



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL  
ENVIRONMENT

The Director-General

Brussels, 09-06-2016  
ENV B.2/ATS/fb Ares(2016)

**By registered letter  
with acknowledgment of receipt**

Ms Andrea Brock  
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Germany

**Advance copy by email:** [ask+request-  
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Dear Madam,

**Subject: Your application for access to documents – Ref GestDem No 2016/2076**

We refer to your e-mail dated 20 April 2016 in which you make a request for access to documents, registered on 21 April 2016 under the above-mentioned reference number, and to our letter of 13 May 2016.

You request access to the following information:

*"All correspondence between the DG Environment and DG Climate Action and between the DG Environment and the European Investment Bank regarding the Natural Capital Financing Initiative between January 2013 and April 2016.*

*The list of meetings with detailed minutes and any other reports of meetings between the DG Environment and the DG Climate Action and between the DG Environment and the European Investment Bank regarding the Natural Capital Financing Initiative between January 2013 and April 2016."*

Please find in Annex 1 a list of documents concerned by your application.

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, and having consulted the European Investment Bank (EIB) in accordance with Article 4(4) of the Regulation as regards the information originating from it, I have come to the conclusion that the documents may be partially disclosed. Some parts of the documents have been blanked out as their disclosure is prevented by exceptions to the right of access laid down in Article 4 of this Regulation.

- In accordance with Article 4(2) of the Regulation, some of the parts of the documents have been redacted as they contain commercially sensitive business information of the organisations involved in the development of (potential) operations under the NCFE and disclosure could result in negative financial, reputational or other impacts, irrespective of the eventual realisation of the project concerned.
- Some other parts of the documents have been edited as their disclosure would undermine the protection of the commercial interests of the EIB.
- In addition, in accordance with Article 4(1), sub b, of the Regulation, some parts of the documents (notably names) have been edited as 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 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data<sup>1</sup>. When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable<sup>2</sup>.

According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or 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.

The exceptions laid down in Article 4(2) and 4(3) of Regulation 1049/2001 apply unless there is an overriding public interest in disclosure of the full documents. However, I have not been able to identify such an interest.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position as far as the exceptions concerning the protection of commercially sensitive information as well as of personal data.

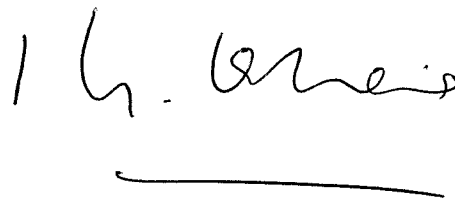
Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission  
Secretary-General  
Transparency unit SG-B-4  
BERL 5/282  
B-1049 Bruxelles

or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu).

Finally, I am happy to be informed of the meeting scheduled between you and my services later this month. I am confident this will be useful for your research objectives.

Yours sincerely,



Daniel CALLEJA

Annex 1: list of documents concerned by Request 2016/2076

Annex 2: documents concerned by Request 2016/2076

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<sup>1</sup> Official Journal L 8 of 12.1.2001, p. 1

<sup>2</sup> Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.

## Annex 1: list of documents concerned by Request 2016/2076

<b>TITLE</b>	<b>Date</b>	<b>Ares number</b>
1. NCFF Launch and ongoing management	19-12-2014	Ares(2014)4289111
2. NCFF Authorisation for opening of Financial Instrument bank account	22-12-2014	Ares(2015)6068
3. Notification of EU Contribution Committed	08-04-2015	Ares(2015)1511816
4. NCFF – Practical steps for launch and ongoing management	15-04-2015	Ares(2015)1609460
5. EIB Payment request for EU contribution to NCFF	07-05-2015	Ares(2015)2036701
6. Reply Eligibility	15-06-2015	Ares(2015)2502136
7. EU Contribution Paid	15-06-2015	Ares(2015)2511696
8. Reply Eligibility Checklist	26-06-2015	Ares(2015)2690785
9. Reply Eligibility Checklist	26-06-2015	Ares(2015)2695853
10. Reply Eligibility Checklist	19-06-2015	Ares(2015)2765310
11. Eligibility Checklist	24-07-2016	Ares(2015)3208902
12. Eligibility Checklist	24-07-2016	Ares(2015)3208918
13. Reply to revised Eligibility Checklist	31-07-2015	Ares(2015)3228178
14. Reply 2nd revised Eligibility Checklist	31-07-2015	Ares(2015)3228377
15. Notification of Payment Estimates and Pipeline Report	04-08-2015	Ares(2015)3260958
16. Reply Eligibility Checklist	28-08-2015	Ares(2015)3555665
17. updated eligibility checklist	26-08-2015	Ares(2015)3630114
18. Management declaration from EIB	04-02-2016	Ares(2016)622593
19. Notification of Payment Estimates and Submission of Pipeline Report	02-02-2016	Ares(2016)641905
20. Delegation Agreement as sent and returned signed by both Parties	16-02-2016	Ares(2016)834962
21. DRAFT Guidance	16-07-2015	Ares(2016)2662173 <sup>3</sup>
22. Minutes NCFF Steering Committee, February 2015		Ares(2016)2661189
23. Delegation of budgetary responsibility from Director-General of DG CLIMA to Director-General of DG ENV	25-09-2014	Ares(2014)3157173

<sup>3</sup> This Draft Guidance is the latest version that was exchanged. It may be further elaborated, e.g. if required for the assessment of any particular project.