Dear Sir

Subject: Your application for access to documents – GESTDEM 2021/2194

We refer to your e-mail of 9 April 2021 in which you make a request for access to documents, registered on 9 April 2021 under the above-mentioned reference number.

You request access to: All documents - including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, operational conclusions, lines to take, briefings, e-mails, letters, and presentations - related to any communication between Commissioner Mairead McGuinness and Facebook, including but not limited to the 17 March videoconference call between her and Mr Nick Clegg, Global Vice President of Facebook and Ms Aura Salla, Head of EU Affairs of Facebook

Your application concerns the following document:

- Basis 204 - McGuinness meeting with Nick Clegg_16032021_final FD

With regard to the document listed above, a complete disclosure of the identified documents is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names initials and contact details of other natural persons

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data 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 request, you do not express any particular interest to have access to these personal data nor do you.

Consequently, 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.

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In case you would disagree with this position, 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 Brussels,

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

Yours faithfully,

Jan CEYSSENS
Head of Unit

Electronically signed on 28/05/2021 16:53 (UTC+02) in accordance with article 11 of Commission Decision C(2020) 4482