



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL MARKETS UNION

Policy planning and implementation, inter-institutional relations
Head of Unit

Brussels,
FISMA A2 DZ/db/fv/4258059

Ms Jana Leutner
Annenstrasse 50
10179 Berlin
Germany

***By registered letter with
acknowledgement of receipt***

Advanced copy per e-mail
[ask+request-8238-
dee4cad4@asktheeu.org](mailto:ask+request-8238-dee4cad4@asktheeu.org)

Subject: Your request for access to documents (our ref. GESTDEM: 2020/3764)

Dear Ms Leutner,

Thank you for your e-mail dated 21 June 2020, in which you make a request for access to documents, that was registered under the above mentioned reference number.

Your request is as follows:

Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I am requesting documents which contain the following information:

All documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, and minutes/notes) relating to the meetings listed below:

1. between DG FISMA and BlackRock on 24.02.2015 2. between DG FISMA and BlackRock on 14.10.2015 3. between DG FISMA and BlackRock on 09.12.2015 4. between DG FISMA and BlackRock on 20.01.2016 5. between DG FISMA and BlackRock on 18.05.2016 6. between DG FISMA and BlackRock on 28.09.2016 7. between DG FISMA and BlackRock on 19.10.2016 8. between DG FISMA and BlackRock on 21.03.2017 9. between DG FISMA and BlackRock on 19.06.2017 10. between DG FISMA and BlackRock on 12.09.2017 11. between DG FISMA and BlackRock on 21.09.2017 12. between DG FISMA and BlackRock on 23.10.2017 13. between DG FISMA and BlackRock on 17.01.2018 14. between DG FISMA and BlackRock on 01.03.2018 15. between DG FISMA and BlackRock on 16.04.2018 16. between DG FISMA and BlackRock on 05.02.2019 17. between DG FISMA and BlackRock on 20.05.2019 18. between DG FISMA and BlackRock on 13.03.2020

As regards your request addressed to DG FISMA, after a search we could identify 21 documents that are enclosed with a list of documents.

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that they may be only partially disclosed as they contain personal data, in particular names and contact details. Therefore, some parts of the documents have been blanked out and their disclosure is prevented by exception to the right of access laid down in Article 4 of this Regulation, for data protection reasons.

Personal data can only be transmitted under specific exceptional conditions, including if *'the recipient establishes that it is necessary to have the data transmitted for a specific purpose in the public interest.* According to Article 9(1)(b) of Regulation 2018/1725, the European Commission also only has to examine the further conditions for a lawful processing of personal data if the recipient has established that it is necessary to have the data transmitted for a specific purpose in the public interest. In your request, you do not put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Notwithstanding the above, please note that there are reasons to assume that the legitimate interests of the data subjects concerned would be prejudiced by disclosure of the personal data reflected in the documents.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation 1049/2001, access cannot be granted to the personal data, 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.

Should you disagree with the assessment that the redacted data are personal data which can only be disclosed if such disclosure is legitimate under the applicable rules on the protection of personal data, 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
B-1049 Bruxelles, or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

[e-signed]

Dorota Kalina ZALIWSKA

Enclosures: List of documents and 21 documents (redacted).

