



Council of the
European Union

125268/EU XXVII. GP
Eingelangt am 16/12/22

Brussels, 16 December 2022
(OR. en)

16150/22

INF 217
API 118

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Public access to documents - Confirmatory application No 23/c/01/22

Delegations will find attached:

- the request for access to documents sent to the General Secretariat of the Council on 14 December 2022 and registered on the same day (Annex 1);
- the reply from the General Secretariat of the Council dated 15 December 2022 (Annex 2);
- the confirmatory application dated 15 December 2022 and registered on 16 December 2022 (Annex 3).

[E-mail message sent to access@consilium.europa.eu on Wednesday 14 December 2022, 14:32]

From: DELETED

Sent: 14 December 2022 14:32

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

Subject: Consilium - Electronic Request for Access to documents [ENGLISH]

DELETED

Family name DELETED

First name DELETED

E-mail DELETED

Occupation DELETED

On behalf of DELETED

Full postal address DELETED

Requested document(s): I request a list of all official meetings, which took place between the Council or the Council presidency and the EU farmer's association COPA&COGECA on the premises of the Council in Brussels or Luxembourg before or after the ordinary AGRIFISH meetings, during the past three years.

As an example I refer to the meeting that took place on the 12th December with the CZ presidency and two COPA&COGECA representatives.



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, 15 December 2022

DELETED

Email: **DELETED**

Ref. 22/2841-em/nb

Request made on: 14.12.2022

Dear **DELETED**,

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

The Presidency organises, under its own responsibility, informal contacts with representatives of farmers and other interest groups. Whilst it is customary for the Council Presidency to informally meet representatives of COPA-COGECA ahead of AGRIFISH Council meetings, as the recent case you point to, we do not hold any list of such meetings.

COPA-COGECA does not take part in AGRIFISH Council meetings. Consequently, no such list of meetings exists.

Yours sincerely,

Fernando FLORINDO

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).

[E-mail message sent to access@consilium.europa.eu on Thursday, 15 December 2022, 17:54]

From: **DELETED**

Sent: 15 December 2022 17:54

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

Subject: AW: Ref. 22/2841-em/nb

Dear Sir or Madam,

On behalf of BUND, I confirm the receipt of your response to my access-to-document request of the 14th December 2022. Yet we consider the reply to be unsatisfactory, which is why I hereby file **a confirmatory application** with regards to our original request. In this regard, I would like to add the following remarks:

- The Council Presidency is established in the Lisbon Treaty and in Council Decision [2009/908/EU](#) and therefore should be considered as a part of the official setting of the Council of the EU. As the meetings with the organisation COPA&COCEGA with the presidency take place on a regular and frequent basis on the premises of the Council of the EU, in our view it cannot be stated that these meetings have an informal character.
- It is therefore difficult to believe that the Council Secretariat does not possess the information on times and date of these meetings. While there might not be a central document as you state in your reply, there should be records of these meetings. According to our own research since March nine meetings have taken place before each of the official AGRIFISH meetings + during the informal AGRI-Council. Matching the information provided on social media by COPA&COGECA, these meetings took place on the following dates: 21st March, 7th April, 24th May, 13th June, 18th July, 16th Sept, 26th Sept, 17th Oct, 21st Nov, 12th December. **Yet we strongly assume that the Council Secretariat has better information regarding the meetings that took place in its own building.**

I therefore reiterate our access-to-document request in form of a confirmatory application and kindly ask you to provide the information in question within the deadlines set in Regulation (EC) No [1049/2001](#).

Yours sincerely,

DELETED