



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
The Director-General

Brussels,
ENV/B.2

Marie Milet
1 Long Lane
London
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SE1 4PG

Sent by email with acknowledgement of receipt:
ask+request-10314-fb1d3f69@asktheeu.org

Dear Ms Milet

Subject: Your application for access to documents – Ref GestDem No 2021-8036

We refer to your e-mail dated 1 December 2021 in which you make a request for access to documents, registered under the above-mentioned reference number. We would like to sincerely apologise for the delay in our reply.

You requested access to: *“documents which contain the following information:*

All documentation, including but not limited to attendance lists, agendas, background papers, minutes/notes and email correspondence about or summarising, the following:

Meeting titled “To share views on Chemicals Strategy and the roadmap of Circular Economy Action Plan” with representatives of the Environment, Oceans and Fisheries, Commissioner Virginijus Sinkevičius, and Camilla Bursi, Cabinet member of Virginijus Sinkevičius on 10/06/2020”.

With regard to your request, please see enclosed copies of the following 4 documents identified as falling within its scope:

1. Cefic email of 10 December 2019;
2. Cefic letter of 6 December 2019 requesting a meeting, attached to the email of 10 December 2019;
3. Email of 26 February 2020 from Cabinet of Commissioner Sinkevičius, with positive reply to the request for a meeting;
4. Summary record of the Webex meeting of 10 June 2020 between Commissioner Sinkevičius and CEFIC.

Having examined these documents under the provisions of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents, we have come to the conclusion that complete disclosure 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, which have been redacted:

- Specific contact details (office numbers and phone numbers) of Cabinet staff members;
- Names, contact details, and handwritten signatures of other natural persons.

In your application, you indicate that your address is in the United Kingdom. Transfers of personal data from the Commission to countries that are not members of the European Economic Area (EEA), or to international organisations, are regulated under Chapter V of the Data Protection Regulation¹.

According to Article 47(1) of this Regulation, a transfer of personal data to a third country or an international organisation may take place where the Commission has decided that the third country, a territory or one or more specified sectors within that country, or the international organisation in question, ensures an adequate level of protection and where the personal data are transferred solely to allow tasks within the competence of the controller to be carried out.

Based on the information available, the country of your residence is recognised by the Commission as ensuring an adequate level of protection. However, we would further like to inform you that 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 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 that have been redacted in the identified 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 also note the following:

- The enclosed summary record of the meeting was drawn up for internal use under the responsibility of the relevant officials of the Directorate-General for Environment. It solely reflects the authors' interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which were not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

- The email and letter originating from a third party are disclosed to you based on Regulation (EC) No 1049/2001 and the third party was consulted on their disclosure. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or

¹ 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, OJ L 295, 21.11.2018, p. 39.

exploit the released documents without the agreement of the originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review its position on the matters already mentioned. 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
Secretary-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

Yours sincerely,

e-signed

Florika FINK-HOOIJER