



EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

Service for the EU-UK Agreements  
EU-UK Withdrawal Agreement

Brussels,  
SG.UKS.1/UG

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By e-mail: [ask+request-9049-4742ec08@asktheeu.org](mailto:ask+request-9049-4742ec08@asktheeu.org)

**Subject: Your follow-up request to application for access to documents Ref  
GestDem No 2021/0716**

Dear Mr Duffy,

We refer to your applications of 12/02/2021, and your follow-up request sent by e-mail on 10 March 2021, in which you asked “*Could you please provide a timetable of the meetings and telephone conversations between Ursula von der Leyen, President of the European Commission and Michel Bernard Barnier, European Commission's Head of Task Force for Relations with the United Kingdom between 1/12/2020 and 31/12/2020 relating to the EU-UK Trade Deal agreed on 24/12/2020 and any notes or memos or minutes of the meetings and or telephone conversations they had.*”

Please find enclosed the minutes of the meeting of the Commission held in Brussels on 15 December 2020 and 24 December 2020.

There are no other documents falling within the scope of your application.

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

As the Court of Justice ruled in Case C-127/13 (*Strack v Commission*)<sup>1</sup> and Case C-491/15P (*Typke v Commission*)<sup>2</sup>, the institutions do not have the obligation to draw up an inexistent document, even if that document would be based on information appearing in the Commission's database.

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<sup>1</sup> Judgment of the Court of Justice of 2 October 2014 in case C-127/13 P, *Strack v Commission*, EU:C:2014:2250, paragraphs 38 and 46

<sup>2</sup> Judgement of the Court of Justice of 11 January 2017 in case C-491/15P, *Typke v Commission*, EU:C:2017:5, paragraphs 30 and 31

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to introduce 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 Secretary-General of the Commission at the following address:

European Commission  
Secretariat-General  
Transparency, Document Management & Access to Documents (SG.C.1)  
BERL 7/076  
B-1049 Bruxelles  
or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

Marie SIMONSEN  
Head of Unit

