



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL  
TAXATION AND CUSTOMS UNION  
The Director-General

Brussels,  
TAXUD/GT/Svdv –  
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*(by e-mail and registered mail)*

Dear Sir,

**Subject: Your application for access to documents – Ref GestDem No 2021/4506**

We refer to your application dated 13 July 2021 in which you make a request for access to: “... *documents which contain the following information on the meeting held on the 08/06/2021 between the DG Thomas Gerassimos and Airlines for Europe.*

- *Agendas,*
- *Background papers,*
- *Minutes/notes and email correspondence about or summarising the meeting.*

*The subject was "Videoconference - Discussion on energy taxation and the taxation of the aviation sector",*

registered under the above mentioned reference number.

Following your request we have identified four documents that you will find enclosed herewith:

1. *e-mail meeting request dated 5 May 2021;*
2. *e-mail meeting request dated 20 May 2021;*
3. *meeting report between DG TAXUD and A4E dated 8 June 2021;*
4. *briefing (virtual) meeting with A4E Steering Board dated 25 March 2021.*

The object of this meeting was to exchange views with the Airlines for Europe (A4E) relating the future energy taxation directive.

Your application has been dealt with in accordance with Regulation 1049/2001 on public access to Commission documents.

#### *Documents 1 and 2*

These documents are the e-mail exchange with A4E. In accordance with Article 4(4) of the Regulation, the third party (A4E) was consulted as concerns the documents originating from them. In particular, they have been consulted because personal data of their representatives and staff is mentioned in the e-mails. They could agree with the disclosure of the documents under the condition that the personal details of the A4E staff and representatives (names, phone numbers, e-mail addresses, etc.) are redacted from the information we intend to share.

Following from Regulation (EC) No 1049/2001 and based on the consultation with the third party, we have considered that documents 1 and 2 can be disclosed. Some references to personal data have been redacted (see below under Personal data). In reply to this letter, a meeting was organized on 8 June between the Director-General and A4E.

#### *Documents 3 and 4*

These documents are a short report and a briefing originating from the Commission's services.

Following from Regulation (EC) No 1049/2001, I am pleased to inform you that the documents 3 and 4 can be disclosed. Some references to personal data of Commission staff and A4E-representatives have been redacted (see below under Personal data).

As concerns *document 4*, note that there are annexes to the briefing. Two annexes relate to position papers of A4E which can be found on their website:

<https://a4e.eu/destination-2050-the-aviation-sectors-response-to-the-european-green-deal/>

<https://a4e.eu/publications/review-of-the-eu-energy-taxation-directive/>

A third annex is a briefing for a previous meeting between DG MOVE and A4E. This annexed briefing is not enclosed because it touches mainly on transport topics not within TAXUD's portfolio and as such are outside the scope of your request (energy taxation and taxation in the aviation sector).

#### ***Personal data***

The documents to which you have requested access contain personal data (names of officials, names of representatives of Airlines for Europe, office data, phone numbers, CV's).

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 2018/1725<sup>1</sup>. Pursuant to Article 9(1)(b) of Regulation 2018/1725,

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<sup>1</sup> Regulation (EC) No 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of individuals 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, Official Journal L 205 of 21.11.2018, p. 39.

‘personal data shall only be transmitted to recipients established in the Union other than Union institutions and bodies if the recipient establishes that it is necessary to have the data transmitted for a specific purpose in the public interest and the controller, where there is any reason to assume that the data subject’s legitimate interests might be prejudiced, establishes that it is proportionate to transmit the personal data for that specific purpose after having demonstrably weighed the various competing interests’.

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

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, 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  
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](mailto:sg-acc-doc@ec.europa.eu)

### ***Disclaimer***

Please note that documents originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originator, who may hold an intellectual property right on them.

In view of the nature of document 3, we would like to stress that Commission officials draft minutes for internal use and are usually of value only for a limited time. They solely reflect the service's interpretation of the interventions made and do not set out any official position of the third parties to which the document refers and which were not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

You may reuse the documents requested free of charge for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the document. Please note that the Commission does not assume liability stemming from the reuse.

Yours faithfully,

(e-signed)

Gerassimos THOMAS

Annexes: as stated above