



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS
Directorate D – Internal Security
D.4 – Security in the Digital Age

Brussels
HOME.D.4/AP

By registered letter with acknowledgment of receipt

Mr Alexander Fanta

Advance copy by email:
ask+request-11257-c44bf04e@asktheeu.org

Subject: Your application for access to documents – GESTDEM 2022/2850

Dear Mr Fanta,

We refer to your email of 18 May 2022 in which you make a request for access to documents, registered on 19 May 2022 under the above-mentioned reference number.

You request access to:

- All documents relating to a meeting between Commissioner Ylva Johansson, Cabinet members and TikTok on 26/10/2021. This includes meeting minutes, e-mails and any other communication related to said meeting;
- Other documents related to TikTok or originating from exchanges (e-mails, etc.) with TikTok since November 1, 2019.

A list of the identified documents is included in the Annex.

Parts of the documents relate to information that does not concern TikTok and therefore is not concerned by your request. This information is therefore out of scope of the request and has been redacted.

Having examined documents requested under the provisions of 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, I have come to the conclusion that these documents may be disclosed.

However, a complete disclosure of the identified documents 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, because some of them contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons;
- other information relating to an identified or identifiable natural person, such as positions held in an organisation.

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 put forward 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 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.

Regarding the disclosed minutes and summary records of meetings, the documents were drawn up for internal use under the responsibility of the relevant services of the Directorate-General for Home Affairs and Migration. They solely reflect the author's interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer, which was not consulted on its content. They do not reflect the position of the Commission and cannot be quoted as such.

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.

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 sincerely,

Cathrin BAUER-BULST
 Head of Unit

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. 39–98.

List of documents

GESTDEM 2022/2850

1. TikTok contribution to the public consultation on child sexual abuse, 15 April 2021, Ares(2021)3602695
2. Meeting with TikTok on TCO and CSA with units HOME D3 and D4 on 8th October 2020, Ares(2022)4131429
3. Meeting with TikTok 28 June 2021, Ares(2021)4256813
4. E-mail exchange between TikTok and Commission on Regulation (EU) 2021/1232, 2 September 2021, Ares(2021)5520647
5. Report, EU Internet Forum Safety-by-Design to prevent CSA online, 21/10/2021, Ares(2022)2019240
6. Briefing – Commissioner meeting TikTok CEO, 26 October 2021, Ares(2022)4727951
7. Call between Commissioner Johansson and TikTok, 26 October 2021, Ares(2021)6615277
8. Tour TikTok transparency Centre, 4 November 2021, Ares(2021)6858272
9. Invitation for Tik Tok to EU Internet Forum Senior Officials Meeting on 16 November 2021, Ares(2021)6396598
10. Report EU Internet Forum Senior Officials Meeting on 16 November 2021, Ares(2022)1575713
11. Tik Tok Presentation at the EU Internet Forum Senior Officials Meeting on 16 November 2021, Ares(2022)2448912
12. Briefing Commissioner Johansson visit to the US 27-28/01/2021, Ares(2022)2000206
13. Mission report: the Commissioner Johansson visit to the US, 27-28/01/2022, Ares(2022)1062066
14. Briefing VP Schinas meeting with Tik Tok CEO, 23 May 2022, Ares(2022)4734349
15. Invitation letter to 7th EU Internet Forum Ministerial: 19 November 2021, Ares(2021)7119965
16. Commissioner's speech: [Commissioner Johansson's speech at the EU Internet Forum | European Commission \(europa.eu\)](#)
17. Commission News Article: [7th EU Internet Forum Ministerial: curbing harmful content online through joint efforts \(europa.eu\)](#)
18. E-mail from TikTok on Russia-Ukraine situation, 24 March 2022, Ares(2022)4614571
19. E-mail exchange with TikTok on Virtual Event - Safety By Design: Sharing Insights on Protecting Teens Online, 10 November 2021, Ares(2022)4999582