



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL
MARKETS UNION

The Director-General

Brussels,
FISMA B2 LD/eg/2021/5870881

Ms Christiana Maria Mauro

Response per e-mail
ask+request-9356-
af803dc4@asktheeu.org

Subject: Your request for access to documents (our ref. GESTDEM: 2021/2548)

Dear Ms Mauro,

Thank you very much for your e-mail dated 21 April 2021, in which you make a request for access to documents, registered under the above mentioned reference number.

Your request is as follows:

“Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I am requesting documents which contain the following information:

All documentation, including but not limited to attendance lists, background papers, minutes/notes and email correspondence about or summarizing the following meeting: 15th meeting of the Member States Expert Group on sustainable finance on 26 February 2021.”

After a search, we could identify 20 documents falling under the scope of your request, of which 2 can be fully released and 4 can be partially released, redacted of personal data. You can find them enclosed together with a list of documents.

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents in question in accordance with Article 4 of Regulation (EC) No 1049/2001, I have come to the conclusion that documents 17 and 20 can be released in their entirety.

Documents 1 to 8 and 11 to 16 of the enclosed list cannot be released, as they contain written comments and opinions from Member States and the European Supervisory Authorities provided bilaterally and confidentially to the Commission services in the framework of the expert group for internal use of the Commission as part of deliberations and preliminary consultations. Disclosure of such documents would seriously undermine the institution's decision-making process, as it would jeopardise the free discussions within the expert group, which are key to achieving its objectives. In addition, the

working rules of the expert group, foresee that such deliberations and opinions shall remain confidential. We have considered whether partial access could be granted to these documents, and we have concluded that they are entirely covered by the exception.

With regard to the documents 9, 10, 18, and 19 on the list, 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 names and contact information of Commission staff members not pertaining to the senior management and/or the names and contact details of other 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 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. 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

Yours faithfully,

(e-signed)

John Berrigan
Director-General or Director in
the Secretariat-General

Enclosures: List of documents and 6 documents redacted of personal data

