



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP
AND SMES

The Director-General

Brussels
GROW.B.1

Ms Venetia Roxburgh
Hamilton House, Temple,
London
United Kingdom

By email: ask+request-13009-06bfe5d6@asktheeu.org

Subject: Your application for access to documents – Ref. EASE 2023/3024

Dear Ms Roxburgh,

We refer to your e-mail of 22 May 2023 in which you make a request for access to documents, registered on 24 May 2023 under the above-mentioned reference number.

You request access to:

“All documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts, recordings and minutes/notes) relating to the meeting listed below:

- 1. Between Eurofer and Elina Laurinen, Cabinet member of Thierry Breton and Joan Canton, Cabinet member of Thierry Breton Internal Market on the 8th February 2023*
- 2. Between Eurofer and Elina Laurinen, Cabinet member of Thierry Breton and Joan Canton, Cabinet member of Thierry Breton Internal Market on the 30th March 2023*
- 3. Between thyssenkrupp and Joan Canton, Cabinet member of Thierry Breton and Thierry Breton, Commissioner on the 2nd February 2022”.*

We have identified the following two documents concerning the first and second point of your request and falling within the scope of your request:

- *“Meeting request on behalf of the European steel industry”, 16 January 2023, reference Ares(2023)316326 (‘document 1’);*
- *“Demande de rendez-vous, 8 March 2023”, reference Ares(2023)3834453 (‘document 2’).*

Concerning document 1, a complete disclosure 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 it contains the following personal data:

- the names/initials, functions, contact details and functions of Commission staff members;
- the names/initials, functions, contact details and functions of other natural persons.

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 document, 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.

Concerning document 2, after examination under the rules of the Regulation (EC) No 1049/2001 and taking into account the opinion of the consulted third party, I regret to inform you that access cannot be granted, as its disclosure is prevented by the exception to the right of access laid down in Article 4(2) first indent of this Regulation.

The originator of the document has been consulted and has objected to disclosure of the document stating that its disclosure would undermine the protection of the commercial interests.

Following the third party's opinion and considering that the document contains commercially sensitive business information, disclosure of which would undermine the originator's commercial standing in the competitive markets in which it operates, the access to document 2 cannot be granted.

The exceptions laid down in Article 4(2) of Regulation (EC) No 1049/2001 apply unless there is an overriding public interest in disclosure of the document. I have examined whether there could be an overriding public interest in disclosure, but I have not been able to identify such an interest.

With regards to the third point of your request, we regret to inform you that the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) does not hold any documents that would correspond to the description given in your application.

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 in one of the following ways:

by asking for a review via your portal¹ account (available only for initial requests submitted via the portal account),

or by mail:

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

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

Yours faithfully,

Kerstin Jorna
Director-General
Electronically signed

Enclosure: 1

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