



EUROPEAN COMMISSION

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C(2018) 7483 final

Mr Peter TEFFER
EUobserver
Rue Montoyer 18B
1000 Brussels

DECISION OF THE EUROPEAN COMMISSION PURSUANT TO ARTICLE 4 OF THE IMPLEMENTING RULES TO REGULATION (EC) N° 1049/2001¹

**Subject: Your confirmatory application for access to documents under
Regulation (EC) No 1049/2001 - GESTDEM 2018/4359**

Dear Mr Teffer,

I refer to your e-mail of 4 October 2018, registered on 5 October 2018, in which you submit a confirmatory application in accordance with Article 7(2) of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents² (hereafter ‘Regulation 1049/2001’).

In your initial application of 13 August 2018, you requested access to:

- ‘– all documents related to the 27-10-2017 meeting between Vice-President Jyrki Katainen and Nokia, including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, e-mails, and presentations;
- all documents related to the 12-3-2018 meeting between Vice-President Jyrki Katainen and Suomen itsenäisyyden juhlarahasto, including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, e-mails, and presentations;
- all documents related to the 12-3-2018 meeting between Vice-President Jyrki Katainen and Sanoma Corporation, including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, e-mails, and presentations;
- all documents related to the 19-3-2018 meeting between Vice-President Jyrki Katainen and F-Secure Corporation, including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, e-mails, and presentations;
- all documents related to the 17-5-2018 meeting between Vice-President Jyrki Katainen and Jyväskylän yliopisto, including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, e-mails, and presentations;

¹ Official Journal L 345 of 29.12.2001, p. 94.

² Official Journal L 145 of 31.5.2001, p. 43.

- all documents related to the 28-5-2018 meeting between Vice-President Jyrki Katainen and Investor AB, including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, e-mails, and presentations;
- all documents related to the 10-7-2018 meeting between Vice-President Jyrki Katainen and RELX Group, including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, e-mails, and presentations.’

In its initial reply dated 25 September 2018, Directorate D of the Secretariat-General of the European Commission identified ten documents as falling under the scope of your request and gave access to all of them, only subject to the redaction of personal data based on Article 4(1)(b) of Regulation 1049/2001.

In your confirmatory application, you question only one particular point, namely whether all documents falling under the scope of your request were identified, and ask the Secretary-General to verify whether further documents exist and, in case they do, whether they can be (partially) disclosed.

Following your confirmatory application, the Commission carried out a renewed, thorough search for documents other than those disclosed at the initial stage, which would fall under the scope of your application. Based on this renewed search, I confirm that the Commission has not identified any other document held by it that would fall under the scope of your application.

As specified in Article 2(3) of Regulation 1049/2001, the right of access as defined in that Regulation applies only to existing documents in the possession of the institution. Given that no other document falling under the scope of your application has been identified at the confirmatory stage, the Commission is not in a position to address your confirmatory application.

Finally, I would like to draw your attention to the means of redress that are available against this decision, that is, judicial proceedings and complaints to the Ombudsman under the conditions specified respectively in Articles 263 and 228 of the Treaty on the Functioning of the European Union.

Yours sincerely,

For the Commission
Martin SELMAYR
Secretary-General

