



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Deputy Secretary-General - Policy Coordination

Brussels
SG.D.1/HZ

By email

Naomi Hirst
Global Witness
Rue Belliard 53
1000 Bruxelles
Belgium

[ask+request-10271-
805814c2@asktheeu.org](mailto:ask+request-10271-805814c2@asktheeu.org)

Subject: Your application for access to documents – GESTDEM 2021/7354

Dear Ms Hirst,

We refer to your e-mail of 26 November 2021 in which you make a request for access to documents, registered on the same date under the above-mentioned reference number. Please apologise the late reply in this case.

You request access to: *all documents – including but not limited to correspondence, emails, minutes, notes, recordings, reports, operational conclusions, lines to take, briefings and presentations – related to the meeting on 13 October 2021 between Renate Nikolay and ITI - The Information Technology Industry Council.*

Your application concerns the following document:

- An email with the subject “MEETING request between VP Jourová and ITI’s CEO Jason Oxman - 13/10/2021 - 15h00” with correspondence from 20 September to 30 September.

Full disclosure of this document 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 it contains personal data.

Article 9(1)(b) of the Regulation (EU) 2018/1725 does not allow the transmission of 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 put forward arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, 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 your request, you specify that it also covers documents such as minutes, notes, recordings, reports, operational conclusions, lines to take, briefings and presentations related to this meeting. However, we regret to inform you that the Commission does not hold any documents that would correspond to this description given in your application.

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

Given that no such documents, corresponding to the description given in your application, are held by the Commission, the Commission is not in a position to fulfil this part of your request.

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

Yours faithfully,

Electronically signed

Elisabeth WERNER
(acting) Director

Enclosure: 1 pdf document