



EUROPEAN COMMISSION

Secretariat-General

Directorate B - Institutional and Administrative Policies
The Director

Brussels, 04/09/2018

SG.B.4/CJ/

By registered letter with acknowledgment of receipt

Mr Peter TEFFER

EUobserver

Rue Montoyer 18B

1000 Brussels

Advance copy by e-mail:

ask+request-5856-d6e51726@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 2018/4357

Dear Mr Teffer,

I refer to your e-mail of 13 August 2018 in which you make a request for access to documents, registered on the same day under the above-mentioned reference number.

You request access to 'documents which contain the following information:

- all documents related to the 25-5-2018 meeting between president Jean-Claude Juncker and Mr Klaus Schwab, including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, e-mails, and presentations
- all documents related to the 15-5-2018 meeting between president Jean-Claude Juncker and Mr Christophe Deloire, including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, e-mails, and presentations
- all documents related to the 7-5-2018 meeting between president Jean-Claude Juncker and Mr Josef Ackermann, including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, e-mails, and presentations
- all documents related to the 6-3-2018 meeting between president Jean-Claude Juncker and Mr Lakshmi Mittal, including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, e-mails, and presentations

- all documents related to the 22-1-2018 meeting between president Jean-Claude Juncker and Mr Guillaume Klossa, including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, e-mails, and presentations
- all documents related to the 10-1-2018 meeting between president Jean-Claude Juncker and Mr Hans-Walter Peters, including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, e-mails, and presentations’.

Your application concerns the following 16 documents:

- letter from Mr Schwab to President Juncker dated 24 April 2018, registered under Ares(2018)2179207 (Document 1);
- letter from Mr Schwab to President Juncker dated 28 May 2018, registered under Ares(2018)2754642 (Document 2);
- e-mail from Mr Deloire’s office to President Juncker’s Cabinet dated 12 March 2018, registered under Ares(2018)1363471 (Document 3);
- exchange of e-mails between President Juncker’s Cabinet and Mr Deloire’s office between 12 and 27 March 2018, registered under Ares(2018)1363471 (Document 4);
- e-mail from President Juncker’s Cabinet to Mr Deloire’s office dated 21 March 2018, registered under Ares(2018)1592359 ((Document 5);
- e-mail from Mr Deloire to President Juncker’s Cabinet dated 4 April 2018, registered under Ares(2018)1363471 (Document 6);
- e-mail from Mr Deloire’s office to President Juncker’s Cabinet dated 30 July 2018, registered under Ares(2018)4034699 (Document 7);
- annex to the e-mail from Mr Deloire’s office to President Juncker’s Cabinet dated 30 July 2018, registered under Ares(2018)4034699 (Document 8);
- e-mail from Mr Ackermann’s office to President Juncker’s Cabinet dated 10 April 2018, registered under Ares(2018)1917223 (Document 9) ;
- e-mail from President Juncker’s Cabinet to Mr Ackermann’s office dated 23 April 2018, registered under Ares(2018)2143434 (Document 10);
- exchange of e-mails between President Juncker’s Cabinet and Mr Mittal’s office in January 2018, registered under Ares(2018)506757 ((Document 11);
- e-mail from President Juncker’s Cabinet to Mr Mittal’s office dated 6 February 2018, registered under Ares(2018)703582 (Document 12);
- e-mail from Mr Klossa to President Juncker dated 25 January 2018, registered under Ares(2018)451731 (Document 13);
- letter from President Juncker to Mr Klossa dated 9 March 2018, registered under Ares(2018)1309288 (Document 14);
- e-mail from Mr Peters’ office to President Juncker dated 11 December 2017, registered under Ares(2017)6062897 (Document 15);

- e-mail from President Juncker's Cabinet to Mr Peters' office dated 19 December 2017, registered under Ares(2017)6239770 (Document 16).

All these documents, with the exception of document 8, contain personal data such as names of natural persons not occupying any senior management position in the European Commission or not being a main representative of the third party in question, or biometric data such as handwritten signatures.

Pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable².

According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing a version of the documents concerned in which these personal data have been redacted.

As to the handwritten signatures in documents 1, 2 and 14 as well as the handwritten greeting in document 14, there is a risk that their disclosure would prejudice the legitimate interests of the persons concerned. Therefore, we are disclosing a version of the documents concerned in which these biometric data have been redacted.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

¹ Official Journal L 8 of 12.1.2001, p. 1.

² Judgment of 29 June 2010 in Case 28/08 P, *Commission/The Bavarian Lager Co. Ltd*, ECR 2010 I-06055.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/282
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu.

Yours sincerely,



Pascal LEARDINI
Director

Enclosures: 16