

PRESS RELEASE

Improved transparency in the EU: POLLINIS wins major case against opaque decision-making on pesticides

Paris, January 16, 2025

On January 16, the Court of Justice of the European Union issued a landmark ruling for transparency in the EU. This judgment will facilitate access to information on the deliberations surrounding pesticide regulation and reduce the secrecy that currently surrounds these decisions. POLLINIS brought this action against the SCoPAFF, a standing committee of experts from the Member States who arbitrate on key issues relating to pesticides. POLLINIS denounces the influence of industry on this Committee which, through its decisions, contributes to the collapse of pollinators and biodiversity.

The European Commission will no longer be able to refuse access to documents concerning Member States' deliberations on pesticide regulation in Europe, without proper justification for its refusal. Today, January 16, the Court of Justice of the European Union **ruled in favor of POLLINIS** in its legal action against the European Commission to obtain documents from the **SCoPAFF** that revealed the reasons behind blocking the adoption of new procedures for assessing the risks of pesticides on pollinators.

This permanent committee responsible for agricultural and food issues, is headed by the Commission and made up of representatives of the Member States. **It plays a central role in EU's pesticide policies, but is completely opaque: the condensed minutes do not give details of negotiations, and Member States' votes and positions are kept secret.** The opacity of the SCoPAFF allows Member States to avoid accountability to their citizens and makes the committee a strategic target for industrial lobby influence.

Concluding a long administrative and legal battle, this court ruling underscores the principle that the public should have the broadest possible right of access to documents. The Commission will no longer be able to refuse access to documents without providing detailed justifications for such refusal. **This is an important verdict for European transparency, as it will reduce the secrecy surrounding the SCoPAFF, increase its accountability, and curb the influence of industry on European policies.**

Indeed, this legal action was aimed at **obtaining documents to lift the veil on the pesticide industry's influence on the SCoPAFF** in connection with the blocking of new protocols for assessing the risks of pesticides to bees, presented by EFSA in 2013 but never adopted. The Commission had appealed against an initial ruling by the EU General Court, which had already found in favor of POLLINIS in September 2022.

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According to the Court of Justice, the Commission had no grounds to deny POLLINIS' requests for access to documents revealing the positions of Member States on this issue, as such a request did not risk undermining the decision-making process. **In the summary of its ruling, the Court specifically states:**

- That it is incumbent upon the institution denying access to a document to provide explanations on how access to that document could concretely and effectively undermine the interest protected by an exception. The risk of such harm **must be reasonably foreseeable and not purely hypothetical**.
- That the notion of 'decision-making process' must be understood as relating directly to decision-making itself, without covering the entire administrative procedure that led to it.
- And that the notion of 'matter on which [an institution] has not yet taken a decision' cannot be interpreted so broadly as to cover every document relating to a given issue.

"This is truly a black box being opened. The European Commission will no longer be able to unjustifiably deny access to documents concerning deliberations on pesticide regulation. The SCoPAFF, this technical committee with disproportionate powers, must no longer continue to make critical decisions for the protection of bees and biodiversity in secrecy. Transparency is an essential prerequisite for democracy; it should strengthen decision-makers' accountability to European citizens and put an end to the collusion of far too many of them with agrochemical interests," commented Barbara Berardi, Director of Research and Advocacy at POLLINIS.

This ruling is a crucial step forward. **POLLINIS and the 125,000 citizens who signed its [petition](#) are calling on the EU Commission to go further and systematically publish the votes and arguments of Member States during the SCoPAFF negotiations.** The SCoPAFF transparency is a prerequisite for a functioning European democracy and effective environmental and public health policies.

After obtaining 78 documents following the first instance judgment, and relying on other files and emails, **POLLINIS was able to demonstrate the industry's privileged access to the SCoPAFF, as well as the collusion of several Member States with the agrochemical industry** in blocking the new protocols for assessing the risks of pesticides to bees.