



## EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate I. Legal, institutional and procedural matters

**I.3. Enforcement of legislation, Relations with the European Ombudsman and Access to documents**

Head of Unit

Brussels,  
I.3/KVK/VA D (2017) 857730

Mr Vincent Harmsen  
c/o Simon de Bergeyck  
Rue au Bois 216  
1150 Brussels (Belgium)

*By registered letter with acknowledgment of receipt*

*Advance copy by email:*

[ask+request-3678-e56de39a@asktheeu.org](mailto:ask+request-3678-e56de39a@asktheeu.org)

**Subject: Your application for access to documents – Ref GestDem No 2017/189**

Dear Sir,

We refer to your e-mail dated 22/12/2016 in which you make a request for access to documents, registered on 23/12/2016 under the above mentioned reference number.

You request access to "*all internal documents, correspondence (including emails), agendas, phone logs, minutes of meetings or any other reports of such meetings where the implications of the election of Donald Trump as US president and the effects for the TTIP negotiations were discussed by officials of the European Commission (all DGs including the Secretariat-General and services such as the EEAS) between November 9th 2016 and December 22th 2016*".

You further clarified that "*When 'officials' are mentioned in this request, this includes the Commissioners and their Cabinet members, as well as Commission President Jean-Claude Juncker and his Cabinet*".

We have identified five documents related to your request of which a list is attached as well as the documents.

The documents deal with trade and agriculture policy considerations and cover a broad range of issues. They are not specifically related to the implications of the election of President Trump and the effect for TTIP negotiations. As a result the content of these documents are mostly outside the scope of your request and these parts have been redacted.

You may reuse the parts of the documents disclosed free of charge for non-commercial and commercial purposes provided that the source is acknowledged, that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

The documents to which you have requested access contain personal data. Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is 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<sup>1</sup>.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable<sup>2</sup>.

According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission  
Secretary-General  
Transparency unit SG-B-4  
BERL 5/282  
B-1049 Bruxelles

or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

*e-signed*

Karl VON KEMPIS

---

<sup>1</sup> Official Journal L 8 of 12.1.2001, p. 1

<sup>2</sup> Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.