



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR RESEARCH & INNOVATION

The Director-General

Brussels
RTD.H.1/RS

To: Ms BAUMGARTNER, Lena

E-mail:

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Subject: Your application for public access to documents – EASE Ref No 2024/2424

Dear Ms. Baumgartner,

We refer to your letter, registered in DG Research and Innovation (R&I) on 15 May 2024, in which you submitted an application for access to documents within the framework of Regulation 1049/2001 ⁽¹⁾.

1. SCOPE OF YOUR REQUEST

In your application, you request access to do documents regarding *the discussions held at the 12th European Innovation Summit on December 8, 2020, particularly those related to the future of work and the digitalization of the European Innovation Area*. In particular, you refer to:

- 1. Minutes and Notes: Copies of any minutes, notes, or recordings from the sessions, including opening statements and panel discussions related to the future of work and digitalization, held on December 8, 2020.*
- 2. Presentation Materials: Copies of all presentation materials, slides, and speeches delivered during the summit, especially those by MEP Dragoş Tudorache, MEP Susana Solo Perez, Roberto Viola (DG CNECT), and representatives from the NL AI Coalition.*
- 3. Participant List: A detailed list of all participants, including MEPs, European Commission representatives, and other stakeholders, who attended the summit sessions on the future of work and digitalization.*
- 4. Communications and Correspondences: Any internal and external communications, including emails and correspondence related to the planning, execution, and follow-up of the summit's sessions on the future of work and digitalization.*

⁽¹⁾ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43), hereinafter referred to as 'Regulation (EC) 1049/2001'.

5. *Reports and Analyses: Any reports, analyses, or internal documents that were prepared as background materials or resulted from the discussions at the summit, particularly those related to technological impacts on employment and digital transition strategies.*

Under the scope of your request, DG R&I identified two documents (hereinafter the 'requested documents'):

- 1- 1 CAB GABRIEL 864 - 12th European Innovation Summit, and
- 2- FW_12 European Innovation Summit__Towards a European Innovation Area_, 7 - 11 December 2020, EP, Brussels

These documents relate to the intervention of R&I former Commissioner, Ms Mariya Gabriel, to the 12th European Innovation Summit of December 8, 2020, an event organised by the Knowledge4Innovation (K4I) Forum of the European Parliament².

2. EXAMINATION UNDER REGULATION (EC) NO 1049/2001

Having examined the requested documents under the conditions of Regulation 1049/2001 on public access to documents, we are pleased to inform you that DG R&I may grant partial access to both. We have only expunged some personal data, which disclosure is prevented, as explained below, by Article 4(1)(b) of Regulation No 1049/2001.

Protection of privacy and the integrity of the individual

According to Article 4(1)(b) of Regulation (EC) 1049/2001, access to documents is refused where disclosure would undermine the protection of "privacy and the integrity of the individual", in particular in accordance with European Union legislation regarding the protection of personal data³.

Both requested documents contain personal data such as names, surnames, emails, telephone numbers of EU Staff not forming part of the Commission's senior management. In addition, document No. 2 contain names, functions, email addresses and telephone numbers of third parties identified in the email. This information clearly constitutes personal data in the meaning of Article 3(1) of Regulation 2018/1725.

Pursuant to Article 9(1)(b) of Regulation 2018/1725, personal data shall only be transmitted to recipients established in the Union other than Union institutions and bodies if '*[t]he recipient establishes that it is necessary to have the data transmitted for a specific purpose in the public interest and the controller, where there is any reason to assume that the data subject's legitimate interests might be prejudiced, establishes that it is proportionate to transmit the personal data for that specific purpose after having demonstrably weighed the various competing interests*'.

² See webpage of the event at <https://www.knowledge4innovation.eu/events/all-events/12th-european-innovation-summit>.

³ 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 ('Regulation 2018/1725

According to Article 9(1)(b) of Regulation 2018/1725, the European Commission has to examine the further conditions for a lawful processing of personal data only if the first condition is fulfilled, namely if the recipient has established that it is necessary to have the data transmitted for a specific purpose in the public interest. In your request, you do not put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Therefore, personal data have been withheld from the requested documents, except for the names and functions of EU staff covering senior-management positions and those of public figures acting in public capacity.

3. OUT OF SCOPE

Please note that some information in document No.2 – namely sentences in the texts of the emails – was not withheld under the exception provided above, but because it refers to a matter that is not object of your application. In this sense, it was not redacted under Regulation 1049/2001 but because it is out of the scope of your request.

4. MEANS OF REDRESS

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 portal⁽⁴⁾ account (available only for initial requests submitted via the portal account), **by mail** or **email** to:

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Brussels
sg-acc-doc@ec.europa.eu

Yours sincerely,



Marc Lemaître

⁽⁴⁾ EASE portal at <https://www.ec.europa.eu/transparency/documents-request>.