



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Directorate D - Twin Transition, Economic & Social Affairs
The Director

Brussels,
SG.D/ER

Margarida Da Silva

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Subject: Your application for access to documents – EASE 2024/3891

Dear Ms Da Silva,

I refer to your e-mail sent and registered on 11 July 2024 in which you make a request for access to documents under the above mentioned reference number.

Your request concerns *'all documents, including but not limited to attendance lists, agendas, background papers, email correspondence AND minutes/notes about or summarising, the following meetings with Intel:*

10/11/2022 - Christiane Canenbley (Cabinet member), Michele Piergiovanni (Cabinet member), Margrethe Vestager (Executive Vice-President), Pierre-Arnaud Proux (Cabinet member)

11/01/2024 - Margrethe Vestager (Executive Vice-President)

29/06/2021 - Margrethe Vestager (Executive Vice-President), Yizhou Ren (Cabinet member)

27/06/2022 - Marta Balossino (Cabinet member), Michele Piergiovanni (Cabinet member)

30/04/2021 - Werner Stengg (Cabinet member), Margrethe Vestager (Executive Vice-President)

Please note that parts of your request have been attributed to other Commission services ⁽¹⁾. This reply concerns the part of your application concerning the following meetings:

- *29/06/2021 - Margrethe Vestager (Executive Vice-President), Yizhou Ren (Cabinet member)*
- *30/04/2021 - Werner Stengg (Cabinet member), Margrethe Vestager (Executive Vice-President)*

You will receive the reply regarding the rest of your application in due course.

We identified the following document to fall within the scope of your application:

1. Ares(2021)2582686 - Meeting request Intel 30042021_Redacted

(1) EASE 2024/3663

2. Ares(2021)2954846 - [Re] Meeting request Intel 30042021_Redacted
3. Ares(2021)3104880 Steering brief_Redacted
4. Ares(2021)3104880 The EU must play a long game for semiconductor success _ Financial Times
5. Ares(2021)3652975 EVP-Intel Report 30042021_Redacted
6. Ares(2021)4059325 - Intel meeting request Commissioner Vestager 29062021 + POS REPLY_Redacted
7. Ares(2021)4454974 Steering brief_Redacted
8. Ares(2024)5478050 Meeting minutes - EVP and Intels 29.06.2021_Redacted

With regard to the 8 documents listed above, a 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 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.

Article 9(1)(b) of the Data Protection Regulation (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 neither express any particular interest to have access to these personal data, nor put forward 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 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 a document 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.

Moreover, parts of the Minutes and Briefings were redacted based on Article 4(2) of Regulation (EC) No 1049/2001, which allows the Commission to refuse access to a document where its disclosure would undermine the protection of, *inter alia*, the commercial interests of a natural or legal person and of inspections, investigations and audits, and Article 4(3) of Regulation (EC) No 1049/2001, which allows the Commission to refuse access to a document drawn by the Commission or received by the Commission if the disclosure of the documents would seriously undermine the Commission's decision making process.

The redacted parts pertain to commercial interests of Intel, which could be undermined by a disclosure, and a pending State aid investigation under Article 107 of the TFEU in which no final decision has yet been adopted by the Commission.

Furthermore, the minutes were drawn up for internal use under the responsibility of the relevant services of the European Commission. They solely reflect the author's interpretation of the interventions made and does not set out any official position of the third parties to which the documents refer, which were not consulted on their content. They do not reflect the position of the Commission and cannot be quoted as such.

In case you disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to submit a confirmatory application requesting the Commission to review its position. 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
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Brussels
or by email to: sg-acc-doc@ec.europa.eu

Please kindly send an acknowledgement of the receipt of this reply.

Yours sincerely,

Elisa ROLLER
Director
(e-signed)

Annexes: 8 documents.