



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL  
CLIMATE ACTION  
The Director-General (acting)

Brussels  
CLIMA

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**Subject: Your application for access to documents EASE 2022/6042**

Dear Ms. Dmitriew,

We refer to your request for access to European Commission documents registered on 24.10.2022 under the above-mentioned reference number.

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 meetings between the entities listed below and the Commission, including CLIMA Unit C4, on 'Heavy Duty Vehicles CO2 emission standards' or in preparation for the development of the Heavy Duty Standards proposal from the last 6 months:*

- *Companies: Volvo Group, Daimler Truck, DAF Trucks, Volkswagen, IVECO.*
- *Trade Associations: European Automobile Manufacturers' Association (ACEA), German Association of the Automotive Industry (VDA), European Association of Automotive Suppliers (CLEPA)”.*

Your application concerns the following documents:

|       | Title | Date | Reference |
|-------|-------|------|-----------|
| VOLVO |       |      |           |

|            |   |            |                   |
|------------|---|------------|-------------------|
| 1          | Platform for electromobility position on CO2 HDV_email_Redacted                 | 27.09.2022 | Ares(2022)8109585 |
| 2          | Platform for electromobility position on CO2 HDV_position paper_Redacted        | 27.09.2022 | Ares(2022)8109585 |
| 3          | Timmermans, letter ahead of presentation of legislative proposal_email_Redacted | 22.09.2022 | Ares(2022)6574489 |
| 4          | Letter to EVP Timmermans_corporate fleets_redacted                              | 22.09.2022 | Ares(2022)6574489 |
| 5          | Briefing_ Meeting Bea Yordi and Platform for elecromobility                     | 19.10.2022 | Ares(2022)7259544 |
| 6          | Reply_Personal invitation to round-off dinner in Davos, Switzerland_redacted    | 20.05.2022 | Ares(2022)3836253 |
| DAIMLER    |   |            |                   |
| 7          | Briefing_Meeting Timmermans and Mercedes-Benz Trucks and Daimler Buses          | 22.10.2022 | Ares(2022)7338780 |
| 8          | HDV CO2 Review - Impulses by Daimler Buses_email_Redacted                       | 26.07.2022 | Ares(2022)8258792 |
| 9          | Impulses_on_HDV_CO2-Review_DTAG   | 26.07.2022 | Ares(2022)8258792 |
| 10         | Meeting request for Mercedes-Benz Trucks and Daimler_Redacted                   | 14.09.2022 | Ares(2022)6352438 |
| 11         | Invitation Panelist 12. October - Zero emission trucks and buses_email_Redacted | 16.09.2022 | Ares(2022)6408323 |
| 12         | Reply_ meeting request for Mercedes-Benz Trucks and Daimler_Redacted            | 21.09.2022 | Ares(2022)6523070 |
| VOLKSWAGEN |   |            |                   |
| 13         | Invitation for informal dinner_Volkswagen_email_redacted                        | 11.07.2022 | Ares(2022)5049094 |
| ACEA       |   |            |                   |
| 14         | Briefing_Clara meeting ACEA_redacted  | 22.10.2022 | Ares(2022)7338759 |
| 15         | HDV CO2 regulation - follow-up call ACEA_email_Redacted                         | 15.06.2022 | Ares(2022)8256272 |
| 16         | ACEA_Statement_to_ZEV_CO2-review  | 15.06.2022 | Ares(2022)8256272 |
| 17         | Grow_Clima_EEA_ACEA_Telco-MeetingAgenda_v2                                      | 15.06.2022 | Ares(2022)8256272 |

