



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP  
AND SMES

The Director-General

Brussels  
GROW.01/MD

Ms Lora Verheecke  
9 rue du Bronze  
1070 Bruxelles  
Belgium

By email: ask+request-8887-  
d33bad0b@asktheeu.org

**Subject: Your application for access to documents – GESTDEM 2021/0028**

Dear Ms Verheecke,

We refer to your e-mail of 24 December 2020 in which you make a request for access to documents, registered on 4 January 2021 under the above-mentioned reference number.

You request access to “*All documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts, recordings and minutes/notes) relating to the meeting between Thierry Breton and Institut Montaigne on 2nd December 2020*”.

Your application concerns the following documents:

- Annex 1 - Briefing 622 - Commissioner Breton and Institut Montaigne 2<sup>nd</sup> December 2020;
- Annex 2 - Background document to the Briefing 622

With regard to both 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;
- the names, CVs and contact details of other natural persons;
- other information relating to an identified or identifiable natural person

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.

Having examined document Annex 2 under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that document may be partially disclosed. Some parts of the document have been blanked out as their disclosure is prevented by exceptions to the right of access laid down in Article 4(3) of this Regulation.

Disclosure of said document would seriously undermine the decision-making process of the Commission, as it would reveal preliminary views and policy options, which are currently under consideration. The Commission's services must be free to explore all possible options in preparation of a decision free from external pressure. Hence, the exception laid down in Article 4(3) of Regulation (EC) No 1049/2001 applies to this document.

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](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

E-signed  
Kerstin Jorna

Enclosure: 2 Annexes