



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND
TECHNOLOGY

The Director-General

Brussels
CNECT.R.4

Lora Verheecke
9 rue du Bronze
1070 Brussels
Belgium

Advance copy per email:
ask+request-9699-e016193a@asktheeu.org

REGISTERED LETTER WITH ACKNOWLEDGEMENT OF RECEIPT

Subject: Your application for access to documents – GestDem 2021/4126

Dear Ms Verheecke,

We refer to your email dated 23 June 2021 wherein you make a request for access to documents pursuant to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (hereinafter ‘Regulation 1049/2001’), registered on the same day under the abovementioned reference number. We also refer to our email, dated 14 July 2021, our reference Ares(2021)4560768, whereby we informed you that the time limit for handling your application was extended by 15 working days pursuant to Article 7(3) of Regulation 1049/2001.

1. SCOPE OF YOUR APPLICATION

By your application to the Directorate - General for Internal Market, Industry, Entrepreneurship and SMEs (DG GROW) which was attributed to the Directorate - General for Communications Networks, Content and Technology (DG CONNECT), you request access to the following:

‘All documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts and recordings) AND the meeting minutes/notes relating to the meeting between Thierry Breton and Atos SE (France), Orange, OVH, Aruba S.p.A. IRIDEOS S.P.A., Indra (Indra), Deutsche Telekom (DT), Retelit Spa (Retelit), Magic Cloud Oy Digital Data Centre Bidco SL (Nabix), Leaseweb Global B.V, Ericsson, AMADEUS IT GROUP S.A. Airbus, 1&1 Drillisch AG, Capgemini Invent - the Netherlands (Capgemini) on 7th May 2021.’

2. DOCUMENTS FALLING WITHIN THE SCOPE OF THE REQUEST

We identified the following documents as falling within the scope of your request:

- Briefing of the Virtual Roundtable with the European cloud computing industry 7 May 2021, “*Hand-over of the European industrial technology roadmap for the next generation cloud-edge offering*” (**Document 1**);
- Agenda 2nd Virtual Roundtable - “*Hand-over of the European industrial technology roadmap for the next generation cloud-edge offering*” (**Document 2**);
- Email from DG CONNECT of 5 May 2021 – Invitation [Sherpa Group] Roundtable confirmed Friday 7 May (**Document 3**);
- Email from DG CONNECT of 7 May - Practical Information - Roundtable with Commissioner Breton - 7 May (**Document 4**);
- PPT presentation “*European industrial technology roadmap for the next generation cloud-edge offering*” (**Document 5**);
- News item “*Today the Commission receives industry technology roadmap on cloud and edge*” (**Document 6**);
- European industrial technology roadmap for the next generation cloud-edge offering – May 2021 (**Document 7**);
- CVs for Roundtable on Cloud with Commissioner Breton (**Document 8**).

3. ASSESSMENT UNDER REGULATION 1049/2001

Following an examination of the identified documents under the provisions of Regulation 1049/2001, we have arrived at the conclusion that full access can be granted to two documents. Partial access can be granted to five documents and access is denied for one document, as disclosure of these parts is prevented by exceptions to the right of access laid down in Article 4 of Regulation 1049/2001.

A. Full disclosure

Documents 6 and 7 are fully disclosed. Please note that both documents are publicly available via the following links:

Document 6:

<https://digital-strategy.ec.europa.eu/en/library/today-commission-receives-industry-technology-roadmap-cloud-and-edge>

Document 7:

https://ec.europa.eu/newsroom/repository/document/2021-18/European_CloudEdge_Technology_Investment_Roadmap_for_publication_pMdz85DSw6nqPppq8hE9S9RbB8_76223.pdf

B. Partial disclosure

(i) Protection of privacy and integrity of individuals

Full disclosure of Documents 1 – 5 is prevented by the exception concerning the protection of privacy and integrity of the individual outlined in Article 4(1)(b) Regulation 1049/2001, since they contain the following personal data:

- Names, functions and contact details of Commission staff members not pertaining to the senior management;
- Names, functions, CV and contact details of other natural persons;

- Other information relating to an identified or identifiable natural person.

Article 9(1)(b) of the Data Protection Regulation¹ 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 put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) Regulation 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.

(iii) Protection of the decision-making process

The first subparagraph of Article 4(3) of Regulation 1049/2001 provides that '[a]ccess to a document, drawn up by an institution for internal use or received by the an institution, which relates to a matter where the decision has not been taken by the institution, shall be refused if disclosure of the document would seriously undermine the institution's decision-making process, unless there is an overriding public interest in disclosure.'

Parts of Document 3 are covered by the aforementioned exception of Article 4(3) first subparagraph. In particular, they relate to initiatives on Data, Edge and Cloud that are currently under preparation. Disclosure of these parts would seriously undermine the protection of the relevant ongoing decision-making processes, if publicly released.

Consequently, the abovementioned parts of Document 3 have been blanked out.

C. Non disclosure

We regret to inform you that access to Document 8 cannot be granted as disclosure is prevented by the exception concerning the protection of privacy and integrity of the individual provided in Article 4(1)(b) Regulation 1049/2001 for the same reasons as set out in Section 3.B.(i) above. Following the redactions of the personal data, the remaining parts of Document 8 have become meaningless. For this reason access to Document 8 is refused in full.

4. OVERRIDING PUBLIC INTEREST IN DISCLOSURE

The exceptions laid down in Article 4(2) and Article 4(3) of Regulation 1049/2001 apply, unless there is an overriding public interest in the disclosure of documents. Such an interest must, firstly, be a public interest and, secondly, outweigh the harm caused by disclosure. We have examined whether there could be an overriding public interest in the disclosure of the parts of the documents which are being withheld but we have not been able to identify such an interest.

¹Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.

5. REUSE OF DOCUMENTS

You may reuse public documents which have been produced by the European Commission or by public and private entities on its behalf based on the [Commission Decision on the reuse of the Commission documents](#). You may reuse the disclosed Documents 1 – 4, 6 and 7 originating from the Commission free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

Please note that Document 1 was drawn up for internal use under the responsibility of the relevant services of DG CONNECT. They solely reflect the services' interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer. They do not reflect the position of the Commission and cannot be quoted as such.

Document 5 originates from third parties. Please note that it is disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released document without the agreement of the originators, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from its reuse.

6. CONFIRMATORY APPLICATION

In accordance with Article 7(2) of Regulation (EC) No 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 Secretariat-General of the Commission at the following address:

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Bruxelles or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Electronically signed

Roberto Viola

Enclosures: (7)