



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND TECHNOLOGY

Resources and Support
Compliance and Planning

Brussels
CNECT.R.4

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Advance copy via email:
[ask+request-10876-
e8cf89ae@asktheeu.org](mailto:ask+request-10876-e8cf89ae@asktheeu.org)

Registered letter with acknowledgement of receipt

Subject: Your request for access to documents - GestDem 2022/1739

Dear Mr Fanta,

We refer to your email of 22 March 2022 in which you make 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 March 2022 under the above-mentioned reference number. Reference is also made to our holding reply, dated 19 April 2022, whereby you were informed that the time limit for handling your application was extended by 15 working days pursuant to Article 7(3) of Regulation 1049/2001.

1. SCOPE OF YOUR APPLICATION

By your application to the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) which was re-attributed to the Directorate-General for Communications Networks, Content and Technology (DG CONNECT), you request access to the following:

'(...) 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 relating to a virtual meeting between Filomena Chirico and Thorn on 13/10/2021. This includes meeting minutes, e-mails and any other communication related to said meeting (...)

With regard to the scope of your request, we would like to inform you that the meeting which was initially planned for 13 October 2021 was postponed and took place on 18 October 2021. We have concluded that you are referring to the meeting of 18 October 2021 and have proceeded to the identification of the documents relating to this meeting.

2. DOCUMENTS FALLING WITHIN THE SCOPE OF THE REQUEST

The following documents fall within the scope of the request:

- Back To Office (BTO) report of the Cabinet Breton meeting with Thorn on Child Sexual Abuse Materials (CSAM) on 18 October 2021– **(Document 1)**
- Email exchange relating to the request for a meeting on the fight against Child Sexual Abuse Materials– **(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 the identified documents 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:

- 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 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, we conclude that, pursuant to Article 4(1)(b) Regulation 1049/2001, access cannot be granted to the personal data contained in the requested document, 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.

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.

4. REUSE OF DOCUMENTS

You may reuse public documents which have been produced by the European Commission or by public and private entities on its behalf based on the [Commission Decision on the reuse of Commission documents](#). You may reuse the disclosed Document 1 and the parts of Document 2 originating from the Commission 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.

Please note that Document 1 was drawn up for internal use under the responsibility of the relevant Commission services. 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. It does not reflect the position of the Commission and cannot be quoted as such.

Parts of Document 2 originate from third parties. Please note that they are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released parts without the agreement of the originators, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

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

Yours faithfully,

Electronically signed

Martin Schauer
Head of Unit

Enclosures: (2)