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Directorate-General for Communications Networks, Content and Technology

Policy Strategy and Outreach

Policy Outreach and International Affairs

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By registered letter with acknowledgment of receipt

Vicky Cann
CEO
Rue d'Edimbourg 26
1050 Brussels

Advance copy by email: ask+request-3236-88b7c000@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 2016/4607

Dear Ms Cann,

We refer to your e-mail dated 18/08/2016 in which you make a request for access to documents, registered the same day under the above-mentioned reference number. We also refer to our holding reply of 08/09/2016, ref.: Ares(2016)5122228 concerning the extension of the deadline.

You request access to "all documentation relating to Vice President Ansip's and DG Connect's meetings with the European Round Table of Industrialists on 20 July 2015 and 5 October 2015. This should include all invitations, attendance lists, agendas, reading materials, minutes and/ or follow up reports."

Your application concerns the following documents:

- Meeting with ERT on 20/07/2016
 - VP Ansip's invitation letter
 - Key conclusions of the 20 July meeting and list of participants
 - Agenda of 20 July meeting
 - Background brief of 20 July meeting
 - Short intro to the first meeting on 20 July
 - ERT response to the questions suggested by Vice-President Ansip for discussion
- Meeting with ERT on 05/10/2016
 - Agenda of 05 Oct meeting
 - Background brief of 05 Oct meeting
 - Key conclusions of the 5 Oct meeting and list of participants
 - VP AA letter sending conclusions of the meetings to the ERT

Some of the documents to which you have requested access contain personal data.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its 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 (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable².

According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, 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 Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/282
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Antoaneta Angelova-Krasteva
Head of Unit

Encl.: Redacted documents

¹ Official Journal L 8 of 12.1.2001, p. 1

² Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.