



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT

Directorate E - Aviation
E.1 – Aviation Policy

Brussels
MOVE.DDG2.E1

Mr Ben Youriev
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Barcelona
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*By email with request for acknowledgement
of receipt:*

[ask+request-9157-
62482598@asktheeu.org](mailto:ask+request-9157-62482598@asktheeu.org)

Subject: Your application for access to documents – GESTDEM 2021/1220

Dear Mr Youriev,

We refer to your e-mail of 2 March 2021 in which you make a request for access to documents, registered on 4 March 2021 under the above mentioned reference number.

You request access to “All documentation, including but not limited to attendance lists, agendas, background papers, minutes/notes and email correspondence about or summarising, the following meetings of Commissioner Adina-Ioana Vălean or the Cabinet members of Commissioner Adina-Ioana Vălean with multiple organisations.

1. Meeting with Airports Council International - European Region (ACI EUROPE) on the 17/01/2020 on Aviation, ACI EUROPE Annual Congress & General Assembly
2. Meeting with Boeing International Corporation - Belgium Branch Office (Boeing) on the 15/10/2020 on Meeting to discuss the latest aviation developments
3. Meeting with Airports Council International - European Region (ACI EUROPE) on the 15/10/2020 on Meeting to discuss the latest aviation developments”

We have identified the following documents, which are relevant to your application:

1. Email exchange concerning the meeting held with ACI EUROPE on 17 February 2020 (which is the date when that meeting actually took place (ref. “Ares(2020)329828”, attached as file “1._Redacted”)
2. Attendance list and agenda for the meeting held with ACI EUROPE on 15 October 2020 (attached as file “2._Redacted”)
3. Attendance list from ACI EUROPE for the meeting held on 17 February 2020 (ref. Ares(2019)7563680, attached as file “3._Redacted”)
4. Attendance list and agenda for the meeting held with Boeing on 15 October 2020 (attached as file “4._Redacted”)

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents¹ (hereinafter ‘Regulation (EC) No 1049/2001’), I have come to the conclusion that they may be partially disclosed. Some parts of all four documents have been redacted since their disclosure is prevented by exception to the right of access laid down in Article 4 of this Regulation.

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 European Union legislation regarding the protection of personal data.

The applicable legislation in this field is Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC² (‘Regulation 2018/1725’).

Some of the documents to which you request access contain personal data, in particular the names, signatures, contact details (email, telephone numbers) online identifiers/initials and/or initials pertaining to Commission staff members and other individuals.

Pursuant to Article 9(1)(b) of Regulation 2018/1725, ‘personal data shall only be transmitted to recipients established in the Union other than Union institutions and bodies if ‘[t]he recipient establishes that it is necessary to have the data transmitted for a specific purpose in the public interest and the controller, where there is any reason to assume that the data subject’s legitimate interests might be prejudiced, establishes that it is proportionate to transmit the personal data for that specific purpose after having demonstrably weighed the various competing interests’.

Only if these conditions are fulfilled and the processing constitutes lawful handling in accordance with the requirements of Article 5 of Regulation 2018/1725, can the transmission of personal data occur.

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. Therefore, the European Commission does not have to examine whether there is a reason to assume that the data subject’s legitimate interests might be prejudiced.

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, as there is a real and non-hypothetical risk that such public disclosure would harm their privacy and subject them to unsolicited external contacts.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 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.

¹ 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, OJ L 145, 31.05.2001, p. 43.

² Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 205 of 21.11.2018, p. 39.

In case you would 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 (EC) No 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 Brussels
or by email to: sg-acc-doc@ec.europa.eu

Finally, I kindly ask you to confirm receipt of this email.

Yours faithfully,

Flor DIAZ PULIDO
Head of Unit
e-signed

