



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
CLIMATE ACTION

Legal Affairs, Inter-Institutional Relations & Communication

Brussels

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Friends of the Earth Europe
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1000 Brussels
Belgium

Advance copy by email: ask+request-9064-
8b00f24e@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 2021/0747

Dear Ms Douo,

We refer to your e-mail dated 12 February 2021 in which you make a request for access to documents, registered on 16 February 2021 under the above-mentioned reference number.

You requested access to:

- i) *“All correspondence, including attachments (i.e. any emails, mail correspondence or telephone call notes) between DG CLIMA, including any Cabinet Members and/or officials, and Ms Nahalie Tocci.*
- ii) *a list of all meetings and/or calls attended by DG CLIMA, including any Cabinet Members and/or official, that were attended by Ms Nathalie Tocci as well. The list should include: date, individuals attending and organisational affiliation, list of issues discussed, as well as minutes and other reports of these meetings and/or calls and all documents prepared for the purpose of the meetings issued both in preparation and after the meetings took place”*

Your application concerns two documents registered under reference Ares(2021)221545.

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents¹, I regret to inform you that your

¹ Official Journal L 145, 31.05.2001 p.43

application cannot be granted, as disclosure is prevented by Article 4(1)(b) of Regulation (EC) No 1049/2001 concerning the protection of privacy and the integrity of the individual.

In your application you describe the documents you wish to obtain access by reference to the name of an individual. This individual does not act as a public figure and the name is considered personal data according to the Data Protection Regulation². Therefore, any document partially or completely disclosed would allow for a direct identification of a natural person.

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 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.

Following its administrative practice, the Commission lists all the identified documents in the reply to an access to documents request. This list usually contains the author, addressee, date, title and internal reference of the documents identified under the scope of the application. Nevertheless, the list cannot be included in this reply as it would reveal personal data related to an identifiable natural person.

Please note that the list of meetings of the Executive Vice-President Timmermans, his Cabinet and the meetings of the Director-General of DG CLIMA with organisations and self-employed individuals are available in the links enclosed below:

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

<http://ec.europa.eu/transparencyinitiative/meetings/meeting.do?host=f1afd532-0d40-4dcd-8e45-667b57075377>

<http://ec.europa.eu/transparencyinitiative/meetings/meeting.do?host=ec1ecb7e-2615-44eb-895b-6b08637c2a0d>

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.

² Official Journal L 119, 4.5.2016, p. 1.

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:

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,

(e-signed)

Luca DE CARLI