



**SG.2**  
**Acting Head of Division**

Brussels, 10 December 2021  
eeas.sg.2 (2021) 5998919

To  
Ms Esther Bijl  
by electronic courier

*Subject: Your request for access to documents of 21 July 2021*  
*Our ref: 2021/120, 122 and 123*

Dear Ms Bijl,

I would like to thank you for your request for access to documents, which the EEAS has examined in the framework of Regulation (EC) No 1049/2001.<sup>1</sup>

This reply concerns the requests you addressed to the EEAS as follows:

- List of meetings of European External Action Service officials with representatives of the UAE, including UAE government officials (or their representatives), the UAE Embassy to the EU (incl. the Ambassador, incl. their representatives), as well as employees and/or consultants working for lobby and/or consultancy and/or PR firms where the UAE is a client, which took place between 1 January 2012 until 15 July 2021 including agendas, minutes and other reports of these meetings and all correspondence between European External Action Service officials and with representatives of the UAE.
- List of all meetings between EEAS officials and DG HOME officials, which took place between 1 January 2012 and 31 December 2015, in which the issue of the visa waiver agreement with the UAE was discussed, including agendas, minutes, reports and other documentation of these meetings and related correspondence.
- List of meetings that took place between 1 January 2018 and 15 July 2021 between the EEAS and DG JUST and the EEAS and DG FISMA on the issue of the risk assessments carried out to identify high-risk third countries in the context of the EU's anti-money laundering and countering the financing of terrorism (AML/CFT) rules, and specifically those meetings in which the United Arab Emirates (UAE) were

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<sup>1</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (hereafter, "the Regulation").

mentioned and/or discussed in this context, including agendas, minutes, reports and other documentation of these meetings and related correspondence.

Please be informed that these meetings happen mainly under the framework of the Cooperation Arrangement, a non-binding provision signed by the EEAS and the UAE Ministry of Foreign Affairs and International Cooperation in January 2018, and in the context of the Human Rights Dialogue launched with the UAE in 2013.

The EEAS has identified the following documents matching your request, notably agendas, participants' lists and readouts of the two Senior Officials Meetings and their follow-up meetings held in implementation of the EU-UAE Cooperation Arrangement, as well as agendas, participants' lists and readouts of the ten rounds of discussions held under the EU-UAE Human Rights Dialogue and the follow-up thereof.

The first Senior Officials Meeting under the framework of the Cooperation Arrangement between the EEAS and the Ministry of Foreign Affairs and International Cooperation of the United Arab Emirates (MOFAIC) was held in Brussels on 26 July 2019, co-chaired by Secretary-General of the EEAS, Helga Maria Schmid, and UAE Minister of State for Foreign Affairs, Dr Anwar Gargash.

The meeting launched the implementation of the Cooperation Arrangement between the EEAS and MOFAIC signed on 31 January 2018 in Brussels. The Cooperation Arrangement aims to provide a framework for bilateral relations through an intensified political dialogue and strengthened cooperation on key strategic issues of mutual interest.

The first EU-UAE Senior Officials Meeting focused on bilateral relations as well as regional issues of common concern. The exchange also explored ways to enhance sectoral cooperation and coordination in areas of mutual interest, including in the framework of Expo 2020. For this purpose, the two sides confirmed their shared intention to establish thematic Working Groups under the framework of the Cooperation Arrangement with a view for them to convene in Brussels later that year.

A meeting held in Brussels on 19 November 2019 and co-chaired by Deputy Managing Director Middle East North Africa Gulf at the EEAS, Colin Scicluna and Head of Mission to the EU, Ambassador Mohamed Abushahab, launched the three thematic working groups focusing on: a) Trade, Economic Diversification and Digital Transformation; b) Security and Counter-Terrorism; c) Development Cooperation, Global Governance and Multilateralism.

The second Senior Officials Meeting under the framework of the Cooperation Arrangement between the EEAS and the MoFAIC of the UAE was held virtually on 3rd March 2021. The meeting was co-chaired by Mohammed Al Shehhi, Director for European Affairs at UAE MoFAIC, and Deputy Managing Director for the Middle East and North Africa in the EEAS Carl Hallergard. The meeting allowed for a strategic review of different aspects of the bilateral relationship under the three thematic working groups, in light of the profound global impact of the Covid-19 pandemic.

