



EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

Directorate D - Twin Transition, Economic & Social Affairs  
**SG.D.1 - Digital Transition, Industry & Single Market**

Brussels  
SG.D.1/OG

Venetia Roxburgh  
1 Long Lane  
London

Email: ask+request-9627-  
917bab95@asktheeu.org

Dear Madam,

**Subject: Your application for access to documents – GESTDEM 2021/3868**

We refer to your e-mail of 10 June 2021 in which you make a request for access to documents, registered on 14 June 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 BusinessEurope and cabinet member of Vice President Timmermans, Kurt Vandenberghe, on the 12th May 2021
2. Between CLG Europe and cabinet member of Vice President Timmermans, Kurt Vandenberghe, on the 19th May 2021
3. Between ArcelorMittal (AM) and cabinet members of Vice President Timmermans, Sarah Nelen, Aleksandra Tomczak, and Antoine Colombani, on the 3rd June 2021

I would prefer you to produce the documents on a rolling basis, rather than waiting until the full response is ready, and I would be pleased to receive an initial list of all documents as soon as possible.

Please note that due to the scope of your request, parts of your request have been attributed to other entities<sup>1</sup>. 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:

[...]

3. Between ArcelorMittal (AM) and cabinet members of Vice President Timmermans, Sarah Nelen, Aleksandra Tomczak, and Antoine Colombani, on the 3rd June 2021

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<sup>1</sup> GESTDEM 2021/3867

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

Your application concerns the following document:

- email\_Ares(2021)3486236\_redacted; European Commission; Arcelor Mittal; 26/05/2021

With regard to the document listed above, a complete disclosure of the identified document 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 institutions/organisations or natural persons

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 Regulation<sup>2</sup>.

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, 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 do you 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 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

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.

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<sup>2</sup> 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.

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]

Olivier GIRARD

Head of Unit