



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR DEFENCE INDUSTRY AND SPACE

Unit 01 – Coordination and Interinstitutional Relations

Brussels
DEFIS.01

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Advance copy by e-mail:
ask+request-7979-4cdc9433@asktheeu.org

Subject: Your application for access to documents – GESTDEM 2020/2996

Dear Ms DA SILVA,

We refer to your request dated 18/05/2020 in which you submitted an application for access to documents within the framework of Regulation (EC) 1049/2001¹.

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 meetings Commissioner Breton and members of his Cabinet have held with interest representatives since 01 March 2020;
- All correspondence (i.e. any emails, correspondence, telephone call notes, and/or text messages including WhatsApp exchanges) between Commissioner Breton and members of his Cabinet have held with interest representatives since 01 March 2020.

Please note that due to the wide scope of your request, covering also areas falling under the responsibility of other Directorates-General, parts of your request have been attributed as follows:

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).

- DG CNECT handle part of your request under Gestdem reference 2019/2996;
- DG GROW handle part of your request under Gestdem reference 2019/3792;
- **DG DEFIS handle part of your request under Gestdem reference 2019/3793.**

This reply relates only to the documents held by the Directorate-General for Defense Industry and Space (DEFIS). You received / will receive the replies from the other respective Directorates-General in due course.

We have identified 3 documents falling under the scope of your request (hereinafter the 'requested documents'), namely:

1. The email send from the Group Safran to the CAB BRETON (Ref. Ares(2020)1849560 - 31/03/2020);
2. Assessment of Safran's contribution options to the technological and industrial effort in the fight against COVID19 (Ref. Ares(2020)1849560 - 31/03/2020);
3. Point sur les possibilités de contribution de Safran à l'effort technologique ou industriel pour lutter contre le COVID19 (Ref. Ares(2020)1849560 - 31/03/2020).

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

We are pleased to inform you that partial access can be granted to the requested documents. We have only expunged some personal data, disclosure of which is prevented by Article 4(1)(b) of Regulation (EC) No 1049/2001, as explained below.

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 data².

The requested documents contain personal data such as names, surnames, functions, telephone numbers, electronic and professional addresses, handwritten signatures etc. of Commission's officials not having the function of senior management staff and of the third parties identified in the documents. 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 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.

3. DISCLAIMER AND RE-USE OF THE DOCUMENTS

Please note that this document was received by the Commission from the Group Safran. It is disclosed for information only and cannot be re-used without the agreement of the originator, who holds a copyright on it. It does not reflect the position of the Commission and cannot be quoted as such.

4. MEANS OF REDRESS

In accordance with Article 7(2) of Regulation (EC) 1049/2001, you are entitled 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

Unit SG C.1 – Transparency, document management & access to documents

BERL 7/076

B-1049 Brussels

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

Yours sincerely,

Bartłomiej Kurcz

Enclosure: requested documents expunged from information protected under the Regulation 1049/2001