



Brussels, 14 September 2026
(OR. en)

13114/26

API 183
INF 252

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Public access to documents - Confirmatory Application - 49/c/01/26 - Information to delegations

Delegations will find attached:

- the request for access to documents sent to the General Secretariat of the Council on 28 July 2026 and registered on the same day (Annex 1);
- the reply from the General Secretariat of the Council dated 8 September 2026 (Annex 2);
- the confirmatory application dated 14 September 2026 and registered on the same day (Annex 3).

From: document-request@cis.consilium.europa.eu <document-request@cis.consilium.europa.eu>
Sent: Tuesday, July 28, 2026 12:52 PM
To: TRANSPARENCY Access to documents (COMM) <Access@consilium.europa.eu>
Subject: Consilium - Electronic Request for Access to documents [ENGLISH]

This e-mail has been sent to access@consilium.europa.eu using the electronic form available in the Register application.
This electronic form has been submitted in ENGLISH.

Title

DELETED

First name

DELETED

Family name

DELETED

E-mail

DELETED

Occupation

Consultancy

I submit this request as a representative of an organisation.

Name of the organisation

DELETED

Full postal address

Telephone

Requested document(s)

Draft guidance on the implementation of the National and Regional Partnership Plans

1st option

EN

2nd option

EN

This is an automatic reply from the General Secretariat of the Council of the European Union concerning your request for access to Council documents.

This notification was sent from an unattended mailbox. Please do not reply.



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, 8 September 2026

DELETED

DELETED

E-mail: **DELETED**

Ref. 26/2785

Request made on: 28.07.2026

Deadline extension: 18.08.2026

Dear **DELETED**

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

I regret to inform you that access to document **WK 10992/2026** cannot be granted for the reasons set out below.

This document contains the Commission services' draft guidance on the implementation of the National and Regional Partnership Plans. It is addressed to the Ad hoc Working Party on the Multiannual Financial Framework (AHWP MFF) - National and Regional Partnerships.

Having duly consulted ² that institution as the originator of this document, and based on the information received from it, the General Secretariat of the Council ("GSC") has come to the conclusion that access cannot be granted.

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(4) of Regulation (EC) No 1049/2001.

As indicated by the Commission, access to it should be denied in its entirety, 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 document in question has been produced by the Commission services in the context of the ongoing interinstitutional decision-making process in relation to the Union's future multiannual financial framework. It is particularly sensitive as it concerns the future financial framework of the European Union. Disclosure of this technical document, which may contain preliminary views or policy options not formally endorsed by the institutions and subject to adjustment in light of the final text agreed by the co-legislators, could expose the decision-making process to external pressure from interest groups or other stakeholders, including those from third countries. Its content risks being misinterpreted or taken out of context, a particular risk given the interconnected nature of the MFF, new own resources and sectoral legislation (such as the Regulations on Common Agricultural Policy, ERDF/CF or Performance). Moreover, it includes considerations on set of measures the design of which concerns sensitive issues. 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 exception laid down in the first subparagraph of Article 4(3) of Regulation (EC) No 1049/2001 therefore applies, since no overriding public interest has been identified that would outweigh the risk of seriously undermining the ongoing decision-making process.

The Institutions have 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 process. Accordingly, access to the requested documents should be refused on the basis of the first subparagraph of Article 4(3) of Regulation (EC) No 1049/2001.

In addition, the GSC considers that access to the requested document should be denied also on the basis of Article 4(1)(a), fourth indent of Regulation (EC) No 1049/2001, related to the protection of the public interest as regards the economic and financial policy of the Union and its Member States. Indeed, the information on the discussions in the working party may be used to lobby Member States, which may result in delaying the adoption of the decision and hence the collection of the Union resources. Accordingly, their disclosure would entail a reasonably foreseeable and not purely hypothetical risk of undermining that public interest. For this reason, the GSC must refuse access to the requested document.³

We have also assessed the possibility of granting partial access to the document that you requested, in accordance with Article 4(6) of Regulation (EC) No 1049/2001.⁴ However, the exceptions provided for in Article 4(3), first subparagraph and Article 4(1)(a), fourth indent, apply to almost the entirety of the document. The only elements that could remain accessible to the applicant are the document

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

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

heading, the cover page and some introductory lines, which contain no relevant substantive information. Consequently, partial access is not possible.

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

From: **DELETED**

Sent: Monday, September 14, 2026 10:35 AM

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

Subject: Re: Ref. 26/2785

Dear Mr Florindo; Council Transparency Team

I am writing to you regarding Ref. 26/2785 and the request for access to the draft guidance on the implementation of the National and Regional Partnership Plans (NRPPs)

I would kindly ask the Council to reconsider the decision and grant access to the document, given the significant public interest attached to the future implementation of the NRPPs.

The NRPPs are expected to become a central element of the architecture of the next Multiannual Financial Framework, bringing a substantial share of EU expenditure under national plans. Greater transparency regarding their implementation is therefore important to allow stakeholders and the wider public to understand how EU funding will be structured, allocated and ultimately delivered at national and regional level.

This is particularly relevant for Member States with highly decentralised structures, such as Spain. While bringing shared-management funds under a single national plan may simplify the overall management framework, important questions remain regarding implementation at regional level, including the criteria and methodology that will determine how funding is distributed among regions, the indicators used and the predictability of regional allocations.

Access to the draft guidance would therefore contribute to a better understanding of how these questions are being addressed and, more broadly, provide greater transparency on how resources under the future MFF may ultimately be distributed and managed.

I also understand that the fact that a document is preparatory or still under discussion does not, in itself, necessarily preclude access. Comparable guidance, implementation and preparatory documents relating to EU funding frameworks can, where appropriate, be made accessible in full or

in part, particularly where disclosure would contribute to public understanding of the implementation of EU policies and expenditure.

In this respect, I would also kindly invite the Council to reconsider its conclusion that partial access cannot be granted. Even if certain passages are considered to fall within an applicable exception, it may still be possible to disclose factual, technical or otherwise non-sensitive sections of the document, including elements concerning the general structure of the NRPPs, timelines, implementation arrangements, allocation methodology or indicators.

In light of the scale and importance of the proposed changes to EU funding architecture, I believe there is a strong public interest in allowing scrutiny and informed discussion of the implementation framework while it is being developed.

I would therefore be grateful if the Council could reconsider my request and grant access to the document or, alternatively, reassess whether meaningful partial access can be provided.

Thank you very much for the meaningfully interactions we have had.

Kind regards,

DELETED
