



EUROPEAN COMMISSION
Competition DG

State Aid: General Scrutiny and Enforcement
Infrastructure and regional aid

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Subject: Your application for access to documents – GESTDEM 2021/2320

Dear Madam,

We refer to your e-mail of 2 April 2021 in which you make a request for access to documents related to certain meetings attended by the Executive Vice-President Vestager.

You request access to documents related to the following meetings:

- Mon 25 Jan - Virtual meeting with Mr Leo Varadkar, Deputy Prime Minister and Minister for Enterprise, Trade and Employment of Ireland
- Wed 27 Jan - Virtual meeting organised by D9+ (ministerial group of digitally advanced EU countries) on Europe's competitiveness
- Mon 08 Mar - Virtual meeting with Mr Andres Sutt, Minister of Entrepreneurship and Information Technology of Estonia

Please note that due to the wide scope of your request, covering also areas falling under the responsibility of other Directorates-General, parts of your request have been attributed to other Directorates-General under GESTDEM 2021/2321. This reply relates only to the documents held by the Directorate-General for Competition, i.e. those related to the meeting of 25 January 2021 with Mr Leo Varadkar. You will receive the reply from the other respective Directorate(s)-General in due course.

Based on your request, the services of DG Competition have identified the following 4 documents:

1. Ares(2021)2479997 – Letter from Mr Varadkar to Executive Vice President Vestager, dated 30/11/2020
2. Ares(2021)337411 – Letter From the Executive Vice President Vestager to Mr Varadkar, dated 12/1/2021

Please specify the name of the case and the case number in all correspondence.

Commission européenne, B-1049 Bruxelles / Europese Commissie, B-1049 Brussel - Belgium. Telephone: (32-2) 299 11 11.
Office: MAD0 23/46. Telephone : direct line (32-2) 299 66 60. Email address: stateaidgreffe@ec.europa.eu

3. Ares(2021)2559057 – Minutes of the meeting between Executive Vice President Vestager and Mr Varadkar on 25/1/2021
4. Briefing for the Executive Vice President Vestager prepared for the meeting between Executive Vice President Vestager and Mr Varadkar on 25/1/2021

There are also some emails without substance (logistical arrangements about the timing of the meeting, transmission emails to the letters). We assume that you are not interested in those.

With regard to the four documents listed above, a complete disclosure of the identified documents is prevented by 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, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- handwritten signatures/abbreviated signatures of 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 any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I 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 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.

Please note that a document originating from third parties is disclosed to you based on Regulation (EC) No 1049/2001. The European Commission does not assume any responsibility from their reuse.

The briefing and the minutes of the meeting dated 25/1/2021 were drawn up for internal use under the responsibility of the relevant services of the Directorate-General for Competition. The minutes solely reflect the services' interpretation of the interventions made and do not set out any official position of the third parties to which the document refers, which were not consulted on its content. The documents do not reflect the position of the Commission and cannot be quoted as such.

In case you would disagree with this position, 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 email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

e-signed
Hubert de Broca
Head of Unit

Enclosures: copies of 4 documents