

Antonio Grizzuti

ask+request-8418-37140913@asktheeu.org

Stockholm, 14 September 2020

Our ref.: DPR-2020-OUT-3139-KEEIKh

Dear Mr. Grizzuti,

Re: Your application for access to documents – Ref 20-3292

We refer to your e-mail dated 3 August 2020 in which you make a request for access to documents, registered on the same day under the above mentioned reference number.

I. Scope of your request

You request access to documents that contain the following information:

- the full and detailed correspondence between (from and to) ECDC and Italian Department of Health (Ministero della Salute), and any of its officer (including minister Mr Roberto Speranza) related to "Wuhan unknown pneumonia", Sars-CoV-2 and Covid-19, starting from January 1st, 2020 since today;

- the full and detailed correspondence between (from and to) ECDC and any Italian government, included Office of the Prime Minister, Protezione Civile, and each Department, related to "Wuhan unknown pneumonia", Sars-CoV-2 and Covid-19, starting from January 1st, 2020 since today

Let us now explain which actions ECDC took to satisfy your request.

We ran a search through the several functional mailboxes that ECDC has dedicated to manage all the correspondence related to COVID-19, in order to find the correspondence between ECDC and the institutions mentioned in your request, by checking correspondence with email addresses ending with ".it" which belong to any those institutions and containing any of the parameters mentioned in your request (*"Wuhan unknown pneumonia", Sars-CoV-2 and Covid-19*).

II. Documents that ECDC has identified

We have identified the following documents falling under the scope of your request. Please note that the vast majority of emails are communications between ECDC and numerous recipients, especially the "national focal points" and "operational contact points" of the different networks led by ECDC and/or various national competent bodies, among which are include some of the Italian institutions mentioned in your application.

Emails found in the mailboxes dedicated to COVID-19 and attached documents, if applicable:

1. ECDC survey on socially and medically vulnerable populations in the EU_EEA and the UK during the Covid-19 pandemic

1.1. Attachment: Data Privacy Statement_ECDC Survey

2. For validation and information_ ECDC Technical report "COVID-19 clusters and outbreaks in occupational settings in the EU_EEA and the UK"

2.1. Attachment: COVID-19 in Occupational settings_DRAFT_27 July 2020

3. Guidance on medically and socially vulnerable populations

4. Constitution of an Internal Response Team for the production of the Rapid Risk Assessment _resurgence of cases of COVID-19 in the EU_EEA, the UK and EU candidate and potential candidate countries

5. Constitution of an Internal Response Team for the production of a Threat Assessment Brief_ Pneumonia cases of unknown aetiology in Wuhan, China

6. ECDC_ COVID-19 update - 15_02_2020

6.1. Attachment: COVID-19_20200215

7. ECDC_ COVID-19 update - 16_02_2020

7.1. Attachment: COVID-19_20200216

8. ECDC_ COVID-19 update - 17_02_2020

8.1. Attachment: COVID-19_20200217

9. ECDC_ COVID-19 update

9.1. Attachment: COVID-19_20200213

10. ECDC_ COVID-19 update 18.02.2020

10.1. Attachment: COVID-19_20200218(RT)

11. ECDC_ COVID-19 update 14_02_2020

11.1. Attachment: COVID-19_20200214

12. ECDC_ COVID-19 update as of 19_02_2020

12.1. Attachment: COVID-19_20200219(EC)

13. FYI prior to publication - Rapid Risk Assessment "Paediatric inflammatory multisystem syndrome and SARS-CoV-2 infection in children

13.1. Attachment: ECDC_RRA_Paediatric inflammatory multisystem syndrome and SARS-CoV-2 infection in children

14. FYI prior to publication - Threat Assessment Brief_ Pneumonia cases possibly associated to a novel coronavirus in Wuhan, China

14.1. Attachment: ECDC Threat Assessment Brief - Pneumonia cases possibly associated to a novel coronavirus in Wuhan China

15. FYI prior to publication- ECDC rapid risk assessment _Resurgence of reported cases of COVID-19 in several of the EU_EEA, the UK and EU candidate and potential candidate countries

15.1. Attachment: RRA_ECDC_COVID-19 resurgence in EU-EEA the UK and EU candidate and potential candidate countries_20200701

