



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL
MARKETS UNION

General Affairs

Policy planning and implementation, inter-institutional relations

Brussels

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Mr Alexander Fanta
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by registered letter with
acknowledgment of receipt

Advanced copy by e-mail

[ask+request-8569-
ebbc85a@asktheeu.org](mailto:ask+request-8569-ebbc85a@asktheeu.org)

Subject: Your request for access to documents (our ref. GESTDEM: 2020/5594)

Dear Mr Fanta,

I refer to your e-mail of 21 September 2020, in which you make a request for access to documents, registered under the above-mentioned reference number.

Your request is as follows:

“Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I am requesting documents which contain the following information:

- *All documents related to a meeting between Vice-President Valdis Dombrovskis and representatives of Alibaba on January 23, 2020”.*

We have identified one document corresponding to your request, namely minutes of the above mentioned meeting.

Having examined the document requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that the document may be only partially disclosed as it contains personal data, in particular the name of the visitor. Therefore, some parts of the document have been blanked out as their disclosure is prevented by exception to the right of access laid down in Article 4 of this Regulation for data protection reasons.

Personal data can only be transmitted under specific exceptional conditions, including if *'the recipient establishes that it is necessary to have the data transmitted for a specific purpose in the public interest'*. According to Article 9(1)(b) of Regulation 2018/1725, the European Commission only has to examine the further conditions for a lawful processing of personal data 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.

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.

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 believe that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

Should you disagree with the assessment that the redacted data are personal data that 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 Secretary-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

Yours sincerely,

[e-signed]
Dorota Kalina Zaliwska

Enclosure: Minutes of the meeting with Alibaba on 23 January 2020 (redacted)