



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Directorate D - Twin Transition, Economic & Social Affairs
The Director

Brussels
SG.D.1

Ms. Venetia Roxburgh
40 Bermondsey Street
London

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6672ff93@asktheeu.org

Dear Madam,

Subject: Your application for access to documents – GESTDEM 2021/3450

We refer to your e-mail of 20 May 2021 in which you make a request for access to documents, registered on 26 May 2021 under the above-mentioned reference number.

You request access to:

‘All documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts, recordings and minutes/notes) relating to the meeting listed below:

1. Between Cefic and Valdis Dombrovskis , Executive VicePresident on the 13th January 2021
2. Between Cefic and Margrethe Vestager, Executive VicePresident on the 13th January 2021
3. Between Cefic and Helena Braun and Antoine Colombani, Cabinet members of Frans Timmermans, on the 10th November 2020
4. Between Cefic and Vice President Frans Timmermans, on the 5th November 2020’.

Please note that due to the wide scope of your request, parts of your request have been attributed to other Commission departments¹. This reply relates only to:

All documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts, recordings and minutes/notes) relating to the meeting listed below:

1. Between Cefic and Valdis Dombrovskis , Executive VicePresident on the 13th January 2021
2. Between Cefic and Margrethe Vestager, Executive VicePresident on the 13th January 2021

You received /will receive in due course the reply from the other entities.

¹ GESTDEM 2021/3391 - Ares(2021)3443451

As regards point 1 above, your application concerns the following documents:

- 1.1. ToC_Redacted, European Commission, ARES (2021)551703
- 1.2. Brexit, European Commission, ARES (2021)551703
- 1.3. CBAM_Redacted, European Commission, ARES (2021)551703
- 1.4. Chemical Strategy_Redacted, European Commission, ARES (2021)551703
- 1.5. CTEO_Redacted, European Commission, ARES (2021)551703
- 1.6. EU-China, European Commission, ARES (2021)551703
- 1.7. Taxonomy, European Commission, ARES (2021)551703
- 1.8. Taxonomy Regulation_Redacted, European Commission, ARES (2021)551703
- 1.9. Steering brief_Redacted, European Commission, ARES (2021)551703
- 1.10. Minutes for the video meeting, European Commission, ARES (2021)374448

As regards point 2 above, meeting documents have been already disclosed to you on 16 March 2021 under GESTDEM 2021/0555, Ares(2021)1888631:

https://www.asktheeu.org/en/request/meeting_between_sg_and_cefic_2#incoming-30578

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I regret to inform you that a complete disclosure of the identified documents is prevented by exception to the right of access laid down in Article 4 of this Regulation.

Disclosure of the documents 1.2, 1.6 would undermine the protection of the public interest as regards international relations or of the decision-making process of the Commission, as it would reveal preliminary views and policy options, which are currently under consideration. Therefore, the exceptions laid down in Articles 4(1) third recital and 4(3) first subparagraph of Regulation (EC) No 1049/2001 apply to these documents. The exception laid down in Article 4(3) of Regulation (EC) No 1049/2001 applies unless there is an overriding public interest in disclosure of the documents. No arguments were provided and such an interest was not established. Partial access is granted to documents 1.1, 1.3, 1.5, 1.8, 1.9, 1.10 where the parts pertaining to the protection of the decision-making process have been redacted.

With regard to the documents 1.1, 1.3, 1.4, 1.5, 1.7, 1.8, 1.9 listed above, full 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 personal data.

In your application, you indicate that your address is in the United Kingdom. Transfers of personal data from the Commission to countries that are not members of the European Economic Area (EEA), or to international organisations are regulated under Chapter V of the Data Protection Regulation².

According to Article 47(1) of this Regulation, a transfer of personal data to a third country or an international organisation may take place where the Commission has decided that the third country, a territory or one or more specified sectors within that country, or the international organisation in question ensures an adequate level of protection and where the personal data are transferred solely to allow tasks within the competence of the controller to be carried out.

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, OJ L 295, 21.11.2018, p. 39.

Based on the information available, the country of your residence is recognised by the Commission as ensuring an adequate level of protection. However, we would further like to inform you that 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 put forward 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

These documents were drawn up for internal use under the responsibility of the relevant services of the European Commission. They solely reflect the author's interpretation of the interventions made and do not set out any official position of the third parties to which the documents refers, which was not consulted on its content. They do not reflect the position of the Commission and cannot be quoted as such.

In accordance with Article 7(2) of Regulation (EC) No 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 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

Yours faithfully,

(E-signed)

Elisabeth WERNER
Director (Acting)