



EDPS  
EUROPEAN DATA PROTECTION SUPERVISOR

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Brussels, 10 December 2021  
LCN/SPR/TT/mch/D(2021)2601 C 2021-1102  
Please use [edps@edps.europa.eu](mailto:edps@edps.europa.eu) for all  
correspondence

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

Dear Mr Broenstein,

On 24.11.2021, you sent an access to documents request to the European Data Protection Supervisor ("EDPS") based on Regulation (EC) No 1049/2001, which we registered on the same day. On 24.11.2021, we sent you an acknowledgement of receipt for your request also mentioning the deadline in accordance with Article 7(1) of Regulation (EC) 1049/2001.

Your request for access to documents concerns:

- ) *" A copy of the Transfer Impact Assessment(s) conducted by the CJEU on its use of Cisco Webex and related services, or, in the alternative,*
- ) *Any preliminary assessment of the relevant third-country surveillance laws and practices, including in the United States, India, Mexico, Jordan, Costa Rica, Columbia, and other third countries where Cisco Group entities, Cisco affiliated companies and other sub-contractors (e.g. AWS, Salesforce) may be located."*

After careful assessment of your request, we regret to inform you that the EDPS does not hold any document relating to a "Transfer Impact Assessment" prepared by the CJEU or any preliminary assessments of third-country surveillance laws, relevant to your request.

Notwithstanding the above, for the sake of completeness, we would like to inform you that the EDPS has identified five documents relating to a data protection impact assessment carried out by the CJEU regarding a tool that involves transfer of personal data.

These documents are the following:

	DOC ID	DATE	NAME
1	COO.6515.100.2.422894	23/02/2021	2_Cisco DPIA_SIGNED
2	COO.6515.100.4.422894	23/02/2021	2A_Annexe 1 - Cisco Webex Meetings privacy data sheet
3	COO.6515.100.2.422895	23/02/2021	2B_Annexe 2 - Webex Meetings Privacy Data Map
4	COO.6515.100.3.422896	23/02/2021	2C_Annexe 3 - Cisco Technical Assistance (TAC) Service Delivery privacy data sheet
5	COO.6515.100.4.422896	23/02/2021	2D_Annexe 4 - Analyse des risques conforme à la norme ISO IEC 270005_20_01_21_v1.3


The EDPS's would like to note that all documents originated from a third party, namely the Court of Justice of the European Union ("CJEU"). We have consulted the CJEU in accordance with Article 4(4) of Regulation (EC) No 1049/2001 in order to assess whether any of the exceptions in Article 4(1) and (2) would be applicable. The CJEU has replied to our consultation as follows:

*"After having carefully examined these documents with a view to assessing whether an exception in paragraph 1 or 2 of Article 3 of Regulation (EU) No 1049/2001 is applicable, we inform you that we do not have any particular observation to be made."*

Pursuant to the EDPS's analysis of the individual documents, and taking into account the views of the CJEU in response to our consultation, the EDPS would like to inform you that you are granted full access to the documents identified. This access is with the exception of the personal data of the people involved, in accordance with Article 4(1)(b) of Regulation (EC) 1049/2001.

Please note that pursuant to Article 7(2) of Regulation (EC) No 1049/2001, you may submit a confirmatory application asking the EDPS to reconsider his position as regards the total or partial refusal of your request. Such a confirmatory application should be submitted within 15 working days upon receipt of this letter to the EDPS general e-mail: [edps@edps.europa.eu](mailto:edps@edps.europa.eu).

Yours sincerely,

  
Leonardo CERVERA NAVAS

Annexes: 5 files

## Data Protection Notice

*According to Articles 15 and 16 of Regulation (EU) 2018/1725 (the Regulation) 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, we are processing your personal data, where proportionate and necessary, for the purpose of answering your request. The legal base for this processing operation is Regulation (EC) 1049/2001 and Article 52(4) of the Regulation (EU) 2018/1725. Subject to applicable rules under EU legislation, the personal data relating to you, as provided in your request as well as personal data that might be collected while processing 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. All access to case files is logged. 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 relevant information concerning how we use it. You have the right to rectify your personal data. Under certain conditions, you have the right to ask that we delete your personal data or restrict its use. We will consider your request, take a decision and communicate it to you. For more information, please see Articles 14 to 21, 23 and 24 of the Regulation. Please note that in some cases restrictions under Article 25 of the Regulation may apply. Any request to exercise your rights should be addressed to the EDPS at [edps@edps.europa.eu](mailto:edps@edps.europa.eu). You may contact the data protection officer of the EDPS ([EDPS-DPO@edps.europa.eu](mailto:EDPS-DPO@edps.europa.eu)), if you have any remarks or complaints regarding the way we process your personal data. You have the right to lodge a complaint with the EDPS, as supervisory authority. Any such request should be addressed to the EDPS at [edps@edps.europa.eu](mailto:edps@edps.europa.eu). You can reach the EDPS in the following ways: E-mail: [edps@edps.europa.eu](mailto:edps@edps.europa.eu); EDPS postal address: European Data Protection Supervisor, Rue Wiertz 60, B-1047 Brussels, Belgium. For more information, please refer to the extended version of the data protection notice available on the EDPS website: [https://edps.europa.eu/data-protection/our-work/publications/other-documents/requests-access-documents\\_en](https://edps.europa.eu/data-protection/our-work/publications/other-documents/requests-access-documents_en).*