



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE AND CONSUMERS

Unit 01: Communication and strategic planning

Brussels,
JUST.01/AB/Ares(2021)5623071

Ms Rachel COX
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By e-mail:
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413d0655@asktheeu.org](mailto:ask+request-9829-413d0655@asktheeu.org)

Subject: Your application for access to documents – Ref GestDem No 2021/2972

Dear Ms COX,

We refer to your e-mail of 26 April 2021 in which you make a request for access to documents, registered on 27 April 2021 under the above mentioned reference number.

You request access to:

“All documents—including but not limited to correspondence, emails, minutes, notes (hand written or electronic), meeting conclusions, audio or video recordings, verbatim reports, operational conclusions, lines to take, briefings, and presentations—related to the meeting on 24th March 2021 between Lucrezia Busa and Wilmar Europe Trading BV”.

Your application concerns the following documents:

1. Email “Wilmar - written feedback on Sustainable Corporate Governance” with attachment “Wilmar Position Paper Corporate Due Diligence 03.2021” (reference number Ares(2021)4963722);
2. Report of the meeting between Ms Lucrezia Busa and Wilmar on 24 March 2021 (reference number Ares(2021)4961414).

With regard to the 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/initials 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 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 the document (reference number Ares(2021)4963722) originating from third parties is disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released document without the agreement of the originator, who may hold an intellectual property right on it. The European Commission does not assume any responsibility from their reuse.

The report (reference number Ares(2021)4961414) was drawn up for internal use under the responsibility of the relevant service of the Directorate-General for Justice and Consumer. It solely reflects the service's interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

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 Secretariat-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 Bruxelles

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

According to standard operational procedure, the reply to a request for access to documents is usually sent by registered post. Please note, however, that due to the extraordinary health and security measures currently in force during the COVID-19 pandemic, which include the requirement for all Commission non-critical staff to telework, we are unfortunately not in a position to follow this procedure until further notice.

We would therefore appreciate if you could confirm receipt of the present e-mail by replying to JUST-ACCES-DOCUMENTS@ec.europa.eu.

Yours faithfully,

Giles GOODALL
Head of Unit

(e-signed)