



EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

Directorate E - Single Market & Connectivity  
SG.E.1-Competitiveness, Innovation & Digital Europe

Brussels,  
SG.E.1/OG

**Ms. Luisa Izuzquiza**  
**Corporate Europe Observatory (CEO)**  
**Rue d'Edimbourg 26**  
**1050 Bruxelles**  
**Belgique**

*By registered letter with acknowledgment of receipt*

*Advance copy by email: [ask+request-6564-ff710945@asktheeu.org](mailto:ask+request-6564-ff710945@asktheeu.org)*

Dear Madam,

**Subject: Your application for access to documents – Ref GestDem No 2019/1339**

We refer to your e-mail dated 07/03/2019 in which you make a request for access to documents, registered on 08/03/2019 under the above-mentioned reference number.

You request access for the period between 26 April 2018 to 7 March 2019 to :

- a list of all lobby meetings held by the SG with Facebook or its intermediaries. The list should include: date, individuals attending and organisational affiliation, as well as the issues discussed;
- all minutes and other reports of these meetings;
- all correspondence, including attachments (i.e. any emails, correspondence or telephone call notes) between the SG (including the Secretary General and the Cabinet) and Facebook or any intermediaries representing its interests; and
- all documents prepared for the purpose of the meeting and/or exchanged during the course of the meeting.).

Pursuant your application we have identified the following documents:

- Ares(2019)1816114 – Meeting report of the 17/12/2018 meeting with Facebook.
- Ares(2019)2529249 – Meeting request from Facebook.

The documents to which you request access contain personal data, in particular email addresses and phone numbers.

Indeed, Article 3(1) of Regulation 2018/1725 provides that personal data ‘means any information relating to an identified or identifiable natural person [...]’. The Court of Justice has specified that

any information, which by reason of its content, purpose or effect, is linked to a particular person is to be considered as personal data.<sup>1</sup>

Please note in this respect that the names, signatures, functions, telephone numbers and/or initials pertaining to staff members of an institution are to be considered personal data.<sup>2</sup>

In your request, you do not put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest. Therefore, the European Commission does not have to examine whether there is a reason to assume that the data subject's legitimate interests might be prejudiced.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data, 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.

In case you would disagree with the assessment that the redacted data are personal data which can only be disclosed if such disclosure is legitimate under the applicable rules on the protection of personal data, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 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 Bruxelles, or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

(e-signed)

Olivier GIRARD  
Head of Unit

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<sup>1</sup> Judgment of the Court of Justice of the European Union of 20 December 2017 in Case C-434/16, *Peter Nowak v Data Protection Commissioner*, request for a preliminary ruling, paragraphs 33-35, [ECLI:EU:C:2017:994](https://eur-lex.europa.eu/eli/jb/2017/994).

<sup>2</sup> Judgment of the General Court of 19 September 2018 in case T-39/17, *Port de Brest v Commission*, paragraphs 43-44, [ECLI:EU:T:2018:560](https://eur-lex.europa.eu/eli/jt/2018/560).