also note that the General Secretariat of the Council does not hold documents containing positions or views taken by the Austrian government on the INC-5.2.

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.

Yours sincerely,

Fernando FLORINDO

Enclosures: 3

³ Article 4(1)(a), third indent, of Regulation (EC) No 1049/2001.

⁴ See Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295 21.11.2018, p. 39).