



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

Directorate A – Energy policy: Strategy and Coordination
A.4 – Economic Analysis and Foresight, Recovery

Brussels
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Ms Belén BALANYÁ
Corporate Europe Observatory
Rue d'Edimbourg 26
1050, Brussels
Belgium

Subject: Your application for access to documents – GESTDEM 2021/3992

Ref.: GESTDEM 2021/3992, Ares(2021)3942277 of 16/06/2021

Dear Ms Balanyá,

We refer to your email of 6 May 2021 in which you make a request for access to documents, registered on 16 June 2021, under the above mentioned reference number.

You request access to:

1- all correspondence (including email) between 1 January 2021 and 6 May 2021 between Commissioner Simson and/or their cabinets and/or officials from DG Energy, on one hand and stakeholders on the other, where the issue of the carbon border adjustment mechanism is addressed.

2 - list of meetings / video-calls / calls between 1 December 2020 and 6 May 2021 between officials and/or representatives of the European Commission and stakeholders where the issue of the carbon border adjustment mechanism is addressed.

3 - minutes of the meetings / video-calls / calls mentioned above.

Your application concerns the following documents:

Number	Date	Stakeholder	Topic
001	15-01-2021	EDF	Meeting on CBAM with EDF
002	22-04-2021	Fertilisers Europe	Meeting with Fertilizers Europe on the potential of green ammonia and CBAM

With regard to the documents 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 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;
- handwritten signatures/abbreviated signatures of natural persons;
- other information relating to an identified or identifiable 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.

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.

Disclaimers:

These enclosed documents were drawn up for internal use under the responsibility of the relevant services/service/officials of the Directorate-General for ENERGY. It solely reflects the services'/service's/ author's interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. 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

Yours sincerely,

Ivo SCHMIDT
Deputy Head of Unit

Enclosure: Meeting minutes with EDF;
Meeting minutes with Fertilisers Europe.