



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
CLIMATE ACTION
Directorate A – Strategy, Analysis and Planning
CLIMA.A.4 – Administration, Financial Affairs & Human Resources

Brussels
CLIMA.A.4

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Advance copy by email: ask+request-12125-88b76fe5@asktheeu.org

Subject: Your application for access to documents 2022/6500

Dear Ms Balanya,

We refer to your request for access to European Commission documents registered on 10.11.2022 under the above-mentioned reference number.

You request access to *all briefings prepared for the Commissioner, Director General and/or DG Clima officials in advance of meetings with the European Round Table for Industry (ERT) from June 2021 until the present day.*

Your application concerns the following documents:

- “Briefing_EVP Timmermans at ERT Plenary”, dated 05.12.2021, Reference Ares(2021)7501986
- “Briefing_EVP Timmermans_European Round Table for Industry (ERT) Plenary_COP26”, dated 21.12.2022, Reference (2022)8881947

With regard to the first document 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 roles and functions of third parties individuals, who are not public figures, acting in their public capacity.

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.

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 portal¹ 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

Yours faithfully,

Rudy VAN HORENBEEK
Head of Unit

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