



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
CLIMATE ACTION

The Director General

Brussels,

By registered letter with acknowledgment of receipt

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Advance copy by email:

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Subject: Your application for access to documents – GestDem 2016/4321

We refer to your e-mails dated 26 and 28 July, and 2 August 2016, in which you make a request for access to documents and provide additional clarifications, which were registered on 2 August 2016 under the above mentioned reference number.

Taking into account the aforementioned clarifications, you request access to

- a) a list of meetings of DG CLIMA officials including the Commissioner and his Cabinet with
- b) all correspondence including emails between DG CLIMA officials including the Commissioner and his Cabinet and

representatives of SolarPower Europe and EWEA (now WindEurope), as from 1 November 2014, where there is a mention of (natural) gas or LNG.

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 held or attended by Commissioner Cañete or his Cabinet is available on the Commissioner's web pages:

<http://ec.europa.eu/transparencyinitiative/meetings/meeting.do?host=523060f7-97c6-480b-8bb9-30bb409c650e>

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

On the basis of your indications for point b), we have been able to identify one document falling within the scope of your request. It concerns an email with several enclosures from WindEurope dated 27 June 2016; one of the enclosures mentions gas.

We enclose the email as well as the relevant enclosure.

Please note that this document was received by the Commission from WindEurope. It is disclosed for information only. It does not reflect the position of the Commission and cannot be quoted as such.

One part of this document (email) to which you have requested access contains personal data, in particular names, email addresses and direct 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.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are 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 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

Enclosure: Ares(2016)2980222

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.