



LEONARDO CERVERA NAVAS
DIRECTOR

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Brussels, **10 APR 2019**
LCN/AP/an/D(2019)0715 C 2019-0252

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

Dear Ms Izuzquiza,

By letter of 28 March 2019, we informed you that the EDPS granted partial access to the documents in relation to your request of access to documents linked to meetings and correspondence of the EDPS with Facebook. In particular, the EDPS granted access to an email thread between Facebook and the EDPS, with which a meeting was requested and planned.

On 2 April 2019 you submitted a confirmatory application¹, reiterating your request for access to documents containing information about the *date, individuals attending and organisational affiliation, as well as issues discussed in this meeting, minutes and other reports of the meeting, as well as all documents prepared for this meeting and/ or exchanged during the course of the meeting.*

Please be informed that the meeting took place on the 26 April 2018, as published on the EDPS website Agenda. However, we regret to inform you that the EDPS does not hold any documents related to this meeting, with the exception of the ones disclosed in the initial response.

In accordance with Article 2(3) of Regulation (EC) No 1049/2001, the right of access, as defined in this Regulation, applies only to existing documents in the possession of the institution.

¹ Please note that your request for confirmation of the EDPS' response to your initial application ("Could you please confirm...") is considered a confirmatory application in the sense of Article 8(1) of Regulation (EC) 1049/2001.

Finally, please note that pursuant to Article 8(1) of the Regulation (EC) 1049/2001, you are entitled to make a complaint to the European Ombudsman or institute proceedings before the Court of Justice of the European Union against the EDPS, under the conditions laid down in, respectively, Article 228 and 263 of the Treaty on the Functioning of the European Union.

Yours sincerely,

Leonardo CERVERA NAVAS

A handwritten signature in black ink, consisting of a large, stylized 'L' followed by a series of loops and a final vertical stroke.

Data Protection Notice

According to Articles 15 and 16 of Regulation (EU) 2018/1725 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, please be aware that your personal data will be processed by the EDPS, where proportionate and necessary, for the purpose of answering your request. The legal base for this processing operation is Regulation (EC) 1049/2001 and Recital 5 of Decision 1247/2002/EC of the European Parliament, of the Council and of the Commission. Subject to applicable rules under EU legislation, the personal data relating to you, as provided in 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. 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 obtain the rectification thereof, if necessary. Any such request 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.