16. FW_ FYI prior to publication- ECDC assessment on risk of COVID-19 for the EU_EEA and UK population, 11th update

17. To OCPs for Influenza and COVID-19 for action_ outbreaks related to occupational settings

17.1. Attachment: OccupationalOutbreakData

18. Reminder_ To OCPs for Influenza and COVID-19 for action_ outbreaks related to occupational settings

18.1. Attachment: OccupationalOutbreakData

19. To the OCPs for Influenza and COVID-19 for feedback_ investigations on role of children and educational settings

20. ECDC_ COVID-19 update as of 31 July 2020

20.1. Attachment: COVID-19_20200731(EC)

21. Go.Data use for COVID-19 contact tracing in the EU_EEA and the United Kingdom

21.1. Attachment: Go.Data - 2 pager - 2020-01-29

21.2. Attachment: Go.Data - Introduction - 2020-01-29

22. RE Go.Data use for COVID-19 contact tracing in the EU_EEA and the United Kingdom

22.1. Attachment: Go.Data - 2 pager - 2020-01-29

22.2. Attachment: Go.Data - Introduction - 2020-01-29

23. FW EU NITAG COLLABORATION INVITATION TO DIALOGUE WITH EMA ON PUBLIC HEALTH ASPECTS OF SARS-CoV-2 VACCINES MONDAY 15 JUNE 1300 - 1500 (closed meeting)

23.1. Attachment: Annex - COVID-19_NITAGs_EMA

23.2. Attachment: DRAFT Vaccine prioritisation opinion (EC req 87)

The attachment called "2020-06-08 – Letter to Dr Andrea Ammon, ECDC Director – Meeting request ECDC and NITAGs" is a communication between the European Medicines Agency (EMA) and ECDC, which does not fall under the scope of the request.

24. R_ Pneumonia cases possibly associated to a novel coronavirus in Wuhan, China

25. For validation and information_ ECDC TR _COVID-19 in children and the role of school settings in COVID-19 transmission_ and _Testing for COVID-19 in school settings.

25.1. Attachment: ECDC_Schools and COVID-19 transmission_draft

25.2. Attachment: ECDC COVID-19 school testing guidelines_draft

26. IMPORTANT change for your attention! For validation and information_ ECDC Technical report _Testing for COVID-19 in school settings

