



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
CLIMATE ACTION

Legal Affairs, Inter-Institutional Relations & Communication

Brussels

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Subject: Your application for access to documents – Ref GestDem No 2021/3555

Dear Ms Balanya,

We refer to your e-mail dated 31 May 2021 in which you make a request for access to documents, registered on 1 June 2021 under the above-mentioned reference number.

Please note that this reply covers as well the request registered under reference 2021/3889, which has identical scope and was registered due to an error.

You requested access to:

“i) all correspondence (including email) between 1st January 2021 and 31st May 2021 between Commissioner Timmermans, President van der Leyen, and/or their cabinets and/or officials from DG Clima and Secretariat General on one hand and representatives of Shell, BP, Total, ENI, Repsol, Galp and/or Equinor on the other, where the issues of COP26 and/or net-zero emissions were addressed.

ii) list of meetings/videocalls/calls between 1st January 2021 and 31st May 2021 between officials and/or representatives of the European Commission and representatives of Shell, BP, Total, ENI, Repsol, Galp and/or Equinor on the other, where the issues of COP26 and/or net-zero emissions were addressed.

iii) minutes of the meetings/videocalls/calls mentioned above”.

Your submitted application for access to documents covers topics falling under the responsibility of different Commission services. In that regard, your request has been split to the separate requests, whereby each part is attributed to the respective Commission service under a separate Gestdem reference number. Each Director-General service provides its own, separate reply which relates only to the documents held by that service or responsible Cabinet. In this regard, this request correspond to the documents held by the Directorate General for Climate Action and the Cabinet of the Executive Vice-President Timmermans.

DG CLIMA has identified the following documents within the scope of your application:

	Author	Date	Reference
1	Shell/European Commission	12 February 2021	Ares(2021)3955610
2	Shell	11 May 2021	Ares(2021)3189862
3	Shell	10 March 2021	Ares(2021)1755894
4	Shell	10 March 2021	Ares(2021)1755894
5	Total	11 March 2021	Ares(2021)1769806
6	Shell/European Commission	18 March 2021	Ares(2021)4124314
7	European Commission	27 January 2021	Ares(2021)1490147
8	Xynteo/European Commission	27 April 2021	Ares(2021)2804392
9	Xynteo	27 April 2021	Ares(2021)2804392
10	European Commission	15 June 2021	Ares(2021)4081046
11	Rud Pedersen/European Commission	10 February 2021	Ares(2021)1597981
12	Rud Pedersen	10 February 2021	Ares(2021)1597981

13	Rud Pedersen	10 February 2021	Ares(2021)1597981
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Following an examination of the documents under the provisions of Regulation (EC) No 1049/2001, I regret to inform you that a complete disclosure of the documents 1-8 and 10-13 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 it contains: names 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.

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 1-8 and 10-13, 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 documents 7 and 10 were drawn up for internal use under the responsibility of the relevant officials of the European Commission. They solely reflect the author's interpretation of the interventions made and do not set out any official position of the third parties to which the document refers, which were not consulted on its content. They do not reflect the position of the Commission and cannot be quoted as such.

As regards point ii), 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)

p.o. Anna JOHANSSON