



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

The Director-General

SANTE.DG/DDG1/C.3/KB

Olivier HOEDEMAN
Corporate Europe
Observatory (CEO)
Rue d'Edimbourg 26,
1050 Brussels
Belgium

Advance copy by email:
Ask+request-9317-
a1b26758@asktheeu.org

Dear Mr. Hoedeman,

Subject: Your request dated 12 April 2021

We refer to your e-mail dated 12 April 2021 in which you make a request for access to documents, registered on 19 April 2021.

We also refer to our email of 10 May 2021 extending the time limit to respond to your request in accordance with Article 7(3) of Regulation (EC) No 1049/2001.

1. Scope of your request

In your request, you state that “*Members of the Joint Negotiation Team for the EU's COVID-19 vaccine purchase negotiations have signed a declaration of the absence of conflicts of interest.*” and ask, on the basis of Regulation (EC) No 1049/2001¹, access to:

“(...) documents which contain the following information: Richard Bergström's declaration of the absence of conflicts of interest and documents related to this declaration. If the Commission is of the opinion that the document cannot be fully disclosed, then partial access should be possible. Considering the importance of informed public debate about the EU's COVID-19 vaccines policies, there is a clear public interest in disclosure of these documents, a public interest that overrides other interests. ”

2. Request of information

Because of the specific context in which it is formulated, your request for access to documents has been qualified as a request for information as it implies a request regarding the role of the person you refer to might have or not in the Joint Negotiation Team.

3. Reasons for refusal of the information - *Protection of the privacy and integrity of individuals*

The Commission holds the view that at this stage information on whether certain individuals are part or not of the JNT cannot be shared, to protect their privacy and integrity in accordance with Article 9(1)(b) of the Data Protection Regulation. This Article does not allow

¹ Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

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, but only a general one referring to the public debate on the policy on vaccines. Further, you do not put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Regarding the Joint negotiation Team for the purchase of COVID-19 vaccines, I can confirm that members of the JNT have provided a declaration on conflict of interest and none of them has declared any interests. Please find the template of such declaration attached (Ares(2021)3173895).

Yours sincerely,

Sandra GALLINA
Director General