26.1. Attachment: EC request_school testing guidelines_draft

27. FW_ COVID-19 Laboratory Networks Meeting

28. FW_ Joint ECDC and WHO_Europe WebEx on COVID-19 sero-epidemiological studies

28.1. Attachment: Notes from meeting 27.04.2020

28.2. Attachment: Seroepidemiology studies in EU_20200427

29. FW_ Joint ECDC_WHO Europe network TC for updates on COVID-19

30. RE_ Reminder_ COVID-19 diagnostics minimum performance criteria survey, by Monday 1 June

31. FW Joint ECDC and WHOEurope Global Webinar on strategies for testing asymptomatic for COVID19

32. FW_ WebEx_ EU_EEA collaboration on COVID-19 sero-epidemiological studies

32.1. Attachment: Terms of reference

33. ECDC CDTR 29.05.2019

33.1. Attachment: Communicable-disease-threats-report-30-may-2020-restricted

34. ECDC CDTR 01.01.2020 week 2

34.1. Attachment: ECDC_CDTR_20200110_RESTRICTED

35. ECDC CDTR 10.07.2020

35.1. Attachment: Communicable-disease-threats-report-11-july-2020- RESTRICTED

36. ECDC CDTR 12.06.2020

36.1. Attachment: ECDC_CDTR_w24

37. ECDC CDTR 17 04 2019

37.1. Attachment: Communicable-disease-threats-report-18-apr-2020-RESTRICTED

38. ECDC CDTR 17.07.2020

38.1. Attachment: CDTR_WEB_ALL_2020_7_12

39. ECDC CDTR 18.06.2019 week 25
39.1. Attachment: CDTR_WEB_ALL_2020_6_14
40. ECDC CDTR 20.05.2020
40.1. Attachment: CDTR_EWRS_2020_5_17
41. ECDC CDTR 27.03.2020
41.1. Attachment: ECDC CDTR 27.03.2020
42. ECDC CDTR 3.7.2020
42.1. Attachment: CDTR_EWRS_2020_6_28
43. ECDC CDTR 7 February 2020
43.1. Attachment: ECDC CDTR_07022020
44. ECDC CDTR 13 March 2019
44.1. Attachment: ECDC_CDTR_2020-03-13
45. ECDC CDTR 17 Jan 2020, week 3
45.1. Attachment: CDTR_ECDC_17Jan2020
46. ECDC CDTR 21.02.2019
46.1. Attachment: CDTR-22-Feb-2020-RESTRICTED
47. ECDC CDTR 24 January 2019
47.1. Attachment: ECDC_CDTR_24January2020
48. ECDC CDTR 26.06.2020 week 26_Redacted
48.1. Attachment: ECDC_CDTR_2020w26_restricted
49. ECDC CDTR 31.01.2020
49.1. Attachment: ECDC CDTR 31.01.2020
50. ECDC CDTR 2020 week 12
50.1. Attachment: Communicable-disease-threats-report-21-mar-2020-RESTRICTED
51. ECDC CDTR 2020 week 14
51.1. Attachment: Communicable-disease-threats-report-4-apr-2020-RESTRICTED
52. ECDC CDTR 2020 week 19
52.1. Attachment: Communicable-disease-threats-report-9-may-2020-RESTRICTED
53. ECDC CDTR, Week 23, 05.06.2020

53.1. Attachment: ECDC CDTR 20200605

54. ECDC CDTR Week 31, 2020

54.1. Attachment: CDTR_EWRS_2020_7_31

55. ECDC CDTR Week 32 07.08.2020

The attached document is a draft. The final document was published on ECDC website and can be found on the link below. The information regarding COVID-19 has not changed.

<https://www.ecdc.europa.eu/en/publications-data/communicable-disease-threats-report-2-8-august-2020-week-32>

56. R_ R_ Pneumonia cases of unknown aetiology – Wuhan, China – 2019

III. Redaction of documents

The documents to which you have requested access contain personal data, in particular the name and/or contact details of authors of the document, and/or of staff members of ECDC and/or third parties (including Italian authorities or other ECDC stakeholders, or WHO staff) that are mentioned in the document or included in a specific correspondence.

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 Union legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EU) No 2018/1725.

When access is requested to documents containing personal data, Regulation (EU) No 2018/1725 becomes fully applicable. According to Article 9.1(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 particular, we have redacted all the personal data of individuals included in the documents (names, contact details, emails, etc.), except where the personal data is already publicly available and known (e.g. the name of the ECDC Director).

As for document number 27, which includes two attachments, ECDC has decided that these attachments should not be released, as they include commercially sensitive information on commercial trial evaluation results on COVID-19. The denial of access to these documents is covered by article 4.2 of Regulation 1049/2001, which states that *"the institutions shall refuse access to a document where disclosure would undermine the protection of commercial interests of a natural or legal person, including intellectual property"*,

as occurs in the present case. Furthermore, we consider that the partial disclosure of these attached documents is not applicable in this case.

IV. Means of redress

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make a confirmatory application requesting the ECDC to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the following address:

ECDC
Legal Services
Gustav III:s Boulevard 40
16973 Solna
Sweden

or by email to: confirmatory.requests@ecdc.europa.eu.

Yours faithfully,



Karl Ekdahl
Head of Unit Disease Programmes

Encl.: Documents 1, 1.1, 2, 2.1, 3, 4, 5, 6, 6.1, 7, 7.1, 8, 8.1, 9, 9.1, 10, 10.1, 11, 11.1, 12, 12.1, 13, 13.1, 14, 14.1, 15, 15.1, 16, 17, 17.1, 18, 18.1, 19, 20, 20.1, 21, 21.1, 21.2, 22, 22.1, 22.2, 23, 23.1, 23.2, 24, 25, 25.1, 25.2, 26, 26.1, 27, 28, 28.1, 28.2, 29, 30, 31, 32, 32.1, 33, 33.1, 34, 34.1, 35, 35.1, 36, 36.1, 37, 37.1, 38, 38.1, 39, 39.1, 40, 40.1, 41, 41.1, 42, 42.1, 43, 43.1, 44, 44.1, 45, 45.1, 46, 46.1, 47, 47.1, 48, 48.1, 49, 49.1, 50, 50.1, 51, 51.1, 52, 52.1, 53, 53.1, 54, 54.1, 55 and 56.