



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR TRADE

Directorate D – The Americas, Agriculture and Food Safety
Latin America
The Head of Unit

Brussels,
TRADE D.2 (2021) 6963168

Ms Audrey Changoe
Friends of the Earth Europe
26 rue d'Edimbourg
1050 Brussels

By email only:

ask+request-9978-fddce1ef@asktheeu.org

Subject: Your application for access to documents – GestDem 2021/5780

Dear Ms Changoe,

I refer to your e-mail dated 27 September 2021 in which you make a request for access to documents in accordance with Regulation (EC) No 1049/2001¹ ('Regulation 1049/2001'), registered on 29 September 2021 under the above mentioned reference number.

1. SCOPE OF YOUR REQUEST

In your application, you request access to:

'All documents - including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, operational conclusions, lines to take, e-mails and presentations, as well as correspondence (i.e. any emails, correspondence, telephone call notes, and/or text messages including WhatsApp exchanges) - related to the meeting between the European Centre for International Political Economy and Trade officials on 15-06-2021 re. the EU Mercosur Trade Deal.'

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 20 May 2001 regarding public access to European Parliament, Council and Commission documents, Official Journal OJ L 145, 31.5.2001, p. 43.

2. ASSESSMENT AND CONCLUSIONS UNDER REGULATION 1049/2001

With regard to this scope, we have identified **1 document** which is enclosed as annex to this reply. The document is a report of the meeting between the European Centre for International Political and Economy and Trade officials held on 15-06-2021, Ares(2021)3926511.

I am pleased to inform you that nearly full access is given to the requested document where only personal data have been withheld.

With regard to the document referred to 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 1049/2001, because it contains 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.

Pursuant to Article 4(1)(b) of Regulation 1049/2001, the Commission has to refuse access to a document where its *'disclosure would undermine the protection of [...] privacy and the integrity of the individual, in particular in accordance with [European Union] legislation regarding the protection of personal data'*.

Article 9(1)(b) of the Data Protection Regulation(EU) 2018/1725² 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 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 1049/2001, access cannot be granted to the personal data in question, 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.

3. POSSIBILITY OF CONFIRMATORY APPLICATION

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, you are entitled 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:

² Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC ('Regulation 2018/1725'), OJ L 205 of 21.11.2018, p. 39.

European Commission
Secretariat-General
'Transparency, Document Management & Access to Documents' (Unit SG C.1)
Rue de la Loi 200/Wetstraat 200
BERL 7/76
1049 Brussels
Belgium,

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

Yours sincerely,

Paolo GARZOTTI

Enclosure: Disclosed document related to GestDem 2021/5780 – Report of the meeting between the European Centre for International Political and Economy and Trade officials held on 15-06-2021, Ares(2021) 3926511 (*redacted*).