



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
CLIMATE ACTION
The Director General

Brussels,

By registered letter with acknowledgment of receipt

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Belgium

Advance copy by email:
ask+request-3585-62fa3085@asktheeu.org

Subject: Your application for access to documents - GestDem 2016/6774

Dear Mr Sabido,

I refer to your e-mails dated 28 and 29 November 2016 in which you make a request for access to documents, registered on 30 November 2016 under the above mentioned reference number.

You request access to

- a) a list of meetings,
- b) minutes and other reports of these meetings,
- c) all correspondence (including e-mails and annexes)

between officials and/or representatives of the Directorate General for Climate Action (including the Commissioner and his Cabinet) and representatives of WindEurope and/or SolarPower Europe, between January and November 2016.

A list of meetings, as you have requested it under point a), does not exist.

As specified in Article 2(3) of Regulation 1049/2001, the right of access as defined in that Regulation applies only to existing documents in the possession of the institution.

However, information on meetings with the participation of Commissioner Cañete or his Cabinet, or myself, is available on the Commission's web pages:

<http://ec.europa.eu/transparencyinitiative/meetings/meeting.do?host=523060f7-97c6-480b-8bb9-30bb409e650e>

<http://ec.europa.eu/transparencyinitiative/meetings/meeting.do?host=9778d998-6aed-40e3-a1d6-614db81c7918>

<http://ec.europa.eu/transparencyinitiative/meetings/meeting.do?host=d41e42be-7ff1-4635-bb4f-e47d38f886ed>

The remainder of your application concerns the following documents:

	registration	date	entity
1	Ares(2016)2980222	27/6/2016	WindEurope
2	Ares(2016)5616017	27/9/2016	several
3	Ares(2016)6784973	10/10/2016	WindEurope
4	Ares(2016)6784516	13/10/2016	SolarPower Europe
5	Ares(2016)6784744	18/10/2016	WindEurope
6	Ares(2016)6071950	21/10/2016	WindEurope
7	Ares(2016)6784178	26/10/2016	WindEurope
8	Ares(2016)6598303	23/11/2016	WindEurope
9	Ares(2016)6651371	28/11/2016	SolarPower Europe
10	Ares(2016)6784294	5/12/2016	WindEurope

Please note that these documents were received by the Commission from third parties. They are disclosed for information only. They do not reflect the position of the Commission and cannot be quoted as such.

The documents to which you have requested access contain personal data, in particular names, signatures, direct email addresses and phone numbers.

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 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 data¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable².

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.

I 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, I am 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

¹ Official Journal L 8 of 12.1.2001, p. 1

² 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.

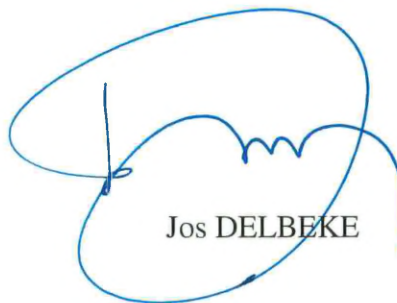
1049/2001, to make a confirmatory application requesting the Commission to review this position.

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

or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,



Jos DELBEKE

Enclosures