



## EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND TECHNOLOGY

Resources and Support  
**Compliance and Planning**

Brussels  
CNECT.R.4

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### **REGISTERED LETTER WITH ACKNOWLEDGEMENT OF RECEIPT**

**Subject: Your request for access to documents - GestDem 2021/1359**

Dear Mr Fanta,

We refer to your 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') that you introduced on 9 March 2021 via email and which was registered on the same day under the above-mentioned reference number.

#### **1. SCOPE OF YOUR APPLICATION**

By your application, you request access to the following:

*'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:*

*- All documents related to a meeting between Filomena Chirico, Cabinet member of Thierry Breton, and the Centre for Democracy & Technology, Europe (CDTE) on January 18, 2021 as found in the Transparency Register. The request includes e-mails, meeting minutes and any other document related to the meeting.(...)'*

#### **2. DOCUMENTS FALLING WITHIN THE SCOPE OF THE REQUEST**

We identified the following documents as falling within the scope of your request:

- Email Correspondence Re Follow Up Meeting Request (**Document 1**)

- BTO – Meeting between Center for Democracy & Technology and Cabinet Breton, Online, 18 January 2021 (**Document 2**)

### **3. ASSESSMENT UNDER REGULATION 1049/2001**

Following an examination of the identified documents under the provisions of Regulation 1049/2001, we have arrived at the conclusion that partial access can be granted to both documents. Full disclosure of Documents 1 and 2 is prevented by the exception concerning the protection of privacy and integrity of the individual outlined in Article 4(1)(b) Regulation 1049/2001, since they contain the following personal data:

- the names, functions and contact information of Commission staff members not pertaining to the senior management.
- Names, functions and contact information of other natural persons;

Article 9(1)(b) of the Data Protection Regulation<sup>1</sup> 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) Regulation 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**

Please note that Document 2 was drawn up for internal use under the responsibility of the relevant services of DG CONNECT. It solely reflects the services' interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which were not consulted on their content. It does not reflect the position of the Commission and cannot be quoted as such.

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<sup>1</sup> 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.

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## **5. CONFIRMATORY APPLICATION**

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled 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 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](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

Electronically signed

Katleen Engelbosch  
Head of Unit

Enclosures: (2)