

Mathias Schindler

ask+request-8104-1f7675ef@asktheeu.org

Stockholm, 29/06/2020

Our ref.: DTS-2020-OUT-1880-FMEIKh

Dear Mr Schindler,

Re: Your application for access to documents – Ref 20-2388

We refer to your e-mail dated 08 June 2020 in which you make a request for access to documents, registered on the same day under the above mentioned reference number.

You request access to documents held by ECDC regarding the company Palantir Technologies, Inc.

Your application concerns the following document/documents:

- Correspondence between ECDC and Palantir Technologies, Inc. (docs 1-4)
- Presentations provided/shared by the US CDC to ECDC regarding solutions provided by Palantir Technologies, Inc. (doc 5, provided to ECDC in 2011, and doc 6, provided to ECDC in 2015. We included only the actual presentations and not the emails to which they were attached as we did not consider the emails to fall under the scope of your request due to their purely administrative nature and due to the fact that they were not received by nor addressed to Palantir Technologies, Inc.)

Some of the documents to which you have requested access contain personal data, in particular the name and contact details of the senders or addressees of correspondence, or the name of the authors of the documents.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Union legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EU) No 2018/1725.

When access is requested to documents containing personal data, Regulation (EU) No 2018/1725 becomes fully applicable. According to Article 9.1(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

You are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make a confirmatory application requesting the ECDC to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the following address:

ECDC
Legal Services
Gustav III:s Boulevard 40
16973 Solna
Sweden

or by email to: confirmatory.requests@ecdc.europa.eu.

Yours faithfully,

Francois Mestre

Francois Mestre
Head of Unit Digital Transformation Services

Encl.: Documents 1,2,3,4a,4b,5,6.