



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT

The Director-General

Brussels, 23/07/2025
ENV A.1 ARES (2025)

Ms Ioana BERE

Sent by e-mail:

ask+request-15906-eacb481b@asktheeu.org

Subject: Your application for access to documents EASE 2025/2712

Dear Ms Bere,

I refer to your request for access to Commission documents registered on 16 May 2025 under the above-mentioned reference number.

You request access to *‘the policy brief and/or briefing book prepared in 2024 by DG Environment in view of the appointment of Commissioner Roswall’*.

The following document falls within the scope of your application:

‘A to Z Briefing Book’ - reference Ares(2025) 5018052.

Pursuant to Article 6(3) of Regulation (EC) No 1049/2001, we have conferred with you informally on 13 June 2025 with a view to finding a fair solution, as your request referred to a very long document. In your reply of 17 June 2025, you accepted to limit the scope of your request to the following topics: chemicals, water, waste, and matters related to the Industrial Emissions Directive.

Having examined the document requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, as far as the selected topics are concerned, I have come to the conclusion that the relevant parts may be partially disclosed. Some parts of the document have been blanked out as their disclosure is prevented by an exception to the right of access laid down in Article 4 of Regulation (EC) No 1049/2001.

The first subparagraph of Article 4(3) of Regulation (EC) No 1049/2001 provides that *‘[a]ccess to a document, drawn up by an institution for internal use or received by an institution, which relates to a matter where the decision has not been taken by the institution,*

shall be refused if disclosure of the document would seriously undermine the institution's decision-making process, unless there is an overriding public interest in disclosure'.

The redacted parts of the document contain opinions for internal use, as part of deliberations and preliminary consultations within the institution, and they relate to matters where the decisions have not been taken by the institution. Indeed, they relate to decisions the Commissioner is going to take during her mandate. The briefing is only the basis for the hearing that constituted a first exchange with the Members of the European Parliament and will feed into this decision-making, but does not prejudge its final outcome.

Thus, the redacted parts are solely tentative positions, to be developed further during the Commissioner's mandate. Releasing these tentative positions would reveal preliminary views and policy options for which the final decision has not been taken by the Commission, and which are still subject to change. Disclosing these parts at this stage of the procedure does not necessarily reflect future decisions and could lead to misunderstandings.

Given the internal and provisional nature of the redacted positions, their public disclosure would expose the Commission to undue external influence, harming its ability to ensure the integrity, effectiveness and fairness of that procedure and endangering the serenity of the decision-making process of the Commissioner and the College of Commissioners.

Disclosure of the redacted parts would, therefore, seriously undermine the Commission's decision-making process in the meaning of the first subparagraph of Article 4(3) of Regulation (EC) No 1049/2001.

Furthermore, parts of the document have been redacted which do not fall under the scope of your request, in view of the selection of topics you have made following the Commission's fair solution proposal.

The exceptions laid down in Article 4(3) of Regulation (EC) No 1049/2001 apply unless there is an overriding public interest in disclosure of those parts of the document. We have examined whether there could be an overriding public interest in disclosure, but we have not been able to identify such an interest.

Please note that this document is an informal document for the use of the Commissioner which does not reflect the official position of the Commission and cannot be quoted as such.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make 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 via your EASE portal⁽¹⁾ account or by mail to:

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.A.2)
BERL 7/DCS
B-1049 Bruxelles

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

or email, to: sg-acc-doc@ec.europa.eu.

Yours faithfully,

(e-signed)
Eric MAMER

Annex: A to Z Briefing Book - reference Ares(2025) 5018052 – extracted parts