



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL  
CLIMATE ACTION  
The Director-General

Brussels,

*By registered letter with acknowledgment of receipt*

Pascoe Sabido  
Corporate Europe Observatory  
Rue d'Edimbourg 26  
1050 Brussels

*Advance copy by email:*

[ask+request-4842-bebbb24a@asktheeu.org](mailto:ask+request-4842-bebbb24a@asktheeu.org)

**Subject: Your application for access to documents - GestDem 2017/7266**

Dear Mr Sabido,

I refer to your application for access to documents dated 1 December 2017, registered on 5 December 2017 under the above mentioned reference number.

For the time period September 2014 to December 2017, you request access to all correspondence and all meetings and corresponding minutes held either internally within DG Energy, with other DGs, or third parties on UNEP's Oil and Gas Methane Partnership (OGMP) and/or its related activities.

The Directorate General for Climate Action deals with this particular subject, your application has been therefore been assigned to my service.

Your application concerns the following documents:

	type	date	author
1	email	1/9/2014	UNEP
2	meeting report	9/9/2014	ENER
3	email	21/9/2015	UNEP
4	email	2/11/2015	UNEP
5	meeting report	8/12/2015	ENER
6	email	3/3/2016	EDF
7	email	1/4/2016	ENER
8	email	27/4/2016	UNEP
9	email	2/5/2016	UNEP
10	email	6/9/2016	ENER
11	email	25/10/2016	UNEP
12	email	3/11/2016	ENER

	<b>type</b>	<b>date</b>	<b>author</b>
13	email	6/1/2017	ENER
14	email	27/10/2017	UNEP

These documents are enclosed.

They contain personal data, in particular names, functions, direct phone numbers and email addresses.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data<sup>1</sup>.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable<sup>2</sup>.

According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

I consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, I am disclosing these documents expunged from this personal data.

The Commission has received some of the requested documents from third parties. In accordance with Article 4(4) of Regulation (EC) No 1049/2001, my services have consulted those third parties concerning the disclosure of the requested documents emanating from them.

In the course of this consultation, the UNEP has taken the position that document 3 contains sensitive strategic aspects of CCAC government and NGO members' plans to recruit oil and gas companies to join the Oil & Gas Methane Partnership which could undermine the protection of commercial interests of actors in this sector. The UNEP therefore considers that Article 4(2) first indent of Regulation (EC) No 1049/2001 applies to parts of document 3, which have been redacted accordingly.

The exception laid down in Article 4(2) of Regulation 1049/2001 must be waived if there is an overriding public interest in disclosure. Such an interest has to be public and outweigh the damage caused by the release. Having examined your request, and with the

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<sup>1</sup> Official Journal L 8 of 12.1.2001, p. 1

<sup>2</sup> Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.

information available to me, I am not in a position to identify any overriding public interest in the full disclosure of document 3.

Documents 1, 3, 4, 6, 8, 9, 11, and 14 emanate from third parties. They are disclosed for information only, they do not reflect the position of the Commission and cannot be quoted as such.

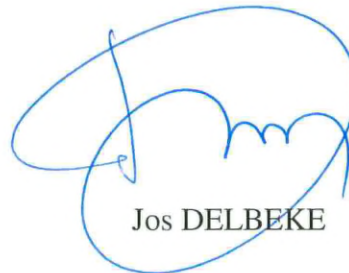
In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

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

European Commission  
Secretary-General  
Transparency unit SG-B-4  
BERL 5/282  
B-1049 Bruxelles

or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,



Jos DELBEKE

Encl.