



EUROPEAN COMMISSION

Brussels, 7.8.2019
C(2019) 6022 final

Mr Brian O'Connor
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United Kingdom

**DECISION OF THE EUROPEAN COMMISSION PURSUANT TO ARTICLE 4 OF THE
IMPLEMENTING RULES TO REGULATION (EC) No 1049/2001¹**

**Subject: Your confirmatory application for access to documents – GESTDEM
2019/2240 and 2019/2228**

Dear Mr O'Connor,

I am writing in reference to your email of 17 June 2019, registered on 18 June 2019, by which you lodge a confirmatory application in accordance with Article 7(2) of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents² (hereafter ‘Regulation (EC) No 1049/2001’).

On 5 July 2019 the Commission sent you a letter asking you to clarify the scope of your confirmatory application. In your reply of 16 July 2019, you specified that you are interested in the meeting minutes for the meetings indicated in the three initial requests GESTDEM 2019/2225, 2019/2240 and 2019/2228 and ask the Commission to do additional search for these documents. Concerning the application GESTDEM 2019/2225, the Commission will send you a separate reply.

Through your initial application of 9 April 2019, registered as GESTDEM 2019/2240, you requested access to all documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, and minutes/notes) relating to the meetings listed below:

1. Between BlackRock and Olivier Guersent, Director-General of the Directorate-General for Financial Stability, Financial Services and Capital Markets Union, held on 9 November 2017;

¹ Official Journal L 345 of 29.12.2001, p. 94.

² Official Journal L145 of 31.05.2001, p. 43.

2. Between CaixaBank, S.A. (CaixaBank) and Olivier Guersent, Director-General of the Directorate-General for Financial Stability, Financial Services and Capital Markets Union, held on 26 April 2018;
3. Between Assicurazioni Generali S.p.A and Olivier Guersent, Director-General of the Directorate-General for Financial Stability, Financial Services and Capital Markets Union, held on 17 May 2018;
4. Between Swiss Re Ltd. and Olivier Guersent, Director-General of the Directorate-General for Financial Stability, Financial Services and Capital Markets Union, held on 24 May 2018;
5. Between Aegon NV and Olivier Guersent, Director-General of the Directorate-General for Financial Stability, Financial Services and Capital Markets Union, held on 19 June 2018;
6. Between Amundi AM and Olivier Guersent, Director-General of the Directorate-General for Financial Stability, Financial Services and Capital Markets Union, held on 19 July 2018;
7. Between Société Générale (SG) and Olivier Guersent, Director-General of the Directorate-General for Financial Stability, Financial Services and Capital Markets Union, held on 6 September 2018;
8. Between Crédit Agricole S.A. and Olivier Guersent, Director-General of the Directorate-General for Financial Stability, Financial Services and Capital Markets Union, held on 11 September 2018;
9. Between Morgan Stanley (MS) and Olivier Guersent, Director-General of the Directorate-General for Financial Stability, Financial Services and Capital Markets Union, held on 4 October 2018;
10. Between Hitachi Corporate Office, Europe (Hitachi) and Olivier Guersent, Director-General of the Directorate-General for Financial Stability, Financial Services and Capital Markets Union, held on 11 October 2018.
11. Between CaixaBank, S.A. (CaixaBank) and Olivier Guersent, Director-General of the Directorate-General for Financial Stability, Financial Services and Capital Markets Union, held on 18 January 2019;
12. Between AMISA2 and Olivier Guersent, Director-General of the Directorate-General for Financial Stability, Financial Services and Capital Markets Union, held on 23 January 2019.

The Directorate-General for Financial Stability, Financial Services and Capital Markets Union identified meeting minutes for ten meetings indicated in your request. By letter of 15 May 2019, the Directorate-General for Financial Stability, Financial Services and Capital Markets Union gave wide partial access to all ten documents, subject only to the redaction of personal data, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001 (protection of privacy and the integrity of the individual).

Through your initial application of 9 April 2019, registered as GESTDEM 2019/2228, you requested access to all documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, and minutes/notes) relating to the meetings listed below:

1. Between BlackRock (BLK) and Jan Ceyskens, Member of Cabinet of the Commissioner Valdis Dombrovskis, held on 17 February 2017.
2. Between Nordea Bank Abp (Nordea) and Jan Ceyskens, Member of Cabinet of the Commissioner Valdis Dombrovskis, held on 6 September 2018.
3. Between Citigroup Inc. (Citi) and Jan Ceyskens, Member of Cabinet of the Commissioner Valdis Dombrovskis, held on 3 December 2018.

The Directorate-General for Financial Stability, Financial Services and Capital Markets Union identified five documents related to the meetings indicated in your request. By letter of 28 June 2019, the Directorate-General for Financial Stability, Financial Services and Capital Markets Union gave wide partial access to all five documents, subject only to the redaction of personal data, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001 (protection of privacy and the integrity of the individual).

In your confirmatory application, you question the absence of the meeting minutes for the meetings indicated above. Against this background, the European Commission has carried out a renewed, thorough search for the documents requested. Following this renewed search, I confirm that the Commission does not hold any additional documents that would correspond to the description given in your application.

Indeed, 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.

Given that the European Commission does not hold any such documents corresponding to the description given in your application, it is not in a position to fulfil your request.

Finally, I draw your attention to the means of redress available against this decision. You may either bring proceedings before the General Court or file a complaint with the European Ombudsman under the conditions specified respectively in Articles 263 and 228 of the Treaty on the Functioning of the European Union.

Yours sincerely,



For the Commission
Ilze JUHANSONE
Acting Secretary-General