



EUROPEAN COMMISSION
DG Employment, Social Affairs and Inclusion

The Director General

Brussels,
EMPL D2/EF/elg

Mr Arun Dohle

XXXXXXXXXXXXXXXXXXXXXXXXXXXX@XXXXXXXXX.XXX

Dear Sir,

**Subject: Your application for access to documents - Ref GestDem N° 2014/1639
Proposal for a fair Solution under Article 6(3) of the Regulation**

We refer to your e-mail dated 12 May 2014 in which you agreed to narrow down the scope of your request for access to "*all documents/correspondence related to EU funding provided to the NGO Eurochild*" to grant agreements between the European Commission (DG EMPL) and Eurochild for the years 2004-2014.

1. DOCUMENTS TO BE DISCLOSED

I am pleased to provide you with the following documents:

Framework partnership agreements:

- VS/2007/0683
- VS/2010/0607
- VS/2013/0471

Grant agreements:

- VS/2004/0171
- VS/2005/0126
- VS/2005/0703
- VS/2006/0759
- VS/2007/0396
- VS/2007/0519
- VS/2008/0072
- VS/2008/0622
- VS/2009/0581
- VS/2010/0854
- VS/2011/0524
- VS/2012/0509
- VS/2014/0128

2. PROTECTION OF THE PRIVACY AND INTEGRITY OF INDIVIDUALS

Article 4(1)(b) of the Regulation provides that "[t]he institutions shall refuse access to a document where disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data".

According to this legislation¹ “*personal data*’ shall mean any information relating to an identified or identifiable natural person (...)”. This term undoubtedly covers the name, e-mail address as well as any information relating to the citizen capable of identifying him or her.

According to Article 2(b) of Regulation 45/2001, ‘*processing of personal data*’ includes, amongst others, “*disclosure by transmission, dissemination or otherwise making available*”.

My services asked Eurochild's opinion about the release of the documents, in view of the exceptions of Article 4 §1 and §2 of Regulation No 1049/2001 on public access to documents.

Eurochild has agreed to the release of all documents but expressed its concerns about the release of names and salary of staff members and expressed the wish to see their privacy respected. Such a request is compatible with the provision of Article 4§1 (b) of Regulation 1049/2001 which makes an exception to the release of documents that would undermine the protection of the privacy of individuals in accordance with Regulation No 1045/2001 on the protection of personal data.

Therefore, names and personal data have been expunged of the documents provided. In the same vein, banking details regarding Eurochild have been removed.

3. MEANS OF REDRESS

Finally, I draw your attention to the means of redress available against this position. In accordance with Article 7(2) of Regulation 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 Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/327
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

Michel Servoz

¹ Article 2(a) of Regulation (EC) No 45/2001 of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, OJ L 8 of 12.1.2001, p. 1