|     |  |            |                   |
|-----|--|------------|-------------------|
| 18  | TF5+COM_CO2_B+C-Updates_Redacted   | 15.06.2022 | Ares(2022)8256272 |
| 19  | CO2 open topic_base lorry definition_v2  | 15.06.2022 | Ares(2022)8256272 |
| 20  | CO2 open topics_Licence_v4   | 15.06.2022 | Ares(2022)8256272 |
| 21  | HDV CO2 - meeting request_ 4 May_email_Redacted  | 29.04.2022 | Ares(2022)8257139 |
| 22  | Online Meeting_EU-COM_EEA_ACEA_CO2 open topics_final_Redacted  | 29.04.2022 | Ares(2022)8257139 |
| 23  | HDV CO2 review - ACEA position_email_Redacted  | 17.06.2022 | Ares(2022)8257309 |
| 24  | HDV CO2 Review - ACEA position (draft)_final   | 17.06.2022 | Ares(2022)8257309 |
| 25  | Letter from ACEA_email_Redacted  | 13.09.2022 | Ares(2022)8257416 |
| 26  | Letter to Deputy DG Ms Clara de la Torre_Redacted  | 13.09.2022 | Ares(2022)8257416 |
| 27  | Report meeting between Clara de la Torre and ACEA_redacted   | 18.10.2022 | Ares(2022)7217757 |
| 28  | Invitation to participate in live debate 'Getting Zero-Emission Trucks on the Road' debate_Redacted      | 20.07.2022 | Ares(2022)5346783 |
| 29  | Letter to Timmermans_Getting Zero-Emission Trucks on the Road_redacted                                   | 18.07.2022 | Ares(2022)5346783 |
| 30  | Invitation to Mr Timmermans to participate in 'Getting Zero-Emission Trucks on the Road' debate_Redacted | 27.09.2022 | Ares(2022)5420466 |
| 31  | Timings for 'Getting Zero-Emission Trucks on the Road' debate_Redacted                                   | 26.10.2022 | Ares(2022)5420466 |
| VDA |  |            |                   |
| 32  | INVITATION as keynote speaker at the the IAA TRANSPORTATION Conference in Hanover,_Redacted              | 06.05.2022 | Ares(2022)3507466 |
| 33  | Übersicht IAA Conference 2022  | 06.05.2022 | Ares(2022)3507466 |
| 34  | INVITATION as keynote speaker at the the IAA TRANSPORTATION Conference_Redacted                          | 30.05.2022 | Ares(2022)4017076 |
| 35  | Reply_MEETING REQUEST VDA_Redacted   | 07.06.2022 | Ares(2022)4203298 |

| CLEPA |   |            |                   |
|-------|---|------------|-------------------|
| 36    | Request for a meeting_ CO2 for HDV_email_Redacted | 20.07.2022 | Ares(2022)8258325 |
| 37    | CO2-standards-HDV_position paper                  | 20.07.2022 | Ares(2022)8258325 |

With regard to the documents 1-4, 6, 8, 10-15, 18, 21-23, 25-32, 34-36 listed above, 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;

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.

Please note that the 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. The European Commission does not assume any responsibility from their reuse.

Document 14 was drawn up for internal use under the responsibility of the relevant service of the Directorate-General for Climate Action. It solely reflects the service's 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.

Since document 9 originates from a third party, the originator of the document has been consulted. Following an examination of document 9 under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents and taking into account the opinion of the third party, I regret to inform you that access to this document cannot be granted, as disclosure is prevented by exception to the right of access laid down in the first indent of Article 4(2) of this Regulation.

Document 9 contains commercially sensitive business information of the company that submitted it. The author has objected its disclosure that it sent to the Commission and has motivated its position, by specifying that the document contains specific indications about the company's future business strategy and its disclosure to potential competitors could lead to relevant business damages.

Concerning documents 5 and 7, the disclosure of the documents would undermine the decision-making process of the Commission protected by Article 4(3), first paragraph of Regulation 1049/2001, as it would reveal preliminary views and policy options which are currently under consideration; as indeed, the decision-making process with a view to the adoption of the proposal for a revision of the CO2 emissions standards for new Heavy-duty vehicles Regulation (2019/1242) is still ongoing. The proposal should be adopted early 2023 and then the deliberations between the co-legislators would begin.

Document 5 has been prepared for a meeting between Beatriz Yordi, Director of Directorate B (Carbon Markets & Clean Mobility) and the Platform for Electromobility, whereas document 7 has been prepared for a meeting between EVP Frans Timmermans and representatives of Mercedes-Benz Trucks and Daimler Buses.

In order for the Commission to be able to carry out its tasks, there has to be a climate of mutual trust in the Commission and also in contacts with the co-legislators, throughout the different stages of the procedure until the decision-making process has been definitively closed. In these circumstances, early disclosure of the documents may adversely affect the dialogue between the Commission and the co-legislators. Therefore, the exception laid down in Article 4(3), first subparagraph of Regulation (EC) No 1049/2001 applies to this document.

The exceptions laid down in Article 4(3) of Regulation (EC) No 1049/2001 apply unless there is an overriding public interest in disclosure of the documents. You have not put forward any arguments to demonstrate the existence of an overriding public interest in disclosure. Nor have I been able to identify any public interest capable of overriding the private interest protected by Article 4(2), first and third indent of Regulation (EC) No 1049/2001.

As laid down in Article 4(6) of Regulation (EC) No 1049/2001, we have considered the possibility of granting partial access. I have examined whether partial access could be granted to the document. However, for the reasons explained above, no meaningful partial access is possible without undermining the interests described above. Partial access to the requested document would result in documents which would be either meaningless or else give rise to misinterpretations, confusion and undue speculations.

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 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<sup>1</sup> 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](mailto:sg-acc-doc@ec.europa.eu).

Yours faithfully,

Clara DE LA TORRE

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<sup>1</sup> <https://www.ec.europa.eu/transparency/documents-request>