



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate C – Zero Pollution
ENV.C.4 – Industrial Emissions & Safety

Brussels
ENV.C.4/MJB

Address:
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United Kingdom

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Subject: Your application for access to documents (EASE 2022/6362)

Dear Ms Roxburgh,

We refer to your request for access to European Commission documents registered on 09/11/2022 under the above-mentioned reference number.

You request for access to documents, including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts, recordings and minutes/notes, related to the meetings listed below:

1. Meeting between BusinessEurope and Marius Vaščega, cabinet member of Virginijus Sinkevičius, on the 19th May 2020
2. Meeting between BusinessEurope and Commissioner Virginijus Sinkevičius, on the 7th February 2020
3. Meeting between BusinessEurope and Commissioner Virginijus Sinkevičius, on the 23rd March 2022

You mentioned your preference for receiving the documents on a rolling basis, rather than waiting until the full response is ready, as well as initial list of all documents as early as possible.

Please note that, according to Access to Documents legislation and case law, a reply in batches as you suggested is not possible – there can only be one collated response, once all elements are ready.

Subject to any exemptions from disclosure under Article 4 of Regulation 1049/2001, under normal circumstances, information on meetings by Commissioner Sinkevičius and his Cabinet with organisations and self-employed individuals is publicly available.(*)

All Members of the Commission and members of their Cabinet publish information on meetings with organisations or self-employed individuals on issues relating to policymaking and implementation in the Union, pursuant to Commission Decision 2014/839/EU, Euratom.(**)

(*) See https://ec.europa.eu/commission/commissioners/2019-2024/sinkevicius_en#transparency

(**) Commission Decision of 25 November 2014 on the publication of information on meetings held between Members of the Commission and organisations or self-employed individuals, OJ L 343 of 28 November 2014, p. 22.”

Your application concerns the following documents:

1. Regarding meeting **number 1 (19.05.2020)**, please see enclosed document filed as: *Ares(2021)3812338_Meeting with Business Europe_Summary Minutes _19 May 2020.*
2. Regarding meeting **number 2 (07.02.2020)**, please see the **two** documents enclosed, filed as: *Ares(2020)71406_Meeting Business Europe_07022020_Invitation* and *Ares(2021)7797453_Meeting Business Europe_07022020_Summary & Speech.*
3. Regarding meeting **number 3 (23.03.2022)**, please see **two** enclosed documents filed under *Ares(2022)2154237_Meeting of Commissioner Sinkevicius with Business Europe_23rd March 2022* and *Ares(2022)7269811_[Re] Meeting of Commissioner Sinkevicius with Business Europe - 23rd March 2022.*

With regard to the above documents, a complete disclosure of the identified documents 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 they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons.

In your application, you indicate that your address is in the United Kingdom. Transfers of personal data from the Commission to countries that are not members of the European

Economic Area (EEA), or to international organisations are regulated under Chapter V of the Data Protection Regulation¹.

According to Article 47(1) of this Regulation, a transfer of personal data to a third country or an international organisation may take place where the Commission has decided that the third country, a territory or one or more specified sectors within that country, or the international organisation in question ensures an adequate level of protection and where the personal data are transferred solely to allow tasks within the competence of the controller to be carried out.

Based on the information available, the country of your residence is recognised by the Commission as ensuring an adequate level of protection.

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 requested documents, 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 originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

The summary record documents, *Ares(2021)3812338_Meeting with Business Europe_Summary Minutes _19 May 2020*, *Ares(2021)7797453_Meeting Business Europe_07022020_Summary & Speech* and *Ares(2022)2154237_Meeting of Commissioner Sinkevicius with Business Europe_23rd March 2022* were drawn up for internal use under the responsibility of the relevant services of the Directorate-General for Environment. They solely reflect the service's interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer, which were not consulted on their content. They do not reflect the position of the Commission and cannot be quoted as such.

In case you 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.

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.

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 in one of the following ways:

- **by asking for a review via your portal² account** (available only for initial requests submitted via the portal account),

- **by mail to:**

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Bruxelles

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

Yours faithfully,

(e-signed)

Stefan LEINER
Head of Unit

Enclosures: List of identified documents
 5 Documents to be disclosed

² <https://www.ec.europa.eu/transparency/documents-request>