



EUROPEAN COMMISSION

DIRECTORATE- GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND TECHNOLOGY

Resources and Support
Compliance and Planning

Brussels,
CONNECT/R4

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REGISTERED LETTER WITH ACKNOWLEDGEMENT OF RECEIPT

Subject: Your application for access to documents- Ref GestDem 2020/0442

Dear Mr Nielsen,

We refer to your email, dated 23 January 2020 wherein you make a request for access to documents, pursuant to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (hereinafter 'Regulation 1049/2001'), registered on 24 January 2020 under the abovementioned reference number.

1. SCOPE OF YOUR APPLICATION

Your request reads as follows:

"Dear Communications Networks, Content and Technology,

Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I am requesting documents which contain the following information:

Your vice-president and a cabinet member on 04/09/2018 met with G4S to discuss "data protection, free flow of data, research programmes".

I am seeking all documents related to that meeting, emails, as well as the results of those discussions, minutes, etc.

Yours faithfully,"

2. DOCUMENTS FALLING WITHIN THE SCOPE OF THE REQUEST

We have identified the following documents which fall within the scope of the request:

- Steering Brief of the meeting
- Minutes of the meeting

3. ASSESSMENT UNDER REGULATION 1049/2001

Following an examination of the identified documents under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, we have arrived at the conclusion that parts of the identified documents have to be expunged. A full disclosure is prevented by the exception concerning the protection of privacy and 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 and contact information of Commission staff members not pertaining to the senior management
- the names, functions and personal details of other natural persons.

Article 9(1)(b) of the Data Protection Regulation¹ 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.

4. REUSE OF DOCUMENTS

The identified documents were drawn up for internal use under the responsibility of the relevant the relevant Cabinet and services of the European Commission. They solely reflect the authors' interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer, which were not consulted on the content. They do not reflect the position of the European Commission and cannot be quoted as such. You may reuse these documents free of charge for non-commercial and commercial purposes provided that the source is acknowledged, that you do not distort

¹Regulation (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.

the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

5. CONFIRMATORY APPLICATION

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 within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

European Commission
Secretariat-General
Unit C.1. 'Transparency, Document Management and Access to Documents'
BERL 7/076
B-1049 Brussels, or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

(e-Signed)
Katleen Engelbosch
Head of Unit

Enclosures: (2)