



EUROPEAN COMMISSION

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

The Director-General

Brussels,
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Ms Paula CASTRO
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Subject: Your application for access to documents – GESTDEM 2022/1965

Dear Ms Castro,

We refer to your e-mail dated 4 April 2022, in which you make a request for access to documents, registered on 4 April 2022 under the above mentioned reference number, in which you ask for:

'All documentation, including, but not limited to, attendance lists, agendas, background papers, minutes/notes and email correspondence about or summarising, the following meetings of the Commissioner Mairead McGuinness and Cabinet with multiple organisations.

- 1. Meeting with AMUNDI AM on 24/01/2022 regarding "sustainable finance"*
- 2. Meeting with Citigroup Inc. (Citi) and Banking & Payments Federation Ireland (BPMFI) on 13/01/2022 regarding "Banking package, AML, sustainability"*
- 3. Meeting with UniCredit on 11/01/2022 regarding "Banking Union, ESG/green transition"*
- 4. Meeting with Insurance Europe (Insurance Europe) on 11/01/2022 regarding "Solvency II, sustainable finance"*
- 5. Meeting with Swedbank AS, Swedbank AB (publ) (Swedbank), Nykredit Realkredit A/S (Nykredit), Finance Denmark (FIDA), Finanssiala ry - Finance Finland (FA - FFI), Nordea Bank Abp (Nordea), Finance Norway (Finans Norge), Danske Bank A/S, Swedish Bankers' Association (SBA) on 09/12/2021 regarding "Basel III".'*

The Commission services have identified 11 documents falling under the scope of your request; they are listed in the attached annex.

Following an examination under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, we have concluded that full disclosure of all these documents is prevented by exceptions to the right of access laid down in Article 4 of this Regulation.

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 applies to all the identified documents. They contain the names and contact information of Commission staff members not pertaining to the senior management, the names and contact details of other natural persons, and other information relating to identified or identifiable natural persons.

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, we 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. Therefore, personal data have been redacted in all documents.

Furthermore, documents 4 and 6 originate from a third party which has been consulted about their release. The third party has objected on the basis of Article 4(2) first indent of Regulation (EC) No 1049/2001, arguing that disclosure could undermine the **protection of commercial information (confidential and proprietary) contained in the documents**, potentially harming the market position of the third party.

This exception applies unless there is an overriding public interest in disclosure of these documents. You make no mention of such an interest in your request and we have not been able to identify it and for this reason access to these documents is prevented under article 4(2) of Regulation (EC) No 1049/2001.

Please note that documents 3, 5, 8, 9 and 11 are minutes that were drawn up for internal use. They solely reflect the authors' interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer, which were not consulted on their content. They do not reflect the position of the Commission and cannot be quoted as such.

In case you would disagree with the position reflected in this letter, 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 e-mail to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Electronically signed
John BERRIGAN

Enclosure: *List of documents and 9 documents*

