



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

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

Brussels
SG.D.1

Ms. Venetia Roxburgh
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Dear Ms Roxburgh,

Subject: Your application for access to documents – GESTDEM 2021/3402

We refer to your e-mail of 24 May 2021 in which you make a request for access to documents, registered on 25 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 Eurofer and Michele Piergiovanni and Anne Funch Jensen, members of Vice-President Margrethe Vestager's cabinet on 15 April 2021
2. Between Eurofer and Gints Freimanis, Cabinet member of Valdis Dombrovskis, on 3 May 2021
3. Between Eurofer and Vice President Valdis Dombrovskis, on 23 April 2021
4. Between Eurofer and Anthony Whelan, Cabinet member of President von der Leyen, on 25 March 2021

Your application concerns the following documents:

- 1.1. FW European Steel Association (EUROFER) position on EEAG and meeting request_redacted (CAB-MCGUINNESS, CAB-FERREIRA, 02.03.2021, Ares(2021)1613506
- 1.2. 2020-12-22-EUROFER-Accompanying document to EEAG_public consultation, Eurofer, European Commission,
- 1.3. AEII Joint Response Competition, Eurofer, European Commission,
- 1.4. RE European Steel Association (EUROFER) position on EEAG and meeting request_redacted, CAB-FERREIRA, Eurofer, 03.03.2021, Ares(2021)1613538
- 1.5. 20210415- EEAG_Meeting Eurofer, Eurofer, European Commission, 12.04.2021, Ares(2021)2841982
- 1.6. Summary of CAB meeting with EUROFER on EEAG revision_redacted, CAB-VESTAGER, 15.04.2021, Ares(2021)2841871
- 2.1. 4196_001_redacted, European Commission, 03.05.2021, Ares(2021)3775638
- 2.2. 4197_001_redacted, European Commission, 10.06.2021, Ares(2021)3814103
- 3.1. 4198_001_redacted, European Commission, 10.05.2021, Ares(2021)3123569
- 3.2. 4199_001_redacted, Eurofer, European Commission, 16.03.2021, Ares(2021)1906260

4.1. meeting documents have been already disclosed to you on 10 May 2021 under GESTDEM 2021/2418, Ares(2021)3115885,
https://www.asktheeu.org/en/request/meeting_between_sg_and_eurofer_3#incoming-31450

Document 2.1 has been redacted as its full disclosure would undermine the protection of the decision-making process of the Commission, as it would reveal preliminary views and policy options, which are currently under consideration, whereas the Commission's services must be free to explore all possible options in preparation of a decision free from external pressure. Therefore, the exceptions laid down in Articles 4(1) third recital and 4(3) first subparagraph of Regulation (EC) No 1049/2001 apply to this document. The exceptions laid down in Article 4(2) and 4(3) of Regulation (EC) No 1049/2001 apply unless there is an overriding public interest in disclosure of the documents. No arguments were provided and such an interest was not identified.

With regard to the documents 1.1, 1.4, 1.6, 2.1, 2.2, 3.1, 3.2 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 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 Regulation¹.

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.

Based on the information available, the country of your residence is recognised by the Commission as ensuring an adequate level of protection. However, 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, 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 will not be affected.

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 stemming from their reuse.

Some of 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

¹ 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.

documents refer, which were not consulted on its content. They do not reflect the position of the Commission and cannot be quoted as such.

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

Yours faithfully,

e-signed

Elisabeth WERNER