



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary-General

Brussels, 08.05.2015
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By registered mail:

Ms Lora Verheecke
Corporate Europe Observatory (CEO)
Rue d'Édimbourg 26
B - 1050 Brussels

Advance copy to:
ask+request-1757-c6a8c9da@asktheeu.org

**DECISION OF THE SECRETARY GENERAL ON BEHALF OF THE COMMISSION PURSUANT
TO ARTICLE 4 OF THE IMPLEMENTING RULES TO REGULATION (EC) N° 1049/2001¹**

**Subject: Confirmatory application for access to documents under Regulation (EC)
No 1049/2001 - Ref. GestDem No. 2015/1038**

Dear Ms Verheecke,

I am writing in reference to your email of 30 March 2015, registered on the same day, by which you lodge a confirmatory application in accordance with Article 7(2) of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents² (hereafter Regulation 1049/2001).

In your initial application of 18 February 2015, you requested access to *all communication, including emails and documents (agenda, minutes, list of participants, etc.) related to the meeting between the Commissioner Phil Hogan and Copa-Cogega on 4th December 2014.*

In its initial reply dated 30 March 2015, the Directorate General for Agriculture and Rural Development, (hereafter 'DG AGRI'), informed you that it had identified one document as falling into the scope of your request - the letter dated 14 November 2014 from Copa-Cogega to Commissioner Hogan inviting him to participate in the meeting of 4 December 2014 - and granted you the partial access thereto.

¹ Official Journal L 345 of 29.12.2001, p. 94.

² Official Journal L145, 31.05.2001 p.43

The redacted parts of the document were personal data within the meaning of Regulation 45/2013 and access to them was refused on the basis of the exception relating to the protection of privacy and the integrity of the individual, provided for in Article 4.1.b of Regulation 1049/2001.

In its letter of 30 March 2015, DG AGRI also explained that the meeting on 4 December 2014 was a courtesy visit of Commissioner Hogan to Copa-Cogega and for this reason no minutes or list of participants were recorded.

In a separate email message that followed the reply letter of 30 March 2015, DG AGRI informed you that the persons that participated in the meeting were representatives of Copa-Cogega, Commissioner Phil Hogan, a member of the Commissioner's Cabinet and a Head of Unit from DG AGRI⁴.

In your confirmatory application submitted on 30 March 2015, you maintain your request for access to documents and question the claim that the Commission is not in possession of the documents you seek to obtain, such as the minutes and reports. You therefore ask for the re-assessment of the case and release of any documents falling into its scope. You also clarified that your request relates both to formal and informal documents.

Following your confirmatory application of 30 March 2015, the Commission services verified again whether any documents exist that would fall under the scope of your application. Following that verification, I confirm that no documents mentioned in your request are held by the Commission. As the Commission is not in the possession of the documents concerned, your request is devoid of purpose.

Finally, I would like to draw your attention to the means of redress that are available against this decision, that is, judicial proceedings and complaints to the Ombudsman under the conditions specified respectively in Articles 263 and 228 of the Treaty on the Functioning of the European Union.

Yours sincerely,



Catherine Day

³ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

⁴ Given that these additional details were not included in any existing document being in the Commission's possession, they were provided by way of information and not on the basis of Regulation (EC) No 1049/2001.