



Brussels, 21 January 2021  
GROW.H.2/AK-jl  
grow.ddg2.h.2(20201)7232696

**Subject: Your application for access to documents – GESTDEM 2020/ 7934**

Dear Sir,

We refer to your e-mail of 21 December 2020 in which you make a request for access to documents, registered on 22 December 2020 under the above-mentioned reference number.

You request access to: *“- all reports (and other notes) from meetings with representatives of companies, lobby groups (such as BusinessEurope, Bundesverband der Deutschen Industrie, CSR Europe and others), consultancies and think-tanks about the European Commission's initiative on sustainable corporate governance and issues around EU corporate due diligence legislation more generally (since May 1st 2020).*

*- all correspondence (including emails and their attachments) with representatives of companies, lobby groups , consultancies and think-tanks about the European Commission's initiative on sustainable corporate governance and issues around EU corporate due diligence legislation more generally (since May 1st 2020).*

*- a list of all the above-mentioned documents (including dates, names of participants/senders/recipients and their affiliation, subject of meeting/correspondence). ”*

Please note that this reply relates only to the documents held by the Directorate-General for DG Internal Market, Industry, Entrepreneurship and SMEs (DG GROW).

Your application concerns the following documents:

The first document with reference number Ares(2021)396609 of Directorate-General for DG Internal Market, Industry, Entrepreneurship and SMEs virtual meeting with CSR Europe on broader Corporate responsibility policy and sustainability contain one point on Sustainable corporate governance and mandatory due diligence.

This document was drawn up for internal use under the responsibility of the relevant service of the Directorate-General for DG Internal Market, Industry, Entrepreneurship and SMEs. It solely reflects the service's interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

The second document with reference number Ares(2021)396452 refers to submission of proposal for an EU system establishing incentives for continuous, global improvements in the field of human rights, including implementation of due diligence in practice, sent by REWE Group. Please note that this document originates from third party and is disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released document without the agreement of the originator, who may hold an intellectual property right on it. The European Commission does not assume any responsibility from their reuse.

With regard to both documents listed above, a complete disclosure of the identified documents is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons;
- other information relating to an identified or identifiable natural person

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, 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 this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 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 Brussels, or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

*(e-signed)*

Giacomo Mattinò

Head of Unit

Annexes: 1. List of documents submitted

2. Ares(2021)396609 Internal minutes from the call GROW-CSR European Commission

3. Ares(2021)396452 REWE Group proposal on the due diligence

## Annex 1

Entity	Type of document	subject	Date	DG GROW participants/receivers
CSR Europe	Internal minutes	SDG summit and CSR policy update	9 Oct 2020	DG GROW H2 SME Internationalization Unit
REWE Group	Email exchange	Due Diligence: Ideas of REWE Group for an incentive system+ Due Diligence	18 Nov 2020 29 Dec 2020 <b>Replies :</b> 24 Nov 2020 3 Dec 2020	Kristin Schreiber (Director of SME policy directorate) DG GROW H2 SME Internationalization Unit