



EDPS
EUROPEAN DATA PROTECTION SUPERVISOR

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Brussels, 21 June 2022
LCN/AP/mch/D(2022)1546 C 2022-0596
Please use edps@edps.europa.eu for all
correspondence

Subject: Your request for access to documents under Regulation (EC) 1049/2001

Dear Mr Roth,

On 29.05.2022, you sent an access to documents request to the European Data Protection Supervisor ('EDPS') based on Regulation (EC) No 1049/2001 ('the Regulation'). On 07.06.2022, we sent you an acknowledgement of receipt for your request also mentioning the deadline in accordance with Article 7(1) of the Regulation.

Your request for access to documents concerns "*Documents received or developed by EDPS in connection with the following event: https://edps.europa.eu/press-publications/press-news/blog/solidarity-digital-solidarity-2022-international-organisations_en*".

The EDPS has identified the following documents falling within the scope of your request:

	DOC ID	NAME	SUBJECT
1	COO.6515.100.4.447488	SAVE THE DATE - Upcoming workshop for International Organisations	Save the date email, letter and data protection notice
2	COO.6515.100.4.450630	D(2022) 0891	Official invitation and draft agenda

3	COO.6515.100.3.454301	WFP-EDPS Workshop on Data Protection within OIs - Final Agenda and Security Requirements	Email with final agenda and security requirements
4	COO.6515.100.4.454300	Data Protection Within International Organizations Workshop - Administrative note	Administrative note email, practical information
5	COO.6515.100.2.454303	Evaluation survey International Organisations Workshop 12-13 May 2022	Data Protection Notice
6	COO.6515.100.4.454867	International Organisations - EDPS Workshop	The EDPS speaking points
7	COO.6515.100.3.454866	Master Slides - DP Workshop Day 1 morning - compressed	Presentation
8	COO.6515.100.4.454866	Master Slides - DP Workshop Day 1 afternoon - compressed	Presentation
9	COO.6515.100.2.454867	Master Slides - DP Workshop Day 2 - compressed	Presentation
10	COO.6515.100.3.454867	Additional resources	Additional resources regarding Data Breach Management
11	COO.6515.100.3.454883	Shared contact list	Participants contact details
12	COO.6515.100.2.454846	Evaluation Form IO 2022	Satisfaction survey questionnaire
13	COO.6515.100.3.454305	Summary of survey results	Satisfaction survey results
14	COO.6515.100.3.454306	Mission report Workshop: Data Protection Within International Organisations	Mission report

EDPS Assessment

The EDPS has decided to grant partial access to the documents covered by the request (1-6 and 10-14), with the exception of the personal data of the EDPS staff, below Heads of Units, Director and Supervisor, as well as personal data of third parties.

The decision to partially grant access to the documents is based on Articles 4(1)(b) and 4(6) of the Regulation. According to Article 4(1)(b), access to a document is refused where its disclosure would undermine the privacy and integrity of the individual, in particular in accordance with the applicable Community legislation regarding the protection of personal data, including Article 9 of Regulation (EU) 2018/1725.

Article 9(1)(b) of Regulation (EU) 2018/1725 states that ‘personal data shall only be transmitted to recipients established in the Union other than Union institutions and bodies, if the recipient establishes that it is necessary to have the data transmitted for a specific purpose in the public interest and the controller, where there is any reason to assume that the data subject’s legitimate interests might be prejudiced and subsequently establish the proportionality of the transmission of the personal data, after having demonstrably weighed the various competing interests’.

The first condition to be fulfilled under Article 9(1)(b) of Regulation (EU) 2018/1725 is that the recipient needs to establish that it is necessary to have the data transmitted for a specific purpose in the public interest. Only then is the EDPS obliged to examine whether there is any reason to assume that the data subject’s legitimate interests might be prejudiced and subsequently establish the proportionality of the transmission of the personal data, after having demonstrably weighed the various competing interests.

In your request, you do not establish the reasons why it would be necessary for the personal data in question to be transmitted for a specific purpose in public interest. Therefore, the EDPS is not obliged to examine the rest of the requirements of Article 9(1)(b) of Regulation (EU) 2018/1725.

If you would like to have access to the redacted personal data, please provide the EDPS with a legitimate justification of compelling argument to demonstrate the necessity to have the personal data transmitted for a specific purpose in the public interest.

Third party consultation

The EDPS would like to note that the documents 7, 8 and 9, falling within the scope of your request originate from third parties. We are consulting these parties in accordance with Article 4(4) of Regulation (EC) No 1049/2001 in order to assess whether any of the exceptions in Article 4(1) and (2) would be applicable.

Since the third party consultation procedure is currently ongoing, please be informed that the deadline for the EDPS reply concerning documents 7, 8, and 9 is extended by 15 working days.

Remedies

Please note that pursuant to Article 7(2) of Regulation (EC) No 1049/2001, you may submit a confirmatory application asking the EDPS to reconsider his position as regards the total or partial refusal of your request. Such a confirmatory application should be submitted

within 15 working days upon receipt of this letter to the EDPS general e-mail: edps@edps.europa.eu.

Yours sincerely,



Leonardo CERVERA NAVAS

Annexes: 10 documents

Data Protection Notice

According to Articles 15 and 16 of Regulation (EU) 2018/1725 (the Regulation) 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, we are processing your personal data, where proportionate and necessary, for the purpose of answering your request. The legal base for this processing operation is Regulation (EC) 1049/2001 and Article 52(4) of the Regulation (EU) 2018/1725. Subject to applicable rules under EU legislation, the personal data relating to you, as provided in your request as well as personal data that might be collected while processing your request, are used solely for the purpose of replying to your request. EDPS staff members dealing with the request will have access to the case file containing your personal data on a need-to-know basis. All access to case files is logged. Your personal data are not disclosed outside the EDPS. Your personal data will be stored electronically for a maximum of ten years after the closure of the case, or as long as the EDPS is under a legal obligation to do so. You have the right to access your personal data held by the EDPS and to relevant information concerning how we use it. You have the right to rectify your personal data. Under certain conditions, you have the right to ask that we delete your personal data or restrict its use. We will consider your request, take a decision and communicate it to you. For more information, please see Articles 14 to 21, 23 and 24 of the Regulation. Please note that in some cases restrictions under Article 25 of the Regulation may apply. Any request to exercise your rights should be addressed to the EDPS at edps@edps.europa.eu. You may contact the data protection officer of the EDPS (EDPS-DPO@edps.europa.eu), if you have any remarks or complaints regarding the way we process your personal data. You have the right to lodge a complaint with the EDPS, as supervisory authority. Any such request should be addressed to the EDPS at edps@edps.europa.eu. You can reach the EDPS in the following ways: E-mail: edps@edps.europa.eu; EDPS postal address: European Data Protection Supervisor, Rue Wiertz 60, B-1047 Brussels, Belgium. For more information, please refer to the extended version of the data protection notice available on the EDPS website: https://edps.europa.eu/data-protection/our-work/publications/other-documents/requests-access-documents_en.