

To: General Secretariat of the Council of the European Union  
DG COMM – Transparency  
Rue de la Loi/Wetstraat 175  
B-1048 Bruxelles/Brussel

Sent by e-mail to: [access@consilium.europa.eu](mailto:access@consilium.europa.eu)

Dear Sir/Madam,

**Confirmatory application in relation to Request for access to documents Ref. 20/2337-aa/nb-ADD and Request for access to documents concerning Member State positions on Northeast Atlantic TACs for 2021**

Acknowledging the Council's importance of having an efficient and unburdened process regarding access to documents, we hereby submit a single document compiling two different requests, as these are strictly connected. As such, for the sake of clarity and efficiency, we hereby submit the following:

**I. Confirmatory application in relation to Request for access to documents Ref. 20/2337-aa/nb-ADD**

Firstly, in accordance with Article 7(2) of Regulation 1049/2001, ClientEarth AISBL hereby submits a confirmatory application in respect of the partial access to documents correspondent to the previously submitted **Request for access to documents Ref. 20/2337-aa/nb-ADD**.

As confirmed by the CJEU (Case T-653/16 Malta v Commission, para. 63), it is well-established practice for the institutions to verify as part of the assessment of a confirmatory application whether all documents falling under the scope of the request have been identified at the initial stage.

We note that the documents provided by the Council with its initial response did not include the so-called "bible" document, collating the comments of the Member States on the Commission's proposal. We presume this is because it was not yet in existence at the date of our request but we would like to have confirmation of this. In the case that the bible document was in the Council's possession as at 11 December 2020, we confirm our request to have access to it.

**II. Request for access to documents concerning Member State positions on Northeast Atlantic TAC for 2021**

Secondly, in accordance with Article 6(1) of Regulation 1049/2001, Article 3 of Regulation 1367/2006, and Article 42 of the Charter of Fundamental Rights, ClientEarth AISBL requests access to any documents that have come into the Council's possession since our last request of 11 December 2020 that record the



**Brussels**  
60 Rue du Trône (3ème étage)  
Box 11, Ixelles, 1050 Bruxelles  
Belgique

**Beijing**  
1950 Sunflower Tower  
No. 37 Maizidianjie  
Chaoyang District  
Beijing 100026  
China

**Berlin**  
Albrechtstraße 22  
10117 Berlin  
Germany

**London**  
Fieldworks  
274 Richmond Road  
Martello St. Entrance  
E8 3QW  
United Kingdom

**Warsaw**  
ul. Mokotowska 33/35  
00-560 Warszawa  
Polska

**Madrid**  
García de Paredes  
76 duplicado  
1º Dcha  
28010 Madrid  
Spain

Member States' positions in relation to the Commission's Proposal for a Council Regulation fixing for 2021 the fishing opportunities for certain fish stocks and groups of fish stocks, applicable in Union waters and, for Union fishing vessels, in certain non-Union waters (interinstitutional file 2020/0308). For the sake of clarity, we include within this request any Member State positions on the Commission non-paper of 9 December 2020 (Council document number ST 13901 2020 INIT-EN).

**Finally, we request that the documents/information falling within the scope of this request, both under the section I and II, be made publicly available on the Council's documents register, in accordance with Articles 11 and 12 of Regulation 1049/2001 and Article 4 of Regulation 1367/2001.**

Kind regards,

**Anne Friel**  
Lawyer/Juriste,  
Environmental Democracy  
Lead, ClientEarth  
+32 (0) 28 08 0172

[afriel@clientearth.org](mailto:afriel@clientearth.org)

**Jenni Grossmann**  
Science and Policy Advisor -  
Fisheries  
ClientEarth  
+44(0)303 050 5943

[jgrossmann@clientearth.org](mailto:jgrossmann@clientearth.org)

**Madalina Popirtaru**  
Lawyer/Juriste,  
Environmental Democracy  
ClientEarth  
+40746703249

[mpopirtaru@clientearth.org](mailto:mpopirtaru@clientearth.org)