Moreover, ten meetings of the EU- UAE informal Human Rights Dialogue have been held since 2013, the most recent one in a virtual format on 9 June 2021. Discussion focused on pertinent issues of concern with the UAE authorities, including on fundamental freedoms (such as freedom of expression and assembly), women's rights and migrant workers' rights, the death penalty, the right to a fair trial, allegations of torture and ill-treatment, indefinite detentions, as well as prison conditions and criminal justice law. The meetings also allowed raising individual cases.

We have considered whether these documents could be disclosed to the public.

Please note that such meetings are held in a spirit of partnership between diplomatic actors but under the umbrella of confidentiality, which means that the diplomatic interlocutors discuss topics – often sensitive ones, such as regional affairs or human rights – in an open manner but with the understanding that such discussions will remain within the diplomatic circles and will not be released to other international actors or to the general public.

Therefore, our examination concluded that their disclosure to the general public would be detrimental to the Union's relations with the UAE and harm the possibility to maintain the environment of mutual trust, thus negatively affecting the possibility of holding such dialogues in the future, or their substance. A public release of such information could jeopardize both the EU's relations with the UAE and the aims of the bilateral dialogue.

Moreover, since the documents contain opinions expressed by the representatives of the UAE, pursuant to Article 4(4) of the Regulation, the EEAS consulted the UAE with a view to assess whether the exception contained in Article 4(1)(a), third indent, of the Regulation is applicable. The UAE expressed its disagreement with the disclosure of the documents. After an overall assessment of the documents, also taking into account the position expressed by the UAE, the EEAS has concluded that the release of the documents would negatively affect the international relations between the EU and the UAE.

As regards the list of meetings between EEAS, DG HOME, DG JUST and DG FISMA on visa waiver, and the issue of the risk assessments carried out to identify high-risk third countries in the context of the EU's anti-money laundering and countering the financing of terrorism (AML/CFT) rules, and specifically those meetings in which the United Arab Emirates (UAE) were mentioned and/or discussed in this context, including agendas, minutes, reports and other documentation of these meetings and related correspondence, please note that disclosure of such documents containing sensitive contents referring to security-related aspects would seriously undermine and hamper the bilateral dialogue with UAE.

These documents relate to bilateral negotiations between the UAE government and the EU which led to the conclusion of the bilateral visa waiver agreement 2015. In this context it needs to be noted that negotiation positions are covered by the exception of Article 4 (3) second indent and Article 4 (1) (a) third indent. After an overall assessment of the documents, also taking into account the position expressed by the UAE, the EEAS has concluded that the release of the documents would negatively affect the international relations between the EU and the UAE.

With regard to your request of meetings on the issue of risk assessment carried out to identify high-risk third countries in the context of the EU's anti-money laundering and countering the financing of terrorism (AML/CTF) rules, it is to be noted that the UAE agreed to a peer evaluation to assess the implementation and effectiveness of measures to combat money laundering and terrorist financing based on the Financial Action Task Force (FATF) standards.

In the context of the so-called "FATF Observation Period", the UAE has entered a one-year observation period to work with the FATF to address deficiencies, before a possible listing by the FATF. So as to ensure synergies with work within the FATF, the European Commission will participate in the assessment of the UAE at the end of the FATF observation period.

In parallel to the FATF process, a bilateral Structured Dialogue on AML/CTF was launched between the EU (led by DG FISMA) and the Emirati Ministry Finance. The dialogue allows the UAE's to update the EU on the measures taken to address the strategic deficiencies

identified in its FATF mutual evaluation report from April 2020 and does include any assessments binding for the European Commission. Between January 2018 and July 2021, three rounds of the structured dialogue have been held, notably on 15 July 2020, 5 November 2020 and 8 July 2021 respectively.

A disclosure of documents related to these exchanges – which touch upon a topic which is per definition of a very sensitive nature - would seriously undermine the EU's position in the upcoming FATF review and hamper the continuation of the structured dialogue established with the UAE.

Therefore, I regret to inform you that we are not in a position to disclose the requested documents, neither as a whole or partially, since it could seriously undermine the EU's international relations with UAE, as per Article 4(1)(a), third indent, of the Regulation.

Should you wish this position to be reviewed, you may confirm your initial request within 15 working days.

Yours sincerely,

*[e-signed]*

Guillem Riutord Sampol