



Council of the European Union

General Secretariat

Directorate-General Communication and Information - COMM

Directorate Information and Outreach

Information Services Unit / Transparency

Head of Unit

Brussels, 9 August 2022

Ms Margarida da Silva

E-mail: ask+request-11607-d7fbf5f8@asktheeu.org

Ref. 22/1568-em/vk

Request made on: 18.07.2022

Dear Ms da Silva,

Thank you for your request for access to documents of the Council of the European Union.¹

Please find attached, as requested, documents **WK 650/22, WK 4153/22, WK 5164/22, WK 5165/22, WK 4035/22**.

You will find attached a partially accessible version of document **WK 4034/22**.² However, I regret to inform you that full access cannot be given for the reasons set out below.

Document WK 4034/22 is a note dated 18 March 2022 originating from the European Commission services and related to the EU-US Trade and Technology Council Working Group 5 Workshop 2 on Algorithmic Amplification. It contains personal data about identified persons. The personal data contained in this document is necessary for the organisation of the work of the Council.

The EU data protection rules³ provide that when the personal data collected is to be used for a different purpose, including disclosure to the public, a balance needs to be established between the public interest in having access to such data and the legitimate right of individuals to protect their personal data.⁴

¹ The General Secretariat of the Council has examined your request on the basis of the applicable rules: Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43) and the specific provisions concerning public access to Council documents set out in Annex II to the Council's Rules of Procedure (Council Decision No 2009/937/EU, OJ L 325, 11.12.2009, p. 35).

² Article 4(6) of Regulation (EC) No 1049/2001.

³ 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 (OJ L 295 21.11.2018, p. 39).

⁴ Article 9 of Regulation (EU) No 2018/1725.

After carefully considering all the principles related to this request, on balance the General Secretariat has concluded that disclosure of the personal data contained in the document(s) would undermine the protection of privacy and the integrity of the identified individuals. As a consequence, the General Secretariat has to refuse access to this document.⁵

Pursuant to Article 7(2) of Regulation (EC) No 1049/2001, you may ask the Council to review this decision within 15 working days of receiving this reply. Should you see the need for such a review, you are invited to indicate the reasons thereof.

Yours sincerely,

Fernando FLORINDO

Enclosures: 6

⁵ Article 4(1)(b) of Regulation (EC) No 1049/2001.