



EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

Directorate E - Single Market & Connectivity  
The Director

Brussels  
SG.E1/

Mr Peter Teffer

EUobserver  
Rue Montoyer 18B  
1000 Brussels  
Belgium  
e-mail: ask+request-6351-  
725197e4@asktheeu.org

**Subject: Your application for access to documents: Ref. GestDem N° 2019/621**

Dear Mr Teffer,

You have received an email from SG ACCES DOCUMENTS ([sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)) to the email address [ask+request-6351-725197e4@asktheeu.org](mailto:ask+request-6351-725197e4@asktheeu.org) on 1 February 2019, informing you about the receipt of your request, as well as its registration under the Ref. GestDem N° 2019/621.

**1. SCOPE OF YOUR REQUEST**

You requested access to the following documents:

"[...]"

*- All documents - including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, operational conclusions, lines to take, e-mails, and presentations - related to the 22 January 2019 meeting between vice-president Jyrki Katainen and Mr Flemming Besenbacher, Chairman of the Supervisory Board of Carlsberg Group*

*- All documents - including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, operational conclusions, lines to take, e-mails, and presentations - related to the 22 January 2019 meeting between vice-president Jyrki Katainen and Mr Sherif Elsayed-Ali, Director of partnerships at Element AI*

*- All documents - including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, operational conclusions, lines to take, e-mails, and presentations - related to the 24 January 2019 meeting between vice-president Jyrki Katainen and Mr Axel A. Weber, Chairman of the Board of Directors of UBS Group*

- All documents - including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, operational conclusions, lines to take, e-mails, and presentations - related to the 24 January 2019 meeting between vice-president Jyrki Katainen and Mr Lakshmi Mittal, Chairman and CEO of ArcelorMittal; Mr Aditya Mittal, President, Chief Financial Officer of ArcelorMittal and CEO of ArcelorMittal Europe  
[...]"

## 1. DISCLOSURE OF DOCUMENTS

We have identified the following documents to be partially disclosed, as follows:

	Registration N°.	Registration Date	Subject/Title
1.	Ares(2019)688715	06/02/2019	Key points VP Katainen's bilaterals in Davos 2019
2.	Ares(2019)1007257	18/02/2019	DAVOS 2019 proposal of bilateral meeting
3.	Ares(2019)1007237	18/02/2019	Request for a meeting with UBS during the WEF Annual Meeting 2019 in Davos
4.	Ares(2019)1007374	18/02/2019	Davos meeting between Mr Besenbacher and VP Katainen

Part of 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 European Union legislation regarding the protection of personal data.

The applicable legislation in this field is Regulation (EC) No 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').

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 'the 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'.

Only if these conditions are fulfilled and the processing constitutes lawful processing in accordance with the requirements of Article 5 of Regulation 2018/1725, can the transmission of personal data occur.

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. It is only in this case that the European Commission has to examine whether there is a reason to assume that the data subject's legitimate interests might be prejudiced and, in the affirmative, establish the proportionality of the transmission of the personal data for that specific purpose after having demonstrably weighed the various competing interests.

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, the European Commission does not have to examine whether there is a reason to assume that the data subject's legitimate interests might be prejudiced.

Notwithstanding the above, please note that there are reasons to assume that the legitimate interests of the data subjects concerned would be prejudiced by disclosure of the personal data reflected in the documents, as there is a real and non-hypothetical risk that such public disclosure would harm their privacy and subject them to unsolicited external contacts.

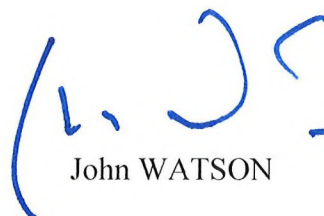
Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation 1049/2001, access cannot be granted to the personal data, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

In case you would disagree with the assessment that the redacted data are personal data which can only be disclosed if such disclosure is legitimate under the applicable rules on the protection of personal data, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to submit 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 Secretariat-General of the Commission at the following address:

European Commission  
Secretariat-General  
Unit C.1. 'Transparency, Document Management and Access to Documents'  
BERL 7/076  
B-1049 Bruxelles,  
Or,  
by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,



John WATSON