



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR TRADE

Directorate R – Resources, Interinstitutional Relations, Communications and Civil Society
Transparency, Civil Society and Communication

Brussels,
TRADE.R.3/(2024)815373

Mr Lucas Mialhes
54, Rue Sedaine
75011 Paris
FRANCE

***By email only – with request for
explicit acknowledgment of receipt
by email reply:***

ask+request-14018-f289e6c3@asktheeu.org

(EASE 2024/0116)

ask+request-14016-cf113824@asktheeu.org

(EASE 2024/0117)

ask+request-14021-9ad2c181@asktheeu.org

(EASE 2024/0121)

ask+request-14045-6add5b17@asktheeu.org

(EASE 2024/0176)

ask+request-14047-e52561bf@asktheeu.org

(EASE 2024/0184)

**Subject: Your applications for public access to documents – EASE 2024/0116,
EASE 2024/117, EASE 2024/121, EASE 2024/176 and EASE 2024/184**

Dear Mr Mialhes,

I refer to your applications dated 9¹ and 11² January 2024 respectively, registered on the same respective date(s) under the above mentioned EASE reference numbers, in which you make requests for access to documents under Regulation (EC) No 1049/2001³ ('Regulation 1049/2001').

Kindly note that at least one of your original requests has been covering a number of different meetings, and accordingly has been split into separate requests, as different services are concerned with the different meetings indicated in your requests. You will receive or will have received already a separate reply under each reference number from

¹ Cases EASE 2024/0116, EASE 2024/117 and EASE 2024/121.

² Cases EASE 2024/0176 and EASE 2024/184.

³ 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).

the other services involved, in relation to those meetings that are not mentioned here below.

The Directorate-General for Trade is concerned only with the meetings referred to here below under point 1, and accordingly the present reply only covers these meetings.

1. SCOPE OF YOUR REQUEST

You have been requesting public access to the following documents:

'All documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts and recordings) AND the meeting minutes/notes relating to:

[1] *the meeting between Manufacture Française des Pneumatiques Michelin and Valdis Dombrovskis (Executive Vice-President) on 16-02-2023 (EASE 2024/0116);*

[2] *the meeting between Stellantis and Valdis Dombrovskis (Executive Vice-President) on 16-02-2023 (EASE 2024/0117);*

[3] *the meeting between TotalEnergie SE and Valdis Dombrovskis (Executive Vice-President) on 16-02-2023 [...] (EASE 2024/0121);*

[4] *the meeting between ENGIE and Valdis Dombrovskis (Executive Vice-President) on 16-02-2023 (EASE 2024/0176);*

[5] *the meeting between SAFRAN and Valdis Dombrovskis (Executive Vice-President) on 04-05-2023;*
the meeting between SAFRAN and Valdis Dombrovskis (Executive Vice-President) on 16-02-2023 (EASE 2024/0184).

As far as the date of 16 February 2023 and related meetings are concerned, please note that all your five applications relate to one and the same single event, i.e. one roundtable meeting involving the different entities you have indicated separately in your five requests.

We have accordingly identified **five documents** falling within the scope of your requests (**documents 01 and 02** with regard to points [1]-[5] above – as far as the date of 16 February 2023 is concerned, and **documents 03, 04 and 05** with regard to point [5] above – as far as the date of 4 May 2023 is concerned):

01 – Ares(2023)1224824 – Minutes from roundtable on Critical Raw Materials package 16-02-2023;

02 – Ares(2023)1224824 – Roundtable on Critical Raw Materials package 16-02-2023 – Speech;

03 – Ares(2023)1250637 – Meeting request Safran with proposed agenda;

04 – Ares(2023)3181289 – Meeting minutes – Meeting with Safran 04-05-2023;

05 – Ares(2023)3471531 – Thank you letter after meeting (04-05-2023) – Safran.

For details and numbering also kindly refer to the enclosed document ‘Annex – List of identified documents and type of disclosure’.

