



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

Resources and Support
Compliance and Planning

Brussels, 5th July 2022
CNECT.R.4

Ms Nienke Palstra
Global Witness
Rue Belliard 53
1000 Brussels
Belgium

Via email:
[ask+request-11306-
e0fe525e@asktheeu.org](mailto:ask+request-11306-e0fe525e@asktheeu.org)

Registered letter with acknowledgement of receipt

Subject: Your application for access to documents - RefGestDem 2022/3023

Dear Ms Palstra,

We refer to your email of 24 May 2022 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’), which was registered on 25 May 2022 under the abovementioned reference number. We also refer to our email, dated 20 June 2022 (our reference Ares(2022)4530067) whereby we informed you that the time limit for handling your applications was extended by 15 working days pursuant to Article 7(3) of Regulation 1049/2001.

1. SCOPE OF YOUR APPLICATION

Your request reads as follows:

“Dear Sir or Madam,

Referring to Regulation (EC) No 1049/2001 on public access to EU documents and to the 'Aarhus Convention' I would herewith like to ask for access to the following:

All documents—including but not limited to correspondence, emails, minutes, notes (hand written or electronic), audio or video recordings, verbatim reports, operational conclusions, lines to take, briefings, and presentations—related to the meeting on 2022-04-27 between Filomena Chirico and Google.

In consideration of the environment and the current circumstances with the COVID pandemic I would prefer to receive documents electronically.

I would like to make clear I prefer you produce the documents on a rolling basis. At no point should the Commission's search for—or deliberations concerning—certain documents delay the production of others that the Commission has already retrieved and elected to produce.

Should my request be denied wholly or partially, please explain the denial or all deletions referring to specific exemptions in the regulation. Also I would expect the partial release of documents in case of partial exemption according to article 4.6. I reserve the right to appeal.

Please confirm having received this application. I look forward to your reply within 15 business days, according to the regulation.

If anything is unclear or would benefit from further discussion please do not hesitate to contact me by email. My address for any written correspondence necessary is Nienke Palstra, Global Witness, Rue Belliard 53, 1000, Bruxelles, Belgique.

Thank you for your assistance.”

2. DOCUMENTS FALLING WITHIN THE SCOPE OF THE REQUEST

The following document has been identified as falling within the scope of your request:

- Minutes - Meeting with Google - 27/04/2022, CAB Breton, 03-05-2022, ARES(2022)3412044 (**Document 1**)

3. ASSESSMENT UNDER REGULATION 1049/2001

Following an examination of the identified document under the provisions of Regulation 1049/2001, we have arrived at the conclusion that partial access can be granted to the document identified. Full disclosure 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 the document contains the following personal data:

- the names and contact information of Commission staff members not pertaining to the senior management;
- the names and functions of other natural persons.

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

¹ 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,

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 Document 1, 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.

4. 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 Commission documents](#). You may reuse the document 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.

The requested document was drawn up for internal use under the responsibility of the relevant service of DG CONNECT. It solely reflects the service's interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which were not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

5. 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 faithfully,

Electronically signed

Head of Unit

Martin Schauer

Enclosure: (1)