



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
CLIMATE ACTION
The Director-General

Brussels

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Subject: Your application for access to documents – Ref GestDem No 2021/3215

Dear Mr Rodrigues,

We refer to your e-mail dated 14 May 2021 in which you make a request for access to documents, registered on 17 May 2021 under the above-mentioned reference number.

Your requested access to: *“All documentation (including but not limited to email correspondence, agendas, attendance lists, transcripts, recordings and notes) of the following meetings:*

- i) 11 Oct 2017 - Bernd Biervert Juraj Nociar - Clean Energy Package, ETS, gas infrastructure projects (DG Energy Union)
- ii) 12 Jul 2017 - Director-General Jos Delbeke - ETS (DG Climate Action)
- iii) 13 Oct 2016 - Vice-President Maroš Šefčovič - Eastern Mediterranean, LNG, ETS (DG Energy Union)
- iv) 10 Jun 2016 - Yvon Slingenberg - EU ETS and transport policy (DG Climate & Energy)
- v) 02 Mar 2016 - Director-General Jos Delbeke - ETS (DG Climate Action)
- vi) 17 Sep 2015 - Director-General Jos Delbeke - ETS (DG Climate Action)
- vii) 21 Aug 2015 - Commissioner Miguel Arias Cañete - ETS review proposal and gas/LNG market (DG Climate & Energy)
- viii) 21 Aug 2015 - Yvon Slingenberg - ETS review proposal and gas/LNG market (DG Climate & Energy)
- ix) 17 Mar 2015 - Yvon Slingenberg - Energy Union; Paris /COP21; ETS review post 2020 (DG Climate & Energy)
- x) 17 Mar 2015 - Commissioner Miguel Arias Cañete - Energy Union; Paris /COP21; ETS review post 2020 (DG Climate & Energy)”.

Your submitted application for access to documents covers topics falling under the responsibility of different Commission services. In that regard, your request has been split to the separate requests, whereby each part is attributed to the respective Commission service under a separate Gestdem reference number. Each Director-General service provides its own, separate reply which relates only to the documents held by that service or responsible Cabinet. In this regard, points i) and iii) will be covered by the reply of another Service.

The following documents fall within the scope of your application:

	Author	Date	Reference
1	European Commission	17 July 2017	Ares(2017)3669468
2	European Commission	7 March 2016	Ares(2016)1161190
3	European Commission/Shell	16 September 2015	Ares(2021)3340628
4	European Commission/Shell	24 February 2016	Ares(2021)3340737
5	European Commission/Shell	6 July 2017	Ares(2021)3340496
6	European Commission	24 August 2015	Ares(2015)3484318
7	European Commission	21 August 2015	CAB ARIAS CANETE/43

Following an examination of the documents under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents and taking into account the opinion of the third parties, I regret to inform you that a complete disclosure cannot be granted, as disclosure is prevented by exceptions to the right of access laid down in Article 4 of this Regulation.

The disclosure of some parts of the 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; names and contact details of other natural persons and other information relating to an identified or identifiable natural person.

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 above-mentioned 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 document 7, it is a briefing note that covers Commission's view/perception of international strategies of third parties, including in Russia, Algeria and Ukraine. It also includes the Commission's assessment of energy strategy and infrastructure projects with/from third countries. The disclosure of some parts of the document could seriously undermine, in a reasonably foreseeable manner, the public interest as regards international relations of the EU. Moreover, some parts of the document contain commercially sensitive business information, which could undermine the commercial interests of a third party. Therefore, I conclude that the exceptions laid down in Article 4(1)(a) third indent and Article 4(2) first indent and 4(3) of Regulation (EC) No 1049/2001 apply to some parts of this document.

Please note that documents 1, 2, 6 and 7 were drawn up for internal use under the responsibility of the relevant officials of the European Commission. They solely reflect the author's interpretation of the interventions made and do not set out any official position of the third parties to which the document refers, which were not consulted on its content. They do not reflect the position of the Commission and cannot be quoted as such.

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 within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

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,

(e-signed)

Mauro PETRICCIONE