Subject: Your application for access to documents – EASE 2024/1749

Dear Ms Ewbank,

We refer to your request for access to European Commission documents registered on 27.03.2024 under the above-mentioned reference number.

In your application you request access to the following documents:

‘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. Safran with Valere Moutarlier, Cabinet member of Thierry Breton on 21/05/2021 on 'Discussion sur less alliances < Fuels propres > et < avion zero emissions. >'

1. SCOPE OF YOUR APPLICATION

Your application concerns the following documents:

1. Demande rdv 4-5 mai. (Document 1)
2. Safran alliances aviation. (Document 2)
3. Video call avec Safran. (Document 3)

After having assessed the identified documents, DG DEFIS:

• Gives partial access to Documents 1-3 on the basis of Article 4(1)(b) (protection of privacy and the integrity of the individual).

Please see below our analysis.

2. ASSESSMENT AND CONCLUSIONS UNDER REGULATION 1049/2001
2.1. Protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data.

In its judgment in the Bavarian Lager case, the Court of Justice ruled that when a request is made for access to documents containing personal data, Regulation (EC) 45/2014 becomes fully applicable (1). Any reference to Regulation (EC) 45/2014 are to be understood as references to Regulation (EU) 2018/1725, since Regulation (EU) 2018/1725 has repealed Regulation (EC) 45/2014.

According to Article 3(1) of Regulation 2018/1725 (2), ‘personal data’ means any information relating to an identified or identifiable natural person (‘data subject’); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Documents 1-3 identified as falling under the scope of your request contain personal data such as:

– names and contact details of Commission officials not having the function of senior management staff,

– names, functions and contact details of third parties.

This information constitutes personal data in the meaning of Article 3(1) of Regulation (EU) 2018/1725.

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.

Therefore, personal data have been redacted in Documents 1-3.

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3. DISCLAIMER AND RE-USE OF DOCUMENTS

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4. MEANS OF REDRESS

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 within 15 working days upon receipt of this letter. You can submit it via your EASE portal (3) account.

by mail, to:
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

We would therefore appreciate if you could confirm receipt of the present e-mail by replying to defis-access-documents@ec.europa.eu

Yours faithfully,

María FERNANDEZ MOLINERO
Acting Head of Unit

Enclosure: Demande rdv 4-5 mai – expunged from personal data.

Safran alliances aviation – expunged from personal data.

Video call avec Safran – expunged from personal data.

(3) https://www.ec.europa.eu/transparency/documents-request