



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
CLIMATE ACTION

Legal Affairs, Inter-Institutional Relations & Communication

Brussels

Ben Youriev
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Spain

Advance copy by email: ask+request-9078-
78f8fd69@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 2021/0841

Dear Mr Youriev,

We refer to your e-mail dated 15 February 2021 in which you make a request for access to documents, registered on 18 February 2021 under the above-mentioned reference number.

You requested access to:

- i) *“All correspondence, including emails, sent and received since 01/01/2019, between the Commissioner for Climate Action, his cabinet, his officials, and any other representatives of DG CLIMA, and representatives from Lufthansa.*
- ii) *List of meetings, including the meeting’s minutes, since 01/01/2019, between officials and representatives of DG CLIMA and representatives from Lufthansa”*

Your application concerns the following documents:

	Author	Date	Reference
1	Lufthansa	15/01/2021	Ares(2021)346778
2	Lufthansa	15/01/2021	Ares(2021)346778
3	Lufthansa	15/01/2021	Ares(2021)346778

4	Lufthansa	05/02/2021	Ares(2021)1410627
5	Lufthansa	10/12/2020	Ares(2021)1695876
6	Lufthansa	10/12/2020	Ares(2021)1695876
7	Lufthansa	10/12/2020	Ares(2021)1695876
8	European Commission	05/03/2021	Ares(2021)1713007

Since documents 1-7 originate from a third party, the originator of the document has/have been consulted pursuant to Article 4, paragraph 4 of Regulation (EC) No 1049/2001.

Following an examination of documents 1-8 under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents and taking into account the opinion of the third party, I regret to inform you that a complete disclosure of the documents 1, 3-5 and 8 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: names and contact information of Commission staff members not pertaining to the senior management; names and contact details of other natural persons and other information relating to an identified or identifiable natural person. The author of the documents 1-7 has indicated the information, which in their view could allow for a direct or indirect identification of a natural person, including the name of a company.

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 documents 1, 3-5 and 8, 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.

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.

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