Subject: Your application for access to documents – EASE 2022/7138

Dear Ms. Roxburgh,

We refer to your e-mail of 12 December 2022 in which you make a request for access to documents, registered on 12 December 2022 under the above-mentioned reference number.

In your application you request access to all documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts, recordings and minutes/notes) relating to the meeting listed below:

2. Between Cefic and Commissioner Virginijus Sinkevičius on the 18th November 2022.
3. Between Ørsted A/S, RWE AG (RWE AG), WindEurope, Vestas Wind Systems A/S (VWS), IBERDROLA (IBE), and Vattenfall and Commissioner Virginijus Sinkevičius on the 7th October 2022.

We confirm that we have identified 2 documents of meetings held with the Commissioner Virginijus Sinkevičius above.

Your application concerns the following documents listed hereunder:

<table>
<thead>
<tr>
<th>File name and registration number</th>
<th>Document title</th>
<th>Date (if available)</th>
<th>Author / Addresses</th>
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<tr>
<td>1 – Ares(2023)855134</td>
<td>Minutes Eastman</td>
<td>02 December 2022</td>
<td>Cabinet of Commissioner V. Sinkevičius</td>
</tr>
<tr>
<td>2 – Ares(2023)855187</td>
<td>Meeting Report</td>
<td>18 November 2022</td>
<td>ENV B2</td>
</tr>
</tbody>
</table>

With regard to the documents listed above, specifically correspondence, 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 the following personal data:

- the names-initials and contact information of Commission staff members not pertaining to the senior management;
- the names-initials and contact details of other natural persons;
- handwritten signatures/abbreviated signatures of natural persons.
In your application, you indicate that your address is *Venetia Roxburgh, 1 Long Lane, London, UK* / the request is made on your personal behalf. Transfers of personal data from the Commission to countries that are not members of the European Economic Area (EEA), or to international organisations are regulated under Chapter V of the Data Protection Regulation

According to Article 47(1) of this Regulation, a transfer of personal data to a third country or an international organisation may take place where the Commission has decided that the third country, a territory or one or more specified sectors within that country, or the international organisation in question ensures an adequate level of protection and where the personal data are transferred solely to allow tasks within the competence of the controller to be carried out.

Based on the information available, it is not established that these conditions are fulfilled. 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.

Based on the information available, the country of your residence is recognised by the Commission as ensuring an adequate level of protection.

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 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.

These documents were drawn up for internal use under the responsibility of the relevant services of the Directorate-General for future discussion and meeting. They solely reflect the services’ interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

We regret that the DG ENV does not hold any documents that would correspond to the meeting between *WindEurope on the 7th October 2022 with Commissioner Virginijus Sinkevičius*.

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

Given that no such documents, corresponding to the description given in your application, are held by the Directorate-General Environment, we are not in a position to fulfil your request.

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:

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by asking for a review via your portal\(^2\) account (available only for initial requests submitted via the portal account),

**or by mail:**

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 sincerely,

Electronically signed

Florika FINK-HOOIJER

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