2. ASSESSMENT AND CONCLUSIONS UNDER REGULATION 1049/2001

Having examined the requested documents under the applicable legal framework, I am pleased to inform you that **full public access is granted to document 02**, and that **partial access is granted to documents 01, 03, 04 and 05, with only personal data redacted**.

A complete disclosure of **documents 01, 03, 04 and 05** 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 (for details please see below).

Copies of the accessible documents (for **documents 01, 03, 04 and 05 in their redacted version**) are enclosed to the present letter.

2.1. Protection of privacy and the integrity of the individual – Article 4(1)(b) of Regulation 1049/2001

2.1.1. ‘Personal data’

We disclose the identified **documents 01, 03, 04 and 05** only partially, as they contain certain personal data, which must be redacted in accordance with Article 4(1)(b) of Regulation 1049/2001, namely:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and/or contact details of other natural persons – other than Commission staff members;
- other information relating to an identified or identifiable natural person.

Article 4(1)(b) of Regulation 1049/2001 provides that *‘[t]he institutions shall refuse access to a document where disclosure would undermine the protection of: [...] privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data’*.

The applicable legislation in this field is Regulation (EU) No 2018/1725⁴ (hereafter ‘Regulation 2018/1725’ or ‘Data Protection Regulation’).

Article 3(1) of Regulation 2018/1725 provides that personal data means *‘any information relating to an identified or identifiable natural person [...]’*. The Court of Justice has specified that any information, which by reason of its content, purpose or effect, is linked to

⁴ 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.

a particular person is to be considered as personal data.⁵ Please note in this respect that the names, signatures, functions, email addresses, telephone numbers etc., and/or initials pertaining to staff members of an institution are to be considered personal data⁶, as well as those of individuals belonging to third parties. As already indicated above, **documents 01, 03, 04 and 05** contain such personal information.

2.1.2. Question of 'transfer' of personal data and conclusion

Article 9(1)(b) of Regulation 2018/1725 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 1049/2001, access cannot be granted to the personal data, 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.

2.2. Disclaimers

You may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf, based on [Commission Decision 2011/833/EU of 12 December 2011 on the re-use of Commission documents](#)⁷. You may reuse the documents disclosed free of charge for non-commercial and commercial purposes, provided that the source is acknowledged, and that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume any liability stemming from the reuse.

Furthermore, please note that documents containing content of third party origin, i.e. either documents entirely originating from third parties or documents containing parts of third party origin (in the present case: **documents 03 and 05**) are disclosed to you based on Regulation 1049/2001. However, disclosure of such third party content is without prejudice to the rules on intellectual property, which may limit your right to reproduce or 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 the reuse of those documents or parts of documents.

Finally, **documents 01 and 04** were drawn up under the responsibility of the relevant Commission official. They solely reflect the author's interpretation of the interventions

⁵ Judgment in *Peter Novak v Data Protection Commissioner*, case C-434/16, points 33-35, ECLI:EU:T:2018:560.

⁶ Judgment in *Port de Brest v Commission*, case T-39/17, points 43-44, ECLI:EU:T:2018:560.

⁷ OJ L 330, 14.12.2011, p. 39.

made and does not set out any official position of any third party to which the document may refer, which was/were not consulted on its content. Such type of Commission document does not necessarily reflect the position of the Commission and, therefore, cannot be quoted as such. Similarly, **document 02** can also not be seen as necessarily being reflecting the Commission position, because, as you may be aware, in the occasion and context of this document and the related event it is ultimately the spoken word that counts (which may differ in the detail from the prepared draft text of speaking points and key messages).

3. POSSIBILITY OF A CONFIRMATORY APPLICATION

In accordance with Article 7(2) of Regulation 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, either by

- **asking for a review via your portal⁸ account** (available only for initial requests submitted via the portal account), *or*
- **email** to sg-acc-doc@ec.europa.eu, *or*
- **letter post** to the following address:

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

Yours sincerely,

[Electronically signed]

Maud LABAT
Head of Unit

Enclosures (6): List of documents,
5 documents (thereof 4 *partially redacted*).

⁸ <https://www.ec.europa.eu/transparency/documents-request>