



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
CLIMATE ACTION

The Director-General

Brussels
CLIMA.DG01/RAM

Amélie Canonne
95 rue des Couronnes
75020 Paris
France

Advance copy by email: ask+request-
10241- a5a9bcec@asktheeu.org

Subject: Your access to documents application – Ref. Gestdem 2021/7195

Dear Ms Canonne,

We refer to your e-mail dated 20 November 2021 in which you make a request for access to documents, registered on 22 November 2022 under the above-mentioned reference number.

You requested access to:

“All the documents relating to meetings or events involving DG CLIMA on the one hand and representatives of private corporations or business associations or organisations on the other, where the issues of the EU ETS, carbon markets and article 6 were discussed in relation with COP26. [Your] request applies to years 2020 and 2021, and includes:

- emails and mails exchanged in relation to the meetings and events;*
- lists of the meetings and events, including remote (phone / video);*
- policy documents, statements, position papers... shared by third party actors with the DG representatives;*
- notes of such meetings and events when it exists”*

You indicated that *“by Article 6, [you] refer to that included in the Paris Agreement, and the negotiations of the rulebook regarding international cooperation on carbon markets, in the run up and in the context of COP26”*.

Your application concerns the following documents:

	Author	Date	Reference
1	European Commission	22 June 2021	Ares(2021)4047879
2	E3G	15 December 2020	Ares(2020)7625423
3	E3G	15 December 2020	Ares(2020)7625423
4	E3G	15 December 2020	Ares(2020)7625423
5	Clean up aviation	27 April 2021	Ares(2021)2793726
6	Clean up aviation	27 April 2021	Ares(2021)2793726
7	Clean up aviation	27 April 2021	Ares(2021)2793726
8	Fertilizers Europe	2 June 2021	Ares(2021)3626023
9	Fertilizers Europe	2 June 2021	Ares(2021)3626023
10	EUROFER	2 June 2021	Ares(2021)3625632
11	EUROFER	2 June 2021	Ares(2021)3625632
12	EUROFER	2 June 2021	Ares(2021)3625632
13	WWF	23 September 2021	Ares(2021)5812791
14	WWF	23 September 2021	Ares(2021)5812791
15	Greenleaf Communities	21 October 2021	Ares(2021)6470798
16	Greenleaf Communities	21 October 2021	Ares(2021)6470798
17	Climate Leadership Coalition	20 October 2021	Ares(2021)6623376
18	Climate Leadership Coalition	20 October 2021	Ares(2021)6623376
19	EEB	4 November 2021	Ares(2021)6780514
20	EEB	4 November 2021	Ares(2021)6780514

Please note that the Commission has received some of the identified documents from third parties. In accordance with Article 4(4) of Regulation (EC) 1049/2001, DG CLIMA has consulted those third parties concerning the disclosure of the requested documents emanating from them.

With regard to documents 1-3 and 5-20, a complete disclosure of the identified documents is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001. The documents contain the names/initials and contact information of Commission staff members not pertaining to the senior management; the names/initials and contact details of other natural

persons; handwritten signatures/abbreviated signatures of natural persons and other information relating to an identified or identifiable natural person

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

As regards document 2, in the course of the consultation with the third party, the author of the document indicated that parts of the document contain information that could undermine the protection of their commercial interests as they indicated access levels, ways of working, communication channels, and approaches. Therefore, some parts of the document have been redacted pursuant to Article 4(2) first indent of Regulation (EC) No 1049/2001.

Please note that document 1 was drawn up for internal use under the responsibility of the relevant officials of the Directorate-General for Climate Action. It solely reflects the author's interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

The list of meetings of the Executive Vice-President Timmermans, his Cabinet and the meetings of the Director-General of Directorate-General for Climate Action with organisations and self-employed individuals are available in the links enclosed below:

<http://ec.europa.eu/transparencyinitiative/meetings/meeting.do?host=d41e42be-7ff1-4635-bb4f-e47d38f886ed>

<http://ec.europa.eu/transparencyinitiative/meetings/meeting.do?host=f1afd532-0d40-4dcd-8e45-667b57075377>

<http://ec.europa.eu/transparencyinitiative/meetings/meeting.do?host=ec1ecb7e-2615-44eb-895b-6b08637c2a0d>

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

European Commission
Secretariat-General
Unit C.1. 'Transparency, Document Management and Access to Documents'
BERL 7/076
B-1049 Brussels, or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

(e-signed)

Mauro PETRICCIONE