



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL  
ENVIRONMENT

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*Sent by email with acknowledgement of receipt:* [ask+request-10830-aca67323@asktheeu.org](mailto:ask+request-10830-aca67323@asktheeu.org)

**Subject: Your application for access to documents – GESTDEM 2022/1501**

Dear Madam,

We refer to your email of 14 March 2022 in which you make a request for access to documents, registered on 14 March 2022 under the above-mentioned reference number.

You request access to all documents drawn up, transmitted or received by the Commission in the framework of

- EU Pilot investigation 8540/16/ENVI
- The meetings held between the Commission and Denmark on site specific conservation objectives and measures for Natura 2000 sites, as well as pressures deriving from agricultural activities on Natura 2000 sites.

Your application concerns the following documents:

- EU Pilot (2016)8540 request of 4 May 2016, Ref. 3916-93318
- Danish reply of 8 July 2016 to EU Pilot (2016)8540, Miljø- og Fødevareministeriet, Koncern Jura, Ref. SAHHE, KIRST
- Additional questions to EU Pilot (2016)8540 of 12 September 2016, Ref. 3916-96531
- Danish reply of 26 September 2016 to Commission's additional questions to EU Pilot (2016)8540, Miljø- og Fødevareministeriet, Koncern Jura, J.nr. 2016-9436, Ref. SAHHE
- Additional questions to EU Pilot (2016)8540 concerning the Nitrates Directive of 7 December 2016, Ref. 3916-492815
- Danish reply of 23 December 2016 to Commission's additional questions to EU Pilot (2016)8540, Miljø- og Fødevareministeriet, Koncern Jura, J.nr. 2016-12719, Ref. SAHHE

- Further additional questions to EU Pilot (2016)8540 of 1 June 2018, Ref. 3918-512610
- Danish reply of 7 September 2018 to Commission's additional questions to EU Pilot (2016)8540, Miljø- og Fødevareministeriet, Koncern Jura, J.nr. 2018-6417, Ref. SAHHE/KIRST
- Annex 1 of 23 August 2018, Stikprøver, Miljø- og Fødevareministeriet, Ref. 3918-515398
- Annex 2 of 21 June 2018, Terrestriske naturtyper følsomme over for kvælstof, jf. bilag 3, D, i bekendtgørelse nr. 1021 af 6. juli 2018 om godkendelse og tilladelse m.v. af husdyrbrug, Miljø- og Fødevareministeriet, Koncern Jura, J.nr. 2018-6417
- Minutes of DK-EC bilateral meeting of 23-24/10/2019, Ref. Ares(2020)1322677 – 03/03/2020
- Operational conclusions as agreed by the Commission and the Danish authorities concerning the bilateral meeting of 23-24/10/2019, Ref. Ares(2020)1322677 – 03/03/2020

With the exceptions mentioned below, the above-listed documents are fully disclosed. The Danish authorities were consulted on the disclosure of the documents originating from them.

The documents *Minutes of DK-EC bilateral meeting of 23-24/10/2019* and *Operational conclusions as agreed by the Commission and the Danish authorities concerning the bilateral meeting of 23-24/10/2019* are partially disclosed. This is due to the fact that these documents concern a bilateral meeting between the Danish authorities and the Commission during which several different topics were discussed. Therefore, they are disclosed as far as they cover the issues that are the subject-matter of your request. Furthermore, their complete disclosure 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.

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 requested 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.

You may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf based on the [Commission Decision on the reuse of](#)

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Please note that 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.

Any document concerning minutes or a summary record of a meeting with external parties was drawn up for internal use under the responsibility of the relevant service of the Directorate-General for Environment. 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. It does not reflect the position of the Commission and cannot be quoted as such.

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 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](mailto:sg-acc-doc@ec.europa.eu).

Yours faithfully,

Florika FINK-HOOIJER

