



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ECONOMIC AND FINANCIAL AFFAIRS
Resources and performance management
HR Correspondent, data protection and security

ECFIN.R.1

Henning, Maximilian
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1050 Ixelles, Belgium
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Subject: Your application for access to documents 2023/5477

Dear Mr Henning,

we refer to your request for access to European Commission documents registered on 04/09/2023 under the above-mentioned reference number.

Your request concerns access to all available documents in relation to

“The 25.05.2023 meeting between Booking.com and Cabinet members of Commissioner Gentiloni as well as the 03.07.2023 meeting between BPCE and Cabinet members of Commissioner Gentiloni.”

I consider your request to cover documents held up to the date of your initial application, i.e., 04/09/2023.

Please note that due to the wide scope of your request, covering also areas falling under the responsibility of other Directorates-General, parts of your request have been attributed to other Directorates-General ⁽¹⁾. This reply relates only to the documents held by the Directorate-General for Economic and Financial Affairs. Thus, concerning the documents in relation to the meeting of 25.05.2023, you will receive a separate reply from Directorate-General Taxation and Customs Union.

As far as DG ECFIN is concerned, your application pertains to the following document:

Exchange between BPCE I and Cabinet Gentiloni: BPCE I Request for a meeting (messages from 15 June 2023).

Regarding the above document 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;

⁽¹⁾ DG TAXUD, case-number EASE 2023/5477.

- 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 documents originating from third parties are 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.

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 to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it by mail, to:

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

Yours faithfully,

Electronically signed

Henrik Kersting
Head of Unit