



EUROPEAN COMMISSION
 DIRECTORATE-GENERAL
 CLIMATE ACTION
 The Director-General

Brussels
 CLIMA

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Subject: Your application for access to documents – EASE 2023/1754

Dear Ms Dmitriew,

We refer to your request for access to European Commission documents registered on 20 March 2023 under the above-mentioned reference number.

In your application, you requested access to

All documentation, including, but not limited to, attendance lists, agendas, background papers, minutes/notes and email correspondence about or summarising, the following meetings of Commissioner Frans Timmermans and DG CLIMA and their cabinet with multiple organisations:

- 1. Meeting with Brazilian Association of Vegetable Oil Industries (ABIOVE), Brazilian Sugarcane and Bioenergy Industry Association (UNICA), and Brazilian Tree Industry (IBÁ) on 23/01/2023 about the EU Deforestation Regulation.*
- 2. Meeting with Volvo AB (Volvo Group), Volkswagen Aktiengesellschaft (VOLKSWAGEN AG), RENAULT, Belgian & Luxembourg Federation of Automobile & Two-wheeler Industry (FEBIAC), Association des Constructeurs Européens d'Automobiles (ACEA), and Stellantis on 19/01/2023 about developments in electric mobility.*

Your application concerns the following documents:

Title	Date	Reference
1. EVP Timmermans - REPORT - Working Breakfast with Brazilian business 23.01.2023_Redacted	12/05/2023	Ares(2023)3347841

2. Briefing EVP Timmermans - Working Breakfast with Brazilian business 23.01.2023	12/05/2023	Ares(2023)3348142
3. RE_Visit EVP Timmermans to Brussels Motor Show in Heysel 19.01.2023_Redacted	16/05/2023	Ares(2023)3435411
4. Programme visit EVP Timmermans to Brussels Motor Show in Heysel 19-01-2023_Redacted	16/05/2023	Ares(2023)3435411

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I regret to inform you that your application cannot be completely granted, as disclosure of some of the requested documents is prevented by exceptions to the right of access laid down in Article 4 of this Regulation.

Please find the detailed reasons for the refusal below.

With regard to the documents 1, 3 and 4 listed above, a full 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 names/initials and contact information of Commission staff members not pertaining to the senior management and third parties.

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.

Concerning documents 1 and 2, the (full) disclosure of the documents would undermine the protection of international relations, as protected by Article 4(1)a of Regulation 1049/2001

The documents include specific information which serve as basis for current and future discussions with Brazil about the Deforestation Regulation. The disclosure of this information at this moment in time could have negative repercussions for the relations between EU and Brazil, and moreover for the dialogue engaging representatives of organizations of civil society representing the interests of economic sectors in Brazil and organizations operating on the implementation of the European Green Deal and its external impact. Their disclosure could limit the possibilities to come to a final agreement that preserves the EU interest. As the negotiations are ongoing, the disclosure of the information in the document requested at this moment in time may therefore undermine the protection of the public interest as regards international relations.

In order for the Commission to be able to carry out its tasks, there has to be a climate of mutual trust in the Commission and also in contacts with the other partners, throughout the different stages of the procedure until the decision-making process has been definitively closed. In these circumstances, early disclosure of the documents may adversely affect the dialogue between the political actors.

In the light of the above, the exception laid down in Articles 4(1)a of Regulation (EC) No 1049/2001 applies to documents 1 and 2.

The exceptions laid down in Article 4(3) of Regulation (EC) No 1049/2001 apply unless there is an overriding public interest in disclosure of the documents. Such an interest must, firstly, be public and, secondly, outweigh the harm caused by disclosure. You have not put forward any arguments to demonstrate the existence of an overriding public interest in disclosure. Nor have I been able to identify any public interest capable of overriding the private interest protected by Article 4(3), first and third indent of Regulation (EC) No 1049/2001.

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 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,

Kurt Vandenberghe
Director-General

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