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Secretariat-General

Directorate B - Institutional and Administrative Policies  
**SG.B.4-Transparency**

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*By registered mail:*

**Anne Friel**  
ClientEarth,  
Rue du Trône, 60 (Box 11)  
1050, Brussels  
Belgium

*Advance copy by email:*

[ask+request-3715-  
64a70e8d@asktheeu.org](mailto:ask+request-3715-64a70e8d@asktheeu.org)

**Subject: Your confirmatory application for access to documents under Regulation (EC) No 1049/2001 – GESTDEM 2017/141**

Dear Ms Friel,

I refer to your letter of 3 March 2017, registered on 6 March 2017, through which you submit a confirmatory application in accordance with Article 7(2) of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents<sup>1</sup> ('Regulation 1049/2001').

In your initial application of 9 January 2017, addressed to the Directorate-General for Maritime Affairs and Fisheries ('DG MARE'), you requested access to *all of the reports submitted by the Member States to the Commission in accordance with Article 118 of Regulation 1224/2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy*.

On 10 February 2017, 17 February 2017 and 13 March 2017, respectively, DG MARE sent you initial replies to your application, providing full access to the documents requested.

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<sup>1</sup> Official Journal L 145 of 31.5.2001, p. 43.

The reason for your confirmatory application was the absence of the last initial reply. As DG MARE has in the meantime sent you the last initial reply to your application and you have been given full access to the documents requested, the Secretariat-General will close your confirmatory application.

In your initial application, you also requested access to *information on whether there are any ongoing Pilot cases or infringement procedures regarding the Member States' obligations under Regulation 1224/2009*. In your confirmatory application, you reiterate your request for access to this information. This part of your application falls outside the scope of Regulation 1049/2001 and I have forwarded it to DG MARE for possible follow-up under the Code of Good Administrative Behaviour.

In your confirmatory application, you also request that the Commission publishes the documents requested in the public register or on DG MARE's website (which you have not requested in your initial application). As regards access to documents following an application, Article 10(1) of Regulation 1049/2001 stipulates that the applicant *shall have access to documents either by consulting them on the spot or by receiving a copy, including, where available, an electronic copy, according to the applicant's preference*. The documents requested have been provided to you in an electronic copy. As regards the publication of the documents requested, we have forwarded your request to DG MARE for possible follow-up under Regulation 1367/2006<sup>2</sup> and Regulation 1224/2009.

Yours sincerely,



Martin Kröger  
Head of Unit

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<sup>2</sup> Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies (Official Journal L 264 of 25.9.2006, p. 13–19).