

Our Reference: FPL/624/03172/5

Your Reference:

8 April 2025

**By email only**

DG Financial Stability, Financial Services, and Capital Markets Union  
European Commission

[FISMA-ACCES-DOCUMENTS@ec.europa.eu](mailto:FISMA-ACCES-DOCUMENTS@ec.europa.eu)

**Re: Request for Access to Documents**

**Our clients: Public.Resource.Org Inc and Right to Know CLG**

Dear Sir or Madam

We make this request for access to documents on behalf of our clients:

1. Public.Resource.Org, Inc., a charity incorporated in California, USA; and
2. Right to Know CLG, a non-governmental organization incorporated in Dublin Ireland.

On behalf of our clients we request copies of the technical standards listed in the annex to this letter (**Requested Standards**). The request based on Regulation (EC) 1049/2001 and Regulation (EC) 1367/2006.

**Background**

This request seeks access to copies of technical standards incorporated by reference into Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council by establishing the technical screening criteria for determining the conditions under which an economic activity qualifies as contributing substantially to climate change mitigation or climate change adaptation and for determining whether that economic activity causes no significant harm to any of the other environmental objectives (as amended) (the “**Taxonomy Delegated Regulation**”).

The Taxonomy Regulation is a Delegated Regulation under Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 which sets criteria for environmentally sustainable economic activities for the purpose of establishing the degree to which an investment is environmentally sustainable (the “**Taxonomy Regulation**”).

FP Logue LLP  
Lenin House  
Rear 25 Strand Street Great  
Dublin 1, Ireland

Partners: Fred Logue, Eoin Brady  
Consultant: TJ McIntyre

p: +353 (0)1 531 3510  
e: [info@fplogue.com](mailto:info@fplogue.com)

[www.fplogue.com](http://www.fplogue.com)

The Court of Justice has ruled that, under the principle of transparency resulting from the provisions of primary EU law, it is not impermissible to incorporate standards which have not been published in the Official Journal in legislation where the legislation does not itself lay down any restriction concerning access to those standards, including by making that access subject to the submission of a request pursuant to Regulation No 1049/2001<sup>1</sup>.

### **Environmental Information**

In our clients' view the Requested Standards contain environmental information since they are in essence part of EU law relating to the environment and are therefore measures affecting or likely to affect the elements or factors referred to in Article 2(1)(d)(i) and (ii) of Regulation 1367/2006 and/or measures designed to protect those elements.

Each of the Requested Standards is incorporated by reference into the Taxonomy Regulation and specifies the standards for evaluating whether certain activities are environmentally sustainable.

The Requested Standards are incorporated by reference into EU legislation whose purpose is the protection of the environment, in particular the environmental objectives set out at Article 9 of the Taxonomy Regulation, namely:

- (a) climate change mitigation;
- (b) climate change adaptation;
- (c) the sustainable use and protection of water and marine resources;
- (d) the transition to a circular economy;
- (e) pollution prevention and control;
- (f) the protection and restoration of biodiversity and ecosystems.

The Requested Standards therefore form part of the "texts of Community legislation on the environment or relating to it" within the meaning of Article 4(2)(a) of Regulation 1367/2006 and therefore are to be made available and disseminated under Article 4(1) of that Regulation.

### **Version and Format**

If any of the Requested Standards has been updated since the publication of the legislation, the most up to date version should be provided, if there is a specific European version of the international standard then this should be provided.

With reference to Article 10 of Regulation 1049/2001 our clients specifically request an electronic copy of the Requested Standards in a format that is equivalent to the format through which the Union institutions make EU law generally available via the Eur-Lex service, for example as PDF or HTML files.

In the alternative, the Commission should provide the Requested Standards in the same format in which they were received. The Commission should particularly take into account that it must provide the documents "*in an existing version and format (including electronically or in an alternative format such as Braille, large print or tape) with full regard to the applicant's preference*" (cf. Article 10(3) Regulation 1049/2001).

We look forward to receipt of the Requested Standards in the format specified above by email to [info@fplogue.com](mailto:info@fplogue.com).

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<sup>1</sup> Judgment of 22 February 2022, *Stichting Rookpreventie Jeugd and others*, C-160/20, EU:C:2022:101, §37

Yours faithfully,

A handwritten signature in black ink, appearing to read "FP Logue". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

**FP LOGUE LLP**

## Annex – List of Requested Standards

Standard Reference mentioned in the Delegated Taxonomy Regulation	Standard Name
ISO 14067:2018	Greenhouse gases — Carbon footprint of products — Requirements and guidelines for quantification
ISO 14064-1:2018	Greenhouse gases — Part 1: Specification with guidance at the organization level for quantification and reporting of greenhouse gas emissions and removals
ISO 10077-1:2017	Thermal performance of windows, doors and shutters — Calculation of thermal transmittance
ISO 12631:2017	Thermal performance of curtain walling — Calculation of thermal transmittance
ISO 6946:2017	Building components and building elements — Thermal resistance and thermal transmittance — Calculation methods
ISO 27914:2017	Carbon dioxide capture, transportation and geological storage — Geological storage
ISO 16000-3:2011	Indoor air — Part 3: Determination of formaldehyde and other carbonyl compounds in indoor air and test chamber air — Active sampling method
ISO 18400 series	Series on Soil quality — Sampling
ISO 20887:2020	Sustainability in buildings and civil engineering works - Design for disassembly and adaptability - Principles, requirements and guidance
ISO 14091:2021	Adaptation to climate change – Guidelines on vulnerability, impacts and risk assessment
ISO 14090:2019	Adaptation to climate change – Principles, requirements and guidelines