



Brussels,
SG.D/

Ms Lora Verheecke
ask+request-14325-94ce9a10@asktheeu.org

Subject: Your application for access to documents – EASE 2024/1240

Dear Ms Verheecke,

We refer to your request registered on 5 March 2024 in which you make a request for access to documents pursuant to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (hereinafter ‘Regulation (EC) No 1049/2001’), under the above-mentioned reference number.

In your application, you request access to documents regarding the meeting of 1 March 2024 between Mistral AI and Werner Stengg (Cabinet Vestager).

We have identified the following documents to fall within the scope of your application:

1. [Minutes] Ares(2024)1719282 Minutes of meeting with Mistral 1 March 2024;
2. [Email correspondence] Ares(2024)1444611 Positive reply to Meeting request - Mistral AI.

With regard to the above-mentioned documents, a complete 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 institutions or natural persons;
- other information relating to an identified or identifiable natural person.

Article 9(1)(b) of the Data Protection Regulation (Regulation 2018/1725) 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 neither 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, 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.

Moreover, parts of the Minutes were redacted based on Article 4(2) of Regulation (EC) No 1049/2001, which allows the Commission to refuse access to a document where its disclosure would undermine the protection of, *inter alia*, the commercial interests of a natural or legal person. The redacted part pertains to commercial interests of Mistral AI, which could be undermined by a disclosure.

Furthermore, the minutes 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 does not set out any official position of the third parties to which the documents refer, which were not consulted on their content. They do not reflect the position of the Commission and cannot be quoted as such.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled 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
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Brussels
or by email to: sg-acc-doc@ec.europa.eu

Please kindly send an acknowledgement of the receipt of this reply.

Yours sincerely,

Elisa Roller
Director

Annex: 2 documents