



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND TECHNOLOGY

Resources and Support
Compliance and Planning
Head of Unit

Brussels,
CONNECT/R4

Mr Mathias Schindler
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Germany

Advance copy via email:
ask+request-8029-
1b6969de@asktheeu.org

REGISTERED MAIL WITH ACKNOWLEDGEMENT OF RECEIPT

Subject: Your application for access to documents – GestDem 2020/3429

Dear Mr Schindler,

We refer to your application for access to documents dated 05/06/2020 and registered on 08/06/2020 under the above-mentioned reference number (our ref. Ares(2020)2943701). We also refer to the acknowledgement of receipt sent on 08/06/2020 (our ref. Ares(2020)2944079) and to the holding reply sent on 01/07/2020 (our ref. Ares(2020)3456728).

1. SCOPE OF YOUR APPLICATION

Your request reads as follow:

“I am requesting a copy of each Access to Documents request from 2018 and 2019 that was refused registration because the requesting person did not provide a postal address. [...] I am perfectly fine with the redaction of personal information.”

2. DOCUMENTS FALLING WITHIN THE SCOPE OF YOUR REQUESTS

Please note that your request has been split between all Commission services and this reply concerns only the access to documents requests received by DG CONNECT in 2018 and 2019.

The following documents have been identified as falling within the scope of your request:

- 1) Request Gestdem 2018/4756 (our ref. Ares(2018)4647222)
- 2) Request Gestdem 2018/4869 (our ref. Ares(2018)4784446)

Request for which the postal address was provided after clarification, were registered.

3. ASSESSMENT UNDER REGULATION 1049/2001

Having examined the documents requested under the provisions of Regulation 1049/2001, we have concluded that **the two identified documents** can be **partially disclosed**, with only **personal data redacted**.

The documents contain **personal data**, in particular names and email addresses of third party's natural persons. Disclosure of these personal data 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.

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 explicitly declared to be fine with the redaction of personal information.

Consequently, we 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. We therefore disclose a version of these documents with the aforementioned parts blanked out.

You may reuse the disclosed documents based on the [Commission Decision on the reuse of Commission documents](#)². You may reuse these documents free of charge and 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 liability stemming from the reuse. The documents originating from third parties are disclosed to you based on Regulation 1049/2001.

4. CONFIRMATORY APPLICATION

In case you would 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 this position.

¹ 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.

² 2011/833/EU: Commission Decision of 12 December 2011 on the reuse of Commission documents, OJ L 330, 14.12.2011, p. 39–42

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

Transparency, Document Management & Access to Documents (SG.C.1)

BERL 7/076

B-1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

(e-Signed)
Katleen Engelbosch

Enclosures: (2)