



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Directorate D - Twin Transition, Economic & Social Affairs

Brussels
SG.D.1

Ms Rachel Knaebel
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Montreuil
France

Email: [ask+request-9543-
c0408fb8@asktheeu.org](mailto:ask+request-9543-c0408fb8@asktheeu.org)

Dear Ms Knaebel,

Subject: Your application for access to documents – GESTDEM 2021/3397

We refer to your message of 23 May 2021 in which you make a request for access to documents, registered on 25 May 2021 under the above-mentioned reference number.

You request access to all documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, and minutes/notes) relating to the following meetings:

- Werner Stengg, 03/03/2020, Brussels, American Chamber of Commerce to the European Union (AmCham EU), Digital policy
- Alejandro Cainzos, Kim Jorgensen, Nele Eichhorn, 28/01/2020, Brussels, American Chamber of Commerce to the European Union (AmCham EU), EU digital agenda.
- Roberto Viola, 15/12/2020, Brussels, McKinsey Global Institute, Digital ecosystems (video-meeting)

Please note that due to the scope of your request, covering also areas falling under the responsibility of other Directorates-General, parts of your request have been attributed to the Directorates-General for Communications Networks, Content and Technology.¹ This reply relates only to the documents held by the Secretariat-General and Cabinet of Executive Vice-President Vestager. You will receive the reply from the Directorates-General for Communications Networks, Content and Technology in due course.

The following documents fall within the scope of your application:

¹ Gestdem (2021) 3481 Ares (2021) 3509149 DG CNECT

- *Ares(2020)256766 Email, dated 14 January 2020, regarding a meeting request of AmCham EU (hereafter 'document 1') which includes the following annex*
 - o *Table with details of persons attending the meeting from AmCham EU (hereafter 'document 2')*
- *Ares(2020)742666 Email, dated 5 February 2020, to Ms Susan Danger CEO of AmCham EU, relating to a meeting between Susan Danger and Head of Cabinet Vestager Mr Kim Jørgensen (hereafter 'document 3') which includes the following annex*
 - o *AmCham EU position on Delivering an ambitious new EU-UK trade and investment relationship (hereafter 'document 4')*
- *Ares(2020)796976 Email, 7 February 2020, confirming meeting between Mr Werner Stengg, Member of the EVP Vestager Cabinet and U.S. Chamber of Commerce (hereafter 'document 5') which includes the following annex*
 - o *List of interested attendees at a AmCham EU delegation of member companies' visit to Brussels, March 2-4 2020 (hereafter 'document 6')*
- *Ares(2020)1401987 - Report of meeting with U.S. Chamber of Commerce, 3 March 2020, dated 6 March 2020 (hereafter 'document 7')*

With regard to the documents 1, 3, 5, 6 and 7 listed above, a complete disclosure of the identified documents 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 natural persons;
- handwritten signatures/abbreviated signatures of natural persons;
- other information relating to an identified or identifiable natural person, e.g. job titles.

As regards document 2 disclosure of the document in its entirety 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 it exclusively contains personal data.

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 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.

Please note that some documents originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released document/documents without the agreement of the originator, who may hold an intellectual property right on it/them. The European Commission does not assume any responsibility from their reuse.

Please also note that document 8 was drawn up for internal use under the responsibility of the relevant officials. It solely reflects the author's interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

In case you would disagree with this position, 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

Yours faithfully,

e-signed,

Olivier GIRARD

Head of Unit (SG.D1)

Contacts: SG.D1, Directorate D - Twin Transition, Economic & Social Affairs

Enclosure: disclosed documents