Subject: Your application for access to documents – 2024/0553

Dear Sir,

I refer to your request for access to European Commission documents registered on 30 January 2024 under the above-mentioned reference number.

You ask for access to: “All documentation, including but not limited to attendance lists, agendas, background papers, minutes/notes and email correspondence about or summarising, the following meetings:

1. Meeting between Gerassimos Thomas, Director-General of TAXUD and representatives of ABP Pensionfunds on 20/09/2022 regarding 'Exchange of view on green transition and green taxation'.

2. Meeting between Gerassimos Thomas, Director-General of TAXUD and representatives of ABP Pensionfunds on 30/03/2022 ‘Physical meeting -EU Tax Policy Agenda’.”

We have identified the following documents:

1. E-mail exchange with ABP January 2022.

2. Dialogue with ABP 30 March 2022 (speech of the Director General TAXUD).


4. E-mail exchange with ABP July 2022.

5. Meeting minutes of 20 September 2022.
Dialogue with ABP – 30 March 2022

On 30 March 2022, an event (‘Dialogue’) was organised by the Pension fund ABP, to which the DG TAXUD was invited.

Document 1 is the exchange of emails between the third party and DG TAXUD to invite DG TAXUD to the event of 30 March 2022. Document 2 is a Commission document including the scene setter and the speaking notes for the speech of the Director General of DG TAXUD during the event organised by the Pension fund ABP on 30 March 2022. Document 3 is a ABP document with a list of subjects for discussion during the event of 30 March 2022.

Courtesy visit – 20 September 2022.

On 20 September, new representatives of ABP made a courtesy visit to DG TAXUD.

Document 4 is the exchange of e-mails to organise the meeting held on 20 September 2022. Document 5 are the minutes of the meeting held on 20 September 2022.

In accordance with Article 4(4) of the Regulation (EC) No 1049/2001 (1), we have consulted the third party (ABP), regarding the part of the correspondence and document 4 originating from them. They could agree with the disclosure of their e-mail, under the condition that a sentence relating another subject than taxation was taken out (out of scope of the meeting subject).

Having examined the requested documents under the provisions of the Regulation regarding public access to documents and taking into account the consultation of the third party (ABP), I am pleased to inform you that the documents can be disclosed. Some references to personal data have been redacted (see below under personal data).

The documents are enclosed herewith.

Redactions of personal data

Documents 1, 2, 4 and 5 to which you have requested access contain personal data (names of officials, names of other natural persons, email addresses, office data and telephone numbers).

Pursuant to Article 4(1)(b) of Regulation 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 (2).

Pursuant to Article 9(1)(b) of Regulation 2018/1725, ‘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 that 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.

**Confirmatory application**

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 to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

**by asking for a review via your portal[^3] account** (available only for initial requests submitted via the portal account),

**or by mail:**

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 faithfully,

Gerassimos THOMAS

Annexes: As mentioned above