



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/5088864

Mr Kenneth Haar
Overgaden oven Vandet 12
1415 Copenhagen K
Denmark

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

Advanced copy per e-mail
ask+request-8363-
f7d24c49@asktheeu.org

Subject: Your request for access to documents (our ref. GESTDEM: 2020/4316)

Dear Mr Haar,

Thank you for your e-mail dated 15 July 2020, in which you make a request for access to documents, 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 the following documents:

- A list of meetings between representatives for BusinessEurope and/or the European Roundtable for Industry AND Commissioners Dombrovskis, Hahn, Breton, Sefcovic, Timmermans and von der Leyen and/or their cabinets.*
- Minutes of meetings between representatives for BusinessEurope and/or the European Roundtable for Industry AND Commissioners Dombrovskis, Hahn, Breton, Sefcovic, Timmermans and von der Leyen and/or their cabinets.*
- Any written communication, including emails and any document exchanged between representatives for BusinessEurope and/or the European Roundtable for Industry for AFME AND Commissioner Valdis Dombrovskis and his cabinet as well as DG FISMA.*

In all cases, the request covers the period from 1 March 2020”.

As explained by the Secretariat General, your request has been split and you will receive/have received separate answers from the Secretariat General, DG BUDG, GROW and CLIMA.

As regards your request concerning meetings and written communications of the Executive Vice-President Dombrovskis and his Cabinet, all meetings are published on the website of the Executive Vice-President (https://ec.europa.eu/commission/commissioners/2019-2024/dombrovskis_en); we do not have another list of the meetings. After a search, we could identify 20 documents (together with their annexes) which are enclosed to this letter. We are still working on your request with respect to the remaining documents concerning DG FISMA.

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 20 documents redacted