

V

(Announcements)

COURT PROCEEDINGS

COURT OF JUSTICE

Judgment of the Court (Fifth Chamber) of 13 July 2017 — Saint-Gobain Glass Deutschland GmbH v European Commission

(Case C-60/15 P) ⁽¹⁾

(Appeal — Right of access to documents held by European Union institutions — Regulation (EC) No 1049/2001 — Exceptions to the right of access — Article 4(3), first subparagraph — Protection of the decision-making process of those institutions — Environment — Aarhus Convention — Regulation (EC) No 1367/2006 — Article 6(1) — Public interest in the disclosure of environmental information — Information communicated by the German authorities to the European Commission pertaining to installations situated on German territory and concerned by the Union legislation on the scheme for greenhouse gas emission allowance trading — Partial refusal of access)

(2017/C 293/02)

Language of the case: German

Parties

Appellant: Saint-Gobain Glass Deutschland GmbH (represented by: S. Altenschmidt and P.-A. Schütter, Rechtsanwälte)

Other party to the proceedings: European Commission (represented by: H. Krämer and by F. Clotuche-Duvieusart and P. Mihaylova, acting as Agents)

Operative part of the judgment

The Court:

- 1) Sets aside the judgment of the General Court of the European Union of 11 December 2014, *Saint-Gobain Glass Deutschland v Commission* (T-476/12, not published, EU:T:2014:1059);
- 2) Annuls the Commission's decision of 17 January 2013 refusing full access to the list communicated by the Federal Republic of Germany to the Commission, under the procedure provided for in Article 15(1) of Decision 2011/278/EU of 27 April 2011 determining transitional Union-wide rules for harmonised free allocation of emission allowances pursuant to Article 10a of Directive 2003/87/EC of the European Parliament and of the Council, to the extent that that document contains information relating to certain installations of Saint-Gobain Glass Deutschland GmbH, situated on German territory, relating to provisional allocations and activities and capacity levels in relation to carbon dioxide (CO₂) emissions between 2005 and 2010, the efficiency of the installations and the annual emission quotas provisionally allocated for the period between 2013 and 2020;
- 3) Orders the European Commission to pay the costs incurred by Saint-Gobain Glass Deutschland GmbH at first instance and in the present appeal proceedings.

⁽¹⁾ OJ C 138, 27.4.2015.