



## EUROPEAN COMMISSION

Directorate-General for Trade

Directorate R – Resources, Inter-Institutional Relations, Communications and Civil Society  
**Transparency, Civil Society and Communications**

Brussels,  
R3/ML/JT

Mr Maximilian Henning  
Eendrachtskade 12-35  
9726 CW  
Groningen  
The Netherlands

***By email only – with request for  
explicit acknowledgment of receipt:***  
[ask+request-12422-3b8e0c03@asktheeu.org](mailto:ask+request-12422-3b8e0c03@asktheeu.org)

**Subject: Your application for access to documents – EASE 2023/0273**

Dear Mr Henning,

I refer to your application dated 16 January 2023, in which you make a request for access to documents under Regulation (EC) No 1049/2001<sup>1</sup> ('Regulation 1049/2001'), registered on the same date under the above-mentioned reference number.

### **1. SCOPE OF YOUR REQUEST**

In your request, you asked for access to:

*'All minutes, agendas, summaries, notes or memos issued before or after; documents prepared for, issued in preparation for, or exchanged during; as well as all correspondence including attachments by either of the meeting parties related to the 10.01.2023 meeting between Transport and Environment and Caroline Boeshertz'.*

### **2. ASSESSMENT AND CONCLUSIONS UNDER REGULATION 1049/2001**

In reply to your request, I can inform you that we have identified **two documents** that fall within the scope of your request:

- Meeting request – Ares (2023)170788
- Meeting minutes – Ares (2023)255591

---

<sup>1</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 20 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

Having examined the requested documents under the applicable legal framework, I am pleased to grant you partial access to both documents. Copies of the accessible documents are enclosed to this letter.

A complete disclosure of the 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 1049/2001, because they contain some of 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<sup>2</sup> 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.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation 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 would not be prejudiced by disclosure of the personal data concerned.

### **3. DISCLAIMER**

Please note the following: You may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf, based on [Commission Decision 2011/833/EU of 12 December 2011 on the re-use of Commission documents](#)<sup>3</sup>. You may reuse the documents disclosed free of charge 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 any liability stemming from the reuse.

Furthermore, please note that documents containing content of third party origin, i.e. either documents originating from third parties or documents containing parts of third party origin (in the present case document 1), are disclosed to you based on Regulation 1049/2001. However, disclosure of such third party content is without

---

<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.

<sup>3</sup> OJ L 330, 14.12.2011, p. 39.

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 the reuse of those documents or parts of documents.

Document 2 was drawn up for internal use under the responsibility of the relevant officials of the Cabinet of Executive Vice-President Dombrovskis. It solely reflects the author's interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. It does not necessarily reflect the position of the Commission and cannot be quoted as such.

#### **4. POSSIBILITY OF A CONFIRMATORY APPLICATION**

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation 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  
1049 Brussels  
Belgium,

or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu).

Yours sincerely,

Maud LABAT  
Head of Unit

Enclosure(s): Two documents (partially released)