



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR HEALTH AND FOOD SAFETY

The Director-General

Brussels
SANTE.A.1/

***By registered letter
with acknowledgment of receipt¹***

Ms KNAEBEL Rachel
5, avenue Paul Langevin 93 100,
Montreuil, France

By e-mail only:
ask request-9535-a8be5635@asktheeu.org

Dear Madam,

Subject: Your application for access to documents – GESTDEM 2021/3466

We refer to your email of 20/5/2021 in which you make a request for access to documents, registered on 25/5/2021 under the above-mentioned reference number. We also refer to our email of 17/6/2021 extending the time limit to respond to your request according to Article 7(3) of Regulation (EC) No 1049/2001.

1. Scope of your request

You requested access to:

“all documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, and minutes/notes) relating to the following meetings:

- *Ines Prainsack, 02/07/2020, Brussels, American Chamber of Commerce to the European Union (AmCham EU), VC meeting on recovery package and health priorities;*
- *Anne Bucher, 16/09/2020, Brussels, Interview Anne Bucher (European Commission) with McKinsey - External strategic and performance analysis of ECDC response to COVID19;*

¹ According to standard operational procedure, the reply is usually also sent to you by registered post. Please note, however, that due to the extraordinary health and security measures currently in force during the COVID-19 epidemics, which include the requirement for all Commission non-critical staff to telework, we are unfortunately not in a position to follow this procedure until further notice. We would therefore appreciate if you could confirm receipt of the present e-mail.

- Anne Bucher, 15/07/2020, Brussels, DELOITTE CONSEIL, COVID-19. »

2. Identification and assessment of relevant documents

We have identified 6 documents that fall within the scope of your request.

Since some documents originate from a third party in accordance with Art. 4(4) of Regulation (EC) No 1049/2001, the originators of the documents have been consulted in order to assess whether an exception established in Article 4 applies to these documents.

Having examined the document under the provisions of that Regulation and considered the opinion of the third parties, we have come to following conclusion:

- doc. 1- The product of all interviews conducted is “The strategic and performance analysis of ECDC response to the COVID-19 pandemic”- publicly available on Europa website at the following link:
https://www.ecdc.europa.eu/sites/default/files/documents/ECDC_report_on_response_Covid-19.pdf
- partial access can be granted to document 2 to 6 as their full disclosure is prevented by one of the exceptions to the right of access laid down in Article 4 of Regulation (EC) No 1049/2001.

Please note that in document 6 parts falling outside the scope of the request have been redacted and labelled “out of scope”.

We enclose a copy of the documents redacted of the parts that cannot be disclosed, as further explained in Section 3.

You may reuse public documents produced by the European Commission or by public and private entities on its behalf, based on the [Commission Decision on the reuse of Commission documents](#). You may reuse the documents disclosed free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

Please note that documents originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. This disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

As to minutes or records of meetings with external parties, they were drawn up for internal use under the responsibility of the relevant services of this Directorate-General. They reflect the services’ interpretation of the interventions made and do not set out any official position of the third parties to which they refer, which were not consulted on the content. They do not reflect the position of the Commission and cannot be quoted as such.

3. Partial disclosure of documents

Protection of the privacy and integrity of the individual, in particular in accordance with EU legislation regarding the protection of personal data - Article 4(1)(b) of Regulation (EC) No 1049/2001

As to documents 2 to 6, full disclosure 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.

In light of the above, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested document, 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.

1. Means of redress

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 Secretary-General of the Commission at the following address:

European Commission, Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

Sandra GALLINA

Enclosures: List of the documents and disclosed documents