Ms Madalina Popirtaru  
Email: ask+request-11548-fabd922e@asktheeu.org

Ref. 22/1510-mj/ns

Request made on:  11.07.2022  
Deadline extension:  02.08.2022

Dear Ms Popirtaru,

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

You may have full access to the following documents:

- **WK 10960 2021 INIT** - Note Verbale no. 10/2021 - Relating to Regulations on amending regulations on fishing Norwegian Spring Spawning Herring
- **WK 10958 2021 INIT** - Note Verbale no. 09/2021 - Relating to Regulation concerning the Cod fishery in the North Sea for 2021.
- **WK 10227 2021 INIT** - Note Verbale no. 08/2021 - Relating to Amendments to the Regulations of 19 July 2005 No. 1834 relating to reporting for control by foreign vessels engaged in fishing in the Norwegian Economic Zone
- **WK 9000 2021 REV 1** - Notification of intended UK changes to fisheries management measures: revised version of the Draft EU reply
- **WK 9194 2021 INIT** - Technical Meeting with Member States regarding the Specialised Committee on Fisheries established under the TCA, 13 July 2021, 14h30-16h30 (Brussels time)
- **WK 9000 2021 INIT** - Notification of intended UK changes to fisheries management measures: Draft EU reply

- **WK 15659 2021 INIT** - Note Verbale no. 14/2021 - Regulations relating to the establishment of flexible areas in 2022

- **WK 13602 2021 INIT** - UK questions on Norway pout and sandeels

- **WK 13254 2021 INIT** - Agenda of bilateral meeting between the European Union and Norway, 9 - 11 November 2021

- **WX 12849 2021 INIT** - UK: SRX explanation and table regarding skates and rays

- **WK 12808 2021 INIT** - Implementation of LO Exemption in UK waters 2021

- **WK 20 2022 INIT** - Note Verbale no. 16/2021 - Regulation regarding the cod fishery in the North Sea and in Skagerrak for 2022

- **WK 1727 2022 INIT** - Note Verbale no. 01/2022 - Regulation relating to harvesting of wild living marine resources

- **WK 2242 2022 INIT** - Draft schedule for the EU-UK Consultations for 2023

- **WK 2890 2022 INIT** - Note Verbale no. 02/2022 - Amendments to the regulation relating to harvesting of wild living marine resources.

- **WK 4385 2022 INIT** - EU-UK TCA: Provisional draft agenda of the meeting of the Working Group on Fisheries, 30 March 2022.

You will find them attached.

You may also have access to the following documents:

- **WK 11376 2021 INIT**: North East Atlantic mackerel - technical meeting with the Member States, Wednesday 29 September

- **WK 10314 2021 INIT**: UK reply to Commission letter regarding UK notification on 10 June 2021

- **WK 4132 2022 INIT**: Note from the UK Mission regarding a change to the United Kingdom co-chair and Secretariat of the Specialised Committee on Fisheries &

- **WK 4495 2022 INIT**: Meeting of the Trilateral North Sea Monitoring, Control and Surveillance Working Group (5-6 April 2022, hybrid)

except to the parts containing personal data which have been redacted in accordance with Article 4(1)(b) of Regulation (EC) No 1049/2001 and European legislation regarding the protection of personal data.\(^2\)

Please find attached partially accessible versions of the documents **WK 10225/2021 INIT**, **WK 2434/2022 INIT** and **WK 3093/2022 INIT**.\(^3\) However, I regret to inform you that full access cannot be given for the reasons set out below.

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Document **WK 10225 2021 INIT** is a Working Document of 1 September 2021 which contains the UK reply in response to the EU letter regarding the UK notification on 10 June 2021.

Document **WK 2434 2022 INIT** is a Working Document of 21 February 2022 containing the reply of the United Kingdom to the European Commission's letter on 22 December 2021 concerning vessel monitoring in Wales and the Welsh zone.

Document **WK 3093 2022 INIT** is a Working Document of 2 March 2022 which contains the reply of the United Kingdom to the European Commission's letter of 26 March 2021 concerning draft measures for fishing in four UK Marine Protected Areas.

These documents contain some information the release of which would prejudice relations between the European Union and some third countries.

Some parts of these documents are exchanges of views between the parties to the EU-UK Trade and Cooperation Agreement about questions relating to the interpretation and implementation of its provisions. Disclosure of these parts of the documents could expose each party's views to the public gaze at a sensitive time and this could contribute to undermining the relationship between them.

Full disclosure of these 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 you full access to these documents. 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.

I regret to inform you that access to documents WK 9130/2021 INIT, WK 9130/2021 ADD 1 and WK 3132/2022 cannot be given for the reasons set out below.

Document **WK 9130/2021 INIT** is a Working Document of 8 July 2021 which contains comments from Ireland on the Draft EU reply concerning the notification of intended UK changes to fisheries management measures.

Document **WK 9130/2021 ADD 1** is a Working Document of 9 July 2021 which contains comments from France and Spain on the same issue.

These two documents detail the EU position on matters relevant to ongoing discussions with the United Kingdom. They contain information showing which issues are of concern to Member States.Disclosure of this information would give undue advantage to the other party as they will know EU priorities and concerns.

Disclosure of the information contained in the documents would have a negative impact on the relations of the European Union with the United Kingdom.

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Disclosure of the documents would therefore undermine the protection of the public interest as regards international relations. As a consequence, the General Secretariat has to refuse access to the documents.5

We have also looked into the possibility of releasing parts of the documents.6 However, as the exception to the right of access applies to their entire content, the General Secretariat is unable to give partial access at this stage.


This document contains information about detailed positions on some items, the disclosure of which would prejudice relations between the European Union and some third Parties, especially as the specific items discussed are either subject to regular discussion of a recurring nature or have not yet been resolved.

Disclosure of the document would therefore undermine the protection of the public interest as regards international relations. As a consequence, the General Secretariat has to refuse access to the document.7

We have also looked into the possibility of releasing parts of the document.6 However, as the information contained in the document forms an inseparable whole, the General Secretariat is unable to give partial access at this stage.

The General Secretariat is still waiting for the result of external consultations necessary to the examination of the remaining documents (i.e. WK 10675/2021, WK 13362/2021, WK 13578/2021, 12180/2021, WK 1247/2022 and WK 3303/2022). You will be notified of a decision as soon as 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

Enclosures: 23

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