



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR RESEARCH & INNOVATION
The Director-General

Brussels,
RS/JVC/VK

03 MAI 2019

*By registered letter with acknowledgment
of receipt*

Mr Álvaro Merino
Calle Ricardo Ortiz 61, 1B
28017 Madrid
Spain

Advance copy by e-mail:
ask+request-6645-dd52eef2@asktheeu.org

Subject: Your application for access to documents – GestDem Ref No 2019/1656

Dear Mr Merino,

We refer to your email of 18 March 2019, in which you submitted, within the framework of Regulation (EC) 1049/2001¹, an application for access to documents.

You requested access to the following documents:

‘A list of all lobby meetings held by the commissioner in charge of Research and Innovation, Carlos Moedas, or any other member of its Cabinet with any organisations representing churches and/or religious communities since 2014 onwards, including all emails, minutes, reports or any other briefing papers related to all those meetings.’

Regarding your request for ‘a list of all lobby meetings held by the commissioner in charge of Research and Innovation, Carlos Moedas, or any other member of its Cabinet with any organisations representing churches and/or religious communities since 2014 onwards’, please note that such a document does not exist. Although no such list as the one you have requested exists, please note that the documents we have identified concern the following meetings:

- 13/03/2015 – Meeting between Commissioner Moedas and H.E. Mgr Alain Paul Lebeaupin, Apostolic Nuncio to the European Community
- 02/05/2016 – Meeting between Commissioner Moedas and the European Jewish Congress
- 05/12/2018 - EuroChanukah 2018
- 14/01/2019 - Meeting between Commissioner Moedas and H.E. Mgr Alain Paul Lebeaupin, Apostolic Nuncio to the European Community

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

We have identified 12 documents falling within the scope of your request. These documents are listed chronologically, as follows:

1. Briefing for the meeting of 13/03/2015
2. Correspondence ending 23/01/2015
3. Correspondence ending 05/02/2015
4. Briefing for the meeting of 02/05/2016
5. Correspondence ending 09/02/2016
6. Correspondence ending 07/03/2016
7. Correspondence ending 07/04/2016
8. Correspondence concerning EuroChanukah 2018
9. Briefing for the meeting of 14/01/2019
10. Correspondence ending 07/12/2018
11. Correspondence ending 14/12/2018
12. CV of H.E. Mgr Alain Paul LEBEAUPIN

1. EXAMINATION UNDER REGULATION (EC) NO 1049/2001

Concerning the documents that were identified as falling within the scope of your request, we are pleased to inform you that partial access can be granted to 11 out of the 12 documents. Unfortunately, no access can be granted to document n° 12.

Protection of privacy and the integrity of the individual

Partial access to documents from n° 1 to n° 11

The 11 documents for which partial access can be granted contain personal data such as names, surnames, functions, telephone numbers, electronic and professional addresses, etc. This information clearly constitutes personal data in the meaning of Article 3(1) of Regulation 2018/1725.

Pursuant to Article 9(1)(b) of Regulation 2018/1725, personal data shall only be transmitted to recipients established in the Union other than Union institutions and bodies if *'[t]he recipient establishes that it is necessary to have the data transmitted for a specific purpose in the public interest and the controller, where there is any reason to assume that the data subject's legitimate interests might be prejudiced, establishes that it is proportionate to transmit the personal data for that specific purpose after having demonstrably weighed the various competing interests'*.

According to Article 9(1)(b) of Regulation 2018/1725, the European Commission has to examine the further conditions for a lawful processing of personal data only if the first condition is fulfilled, namely 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.

Therefore, personal data have been withheld from the requested document, except the name of individuals forming part of senior management staff of the Commission and of the principal Church officials.

No access to document n° 12

Unfortunately, access to document 12 (the CV) is rejected, since the whole document contains personal data (biography of third party), protected under Article 4(1) (b) of Regulation (EC) 1049/2001. We have considered the possibility of granting partial access to the requested document. However, we came to the conclusion that no meaningful partial access could be granted.

2. DISCLAIMER

You may reuse the documents requested free of charge for non-commercial and commercial purposes provided that the source is acknowledged, that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

3. MEANS OF REDRESS

In accordance with Article 7(2) of Regulation (EC) 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

Secretary-General

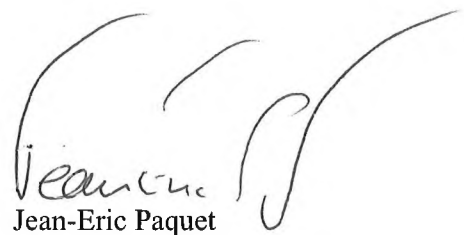
Unit SG C.1 – Transparency, document management & access to documents

BERL 7/076

B-1049 Brussels

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,



Jean-Eric Paquet

