



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MARITIME AFFAIRS AND FISHERIES  
The Director-General

Brussels,  
MARE.E.1(2022)

Mr Peter Teffer  
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Bemuurde Weerd WZ 3  
3513 BH Utrecht  
Valetta  
The Netherlands

*By email: ask+request-10321-11cd7f0f@asktheeu.org*

**Subject: Your application for access to documents – GESTDEM 2021/8028**

Dear Sir,

We refer to your e-mail of 3 December 2021, in which you make a request for access to documents, registered on 10 December 2021 under the above-mentioned reference number.

You request access to the European Commission letter with reference number Ares (2012)722661 of 18 June 2012 *“Follow up of the 2011 Annual Control Report for Operational Programme 'Perspectieven voor een duurzame visserij' (CCI2007 NL14 FPO 001)”*, which consists of a letter to the EFF Certifying Authority and one Annex.

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that they may be partially disclosed. Some parts of the documents have been blanked out as their disclosure is prevented by exceptions to the right of access laid down in Article 4(1)(b) and Article 4(2) first indent of this Regulation.

The redacted parts of the documents contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to senior management;
- the names/initials and contact details of other natural persons;

Article 9(1)(b) of the Data Protection Regulation<sup>1</sup> does not allow the transmission of the personal data indicated under the first two indents above, except if you prove that it is

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<sup>1</sup> OJ L 295, 21.11.2018, p. 39-98: Regulation (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 (Text with EEA relevance.)

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) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the 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.

In addition, the redacted parts of the documents contain data, i.e. project names, where disclosure would undermine the protection of commercial interests of a natural or legal person and which are covered by the exception laid down in Article 4(2) first indent of Regulation 1049/2001.

The exceptions laid down in Article 4(2) of Regulation (EC) No 1049/2001 apply unless there is an overriding public interest in disclosure of the blanked part of the documents. We note that you do not put forward any elements to demonstrate the existence of an overriding public interest in disclosure of this part of the documents requested. Nor have we, based on our own analysis, been able to identify any elements capable of demonstrating the existence of a public interest that would override the need to protect the commercial interest of a natural or legal person.

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 Commission documents](#). You may reuse the documents disclosed 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.

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 its 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

Yours sincerely,

[e-signed]  
Charlina VITCHEVA

Annexes:

- Letter of 18 June 2021 (Ares(2012)722661) in a redacted version
- Annex to the Letter of 18 June 2021 (Ares(2012)722661) in a redacted version

