



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
CLIMATE ACTION

CLIMA. 001 – Legal Affairs, Inter-Institutional Relations and Communication

Brussels,

By registered letter with acknowledgment of receipt

Belen Balanya
Corporate Europe Observatory
Rue d'Edimbourg 26,
1050 Brussels
Belgium

Advance copy by email: ask+request-7530-00ff933f@asktheeu.org

Subject: Your application for access to documents – GestDem 2020/0151

Dear Ms. Balanya,

We refer to your e-mail of 19 December 2019 in which you make a request for access to documents, registered on 8 January 2020 under the above-mentioned reference number.

You request access to:

- i) *All correspondence (including email) since 1st January 2019 between the former Commissioner for Clima and his cabinet and/or officials and representatives of DG Clima on one hand and representatives from BusinessEurope, Shell, ExxonMobil, Chevron, Total, BP, CEFIC, the International Association of Oil & Gas Producers (IOGP), EUROGAS, FuelsEurope, the European Energy Forum, Hydrogen Europe, ETIP ZEP (ZEP), the Technical Committee of Petroleum Additive Manufacturers in Europe AISBL (ATC), Association Technique de l'Industrie Européenne des Lubrifiants (ATIEL), European Biodiesel Board (EBB), Fédération belge des industries chimiques et des sciences de la vie (essenscia), European Federation of Energy Traders (EFET), and the International Emissions Trading Association (IETA) on the other, in which the European Green Deal was addressed.*
- ii) *List of meetings since 1st January 2019 between officials and representatives of DG Clima on one hand and representatives from BusinessEurope, Shell, ExxonMobil, Chevron, Total, BP, CEFIC, the International Association of Oil & Gas Producers (IOGP), EUROGAS, FuelsEurope, the European Energy Forum, Hydrogen Europe, ETIP ZEP (ZEP), the Technical Committee of Petroleum Additive Manufacturers in Europe AISBL (ATC), Association Technique de l'Industrie Européenne des Lubrifiants (ATIEL), European Biodiesel Board (EBB), Fédération belge des industries chimiques et des sciences de la vie (essenscia), European Federation of*

Energy Traders (EFET), and the International Emissions Trading Association (IETA) on the other, in which the European Green Deal was addressed.

iii) *Minutes of the meetings mentioned above*

Your application concerns the following documents:

	Author	Date	Reference
1	European Commission	22 November 2019	Ares(2020)526619
2	European Commission	24 October 2019	Ares(2020)526864

With regard to the documents listed above, 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 names and contact information of Commission staff members not pertaining to the senior management.

Please note in this respect that the names, signatures, functions, telephone numbers and/or initials pertaining to staff members of an institution are to be considered personal data.¹

Article 9(1)(b) of the Data Protection Regulation² 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 the second point of your application, I regret to inform you that the Commission does not hold any document that would correspond to the description given in your application. Nevertheless, information on meetings with the participation of the Director General of DG Climate Action is available in the public domain:

¹ Judgment of the General Court of 19 September 2018 in case T-39/17, *Port de Brest v Commission*, paragraphs 43-44, [ECLI:EU:T:2018:560](#).

² Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 205, 21.11.2018, p. 39.

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

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 faithfully,



Luca DE CARLI
Head of Unit