



EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

Directorate A - Strategy, Better Regulation & Corporate Governance  
The Director

Brussels  
SG.A.3/TD/KB

Diogo Augusto  
[ask+request-9222-  
b31fa16d@asktheeu.org](mailto:ask+request-9222-b31fa16d@asktheeu.org)

Dear Mr Augusto,

**Subject: Your application for access to documents – GESTDEM 2021/1737**

We refer to your e-mail of 20 March 2021 in which you make a request for access to:

*All documents - including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, operational conclusions, lines to take, briefings, e-mails, and presentations - related to all meetings between member of the Commission and representatives of BusinessEurope from July 2020 to the present.*

Due to its wide scope, your request has been split between different services of the Commission. This reply relates only to the documents linked to a meeting between Executive Vice-President Dombrovskis and representatives of BusinessEurope that took place on 20 November 2020.

The following documents fall within the scope of your application:

- Minutes of the meeting with BusinessEurope held on 20 November 2020, registered under reference Ares(2021)2506110 (hereafter ‘document 1’).
- Briefing for the meeting with BusinessEurope held on 20 November 2020, registered under reference Ares(2021)2760479 (hereafter ‘document 2’).

We enclose a copy of document 1. This document was drawn up for internal use under the responsibility of the relevant officials of the Cabinet of Executive Vice-President Dombrovskis. 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.

Regarding document 2, I have concluded that it may be partially disclosed. Some parts of document 2 have been blanked out as their disclosure is prevented by the exception to the right of access laid down in the third indent of Article 4(1)(a) of Regulation 1049/2001.

The third indent of Article 4(1)(a) of Regulation 1049/2001 provides that ‘[t]he institutions shall refuse access to a document where disclosure would undermine the protection of [...] the public interest as regards [...] international relations [...]’.

The relevant undisclosed parts of document 2 concern information about trade and political relations of a number of key trade partners and include also an assessment of their policies in this respect.

Public disclosure of that information, including the identification of the third countries concerned, risk undermining the relations between the EU and those countries as it would affect the atmosphere of mutual trust between the EU and the countries concerned. Also, public access to this information would reveal strategic objectives of the Union that are relevant in the framework of current trade and political relations with those countries as well as ongoing and future trade negotiations.

It is not possible to provide more detailed explanation regarding the type or character of information included in the withheld parts of the documents, without actually revealing them and thus undermining the protection of the interest mentioned above.

Document 2 also contains CVs of two representatives of BusinessEurope. These CVs contain several types of personal data such as names, work experience, education etc. The names of the persons concerned as well as other data or information from which their identity can be deduced undoubtedly constitute personal data in the meaning of Article 3(1) of Regulation 2018/1725.

There are reasons to assume that the legitimate interests of the data subjects concerned would be prejudiced by the disclosure of the personal data reflected in the documents, as there is a real and non-hypothetical risk that such public disclosure would harm their privacy and subject them to unsolicited external contacts.

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 the disclosure of the personal data concerned.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make 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 Brussels  
or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

Michael WIMMER  
Director

Annexes:

- Minutes of the meeting with BusinessEurope held on 20 November 2020, registered under reference Ares(2021)2506110 (hereafter ‘document 1’).
- Briefing for the meeting with BusinessEurope held on 20 November 2020, registered under reference Ares(2021)2760479 (hereafter ‘document 2’).