



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

The Director-General

Brussels, 09/02/2023
MP ener.a.1(2023)1324177

Ms Venetia Roxburgh
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United Kingdom

By email: [ask+request-10338-
fd476d85@asktheeu.org](mailto:ask+request-10338-fd476d85@asktheeu.org)

Subject: Your application for access to documents – 2021/7754

Dear Ms Roxburgh,

We refer to your request for access to European Commission documents registered on 6 December 2021 under the above-mentioned reference number.

You request access to *all documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts, recordings and minutes/notes) relating to the meeting listed below:*

- 1. Between CEMBUREAU and Thor-Sten Vertmann, Cabinet member of Kadri Simson on the 5th February 2020;*
- 2. Between CEMBUREAU and Dominique Ristori, Director-General on the 4th June 2019.*

With reference to the first point of your request, the following documents fall within the scope of your application:

Nr	Stakeholder	Ares	Date	Title
1	CEMBUREAU	Ares(2020)62148	07/01/2020	MEETING REQUEST SG several dates 01 and 02/2020 - follow up to previous meeting request KS - with CEMBUREAU representatives

2	CEMBUREAU			CEMBUREAU Letter – Commissioner Simson
3	CEMBUREAU			CEMBUREAU-BUILDING-CARBON-NEUTRALITY-IN-EUROPE (1)
4	CEMBUREAU	Ares(2023)420388	19/01/2023	MEETING MINUTES_Meeting with Cembureau_20200205
5	CEMBUREAU			CO2 uptake in concrete – IVL report summary
6	CEMBUREAU			3E_StructuralThermalEnergyStorageHeavyWeightBuildings_2016-10-25_Light (1)
7	CEMBUREAU			TheConcreteInitiative_-_PositionPaper_thermal_mass-3E_-_2016-10-25 (1)

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that the documents listed above may be partially disclosed.

In fact, 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, because they contain the following personal data:

- 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.

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.

In addition, please note that documents originating from third parties, which have been consulted, are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your

right to reproduce or exploit the released documents without the agreement of the originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

Access is granted to minutes of meetings with external parties. These documents were drawn up for internal use under the responsibility of the relevant service. They solely reflect the service's interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer. They do not reflect the position of the Commission and cannot be quoted as such.

With reference to the second point of your request, we regret to inform you that the Commission does not hold any document that would correspond to the description given in your application.

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

Given that no such documents, corresponding to the description given in point 2 of your application, are held by the Commission, the Commission is not in a position to completely fulfil your request.

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

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

by asking for a review via your portal¹ account (available only for initial requests submitted via the portal account),

or by mail:

European Commission

Secretariat-General

Transparency, Document Management & Access to Documents (SG.C.1)

BERL 7/076

B-1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Ditte Juul Jørgensen

¹ <https://www.ec.europa.eu/transparency/documents-request>