Subject: Your application for access to documents – Ref. EASE 2023/2285

Dear Ms Gennet, dear Ms Hancock,

We refer to your e-mail of 18 April 2023 in which you make a request for access to documents, and to your e-mail of 19 April 2023 clarifying your request and registered on the same day under the above-mentioned reference number.

Following your clarification, you request access to:

“- The number of officials within DG GROW who accepted third party contributions for their missions that were not provided by EU Member States, EEA and EFTA countries, international organisations or fora, such as the UN, G20/G7 or public and private universities when the mission was for academic purposes between January 1 2022 and December 31 2022.

- All minutes, agendas, summary, correspondence, memos and any other reports drafted and received by DG GROW between January 1, 2022 and December 31, 2022 relating to the above missions.”

Concerning the question of your first point, we have identified 13 officials of the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) who accepted third party contributions for the types of missions mentioned in the scope of your request.

We have identified the enclosed 12 documents that fall within the scope of your request and that are presented in the enclosed table. Please note that when the same standard invitation letter was sent to several DG GROW participants of the same event, only one version of the letter was kept for the sake of convenience.
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 the following personal data:

- the names/initials, contact information and functions of Commission staff members not pertaining to the senior management.
- the contact information of Commission staff members pertaining to the senior management.
- the names/initials, contact details and functions of other natural persons.

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.

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 would not be prejudiced by disclosure of the personal data concerned.

Please note that minutes were drawn up for internal use under the responsibility of the relevant service of the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW). They solely reflect the service’s interpretation of the interventions made and do not set out any official position of the third parties to which the document refers, which were not consulted on the content. They do not reflect the position of DG GROW and cannot be quoted as such.

Please note that documents originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, 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 it/them. The European Commission does not assume any responsibility from their reuse.
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 to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

by asking for a review via your portal¹ account (available only for initial requests submitted via the portal account),

or by mail:

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,

Kerstin Jorna
Director-General

Enclosure: 13 (documents and table)

¹ https://www.ec.europa.eu/transparency/documents-request