Subject: Your application for access to documents

Ref.: EASE 2024/0941

Dear Mr Dohle,

You requested access to the “Correspondence with [X] (1). In particular, but not limited to, his letter of 18 March 2004 to Commissioner Gunter Verheugen and the European Commission’s reply of 18 June 2004”.

Your application concerns the following documents:

- Document 1 - Cabinet request – correspondence, letter from [X], Ref. CAD(2004)3851

Having examined these documents under the provisions of Regulation (EC) No 1049/2001 (2), I have come to the conclusion that partial disclosure can be granted to them as full disclosure is prevented by the exception to the right access laid down in Article 4(1)(b) (protection of the privacy and integrity of the individual) of Regulation (EC) No 1049/2001.

Indeed, the documents in question contain the following personal data:

(1) In your application you refer to an identified individual who is neither a public figure acting in a public capacity nor a member of the senior management of the Commission. For personal data protection reasons, which are further elaborated in this letter, the name of this individual has been replaced by “X” in this letter.

- biometric data such as handwritten signatures;
- the names of Commission staff members not pertaining to the senior management;
- the names/initiatives and contact details of other natural persons;
- other information relating to an identified or identifiable natural person *(functions)*.

Article 9(1)(b) of the Data Protection Regulation *(3)* does not allow the transmission of these personal data, except if you prove that it is necessary to have them 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 application, 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.

I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 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.

Moreover, it is important to mention that when access is given to documents as a result of an application submitted under Regulation (EC) No 1049/2001, this access is automatically granted to the public at large, and not only to the applicant concerned. This is an additional reason for the redaction of these personal data.

**Means of redress**

For the sake of good order, I further refer to Article 7(2) of Regulation (EC) No 1049/2001. Pursuant to this Article, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed to the Secretary-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

**by asking for a review via your ‘EASE’ portal *(4)* account** (available only for initial requests submitted via the portal account)

**by mail to:**

European Commission  
Secretariat-General  
Transparency, Document Management & Access to Documents (SG.C.1)  
BERL 7/076  
B-1049 Bruxelles/Brussel

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or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Electronically signed

Mª Victoria GIL CASADO

Enclosures: Documents 1-2.