



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL MARKETS UNION

Sustainable Finance
Head of Unit

Brussels,
FISMA B2 HH/nm/2021/6902798

Ms Belen Balanya,
Corporate Europe Observatory
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Response per e-mail
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Subject: Your request for access to documents (our ref. GESTDEM: 2021/3027)

Dear Ms Balanya,

Thank you very much for your e-mail dated 6 May 2021, in which you make a request for access to documents, registered under the above mentioned reference number. We apologise for the delay in our answer.

Your original request was as follows:

“1- all correspondence (including email) between 1st January 2021 and 6th May 2021 between Commissioner Simson, Commissioner Timmermans, Commissioner Breton, President van der Leyen, Commissioner McGuinness, Commissioner Gentiloni and/or their cabinets and/or officials from DG Energy, DG Clima, DG Grow, DG Fisma and Secretariat General on one hand and stakeholders on the other, where EU taxonomy for sustainable activities was addressed. 2 - list of meetings/video calls/calls between 1st December 2020 and 6th May 2021 between officials and/or representatives of the European Commission and stakeholders where the issue of EU taxonomy for sustainable activities was addressed. 3 - minutes of the meetings/video calls/calls mentioned above”.

On 19 August, we sent you our proposal to narrow down the scope of your application (Ares(2021)5190486), so as to reduce it to a more manageable amount of documents, namely a **list of meetings/video calls/calls between 1st December 2020 and 6th May 2021 between FISMA officials and stakeholders where the issue of EU taxonomy for sustainable activities was addressed and the minutes of those meetings (when available)**. Given the lack of response from your side, we consider that you accepted our proposal and the scope of your original request has been consequently reduced. On this basis, we have identified 11 documents which are listed and enclosed together with the list of meetings you requested.

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 a number of them can be fully disclosed, but some may be only partially disclosed as they contain personal data, in particular names and contact details. Some parts of these documents have been redacted as their disclosure is prevented by exception to the right of access laid down in Article 4 of this Regulation, for data protection reasons.

Personal data can only be transmitted under specific exceptional conditions, including if *'the recipient establishes that it is necessary to have the data transmitted for a specific purpose in the public interest'*. According to Article 9(1)(b) of Regulation 2018/1725, the European Commission only has to examine the further conditions for a lawful processing of personal data if the recipient has established that it is necessary to have the data transmitted for a specific purpose in the public interest. In your request, you do not 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 1049/2001, access cannot be granted to the personal data, 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.

Yours sincerely,

[e-signed]

Martin Spolc

Enclosures: List of documents and 11 documents redacted