

The Director-General

*By registered letter with acknowledgment of receipt*

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<http://ec.europa.eu/eurostat>

1. Confirmation by the Federal Statistical Office of 7 January 2015 that the Supplement on contingent liabilities and potential obligations to the EDP related questionnaire for Germany had been uploaded through Eurostat's data and metadata exchange server (so called 'EDAMIS') [ref. Ares(2015)5915319; attached as Annex 1],
2. Confirmation of 7 January 2015 from the Eurostat's EDAMIS Support Team that the data were received and sent on to Eurostat's internal data processing environment [ref. EDAMIS-152- EDP\_CONTING\_A\_DE\_2014\_0000\_V0001; attached as Annex 2],
3. Table 2 of the Supplement on contingent liabilities and potential obligations to the EDP related questionnaire on '*Total outstanding liabilities related to PPPs recorded off-balance sheet of government*', submitted by Germany on 7 January 2015 [ref. EDAMIS-152- EDP\_CONTING\_A\_DE\_2014\_0000\_V0001; attached as Annex 3],
4. Exchanges between Eurostat and the Federal Statistical Office on the data submitted in the Supplement on contingent liabilities and potential obligations to the EDP related questionnaire, including table 2 of the dataset [ref. Ares(2015)5915457; attached as Annex 4].

As background information, we would like to recall that the data on government potential obligations stemming from the off-balance PPPs to which you refer are submitted by the EU Member States, and published by Eurostat, based on Eurostat's decision on the '*Supplement on contingent liabilities and potential obligations to the EDP related questionnaire*' of 22 July 2013<sup>1</sup>. The reporting obligations for the EU Member States include:

*'The metadata clarifying the completeness, definitions, use of estimations or timeliness of the data are to be provided to Eurostat alongside the data. Furthermore, Member States are requested to add footnotes which should be published alongside the data.'* [cf. section 'Data transmission' under part 3, second paragraph].

Eurostat, on its part, is obliged:

*'to make sure that appropriate explanatory notes on the published data are available in order to eliminate possible misinterpretation of the published indicators. It will be clearly explained that the data on contingent liabilities and potential obligations should not be directly added to the Maastricht indicators. The explanatory notes will be communicated to Member States before Eurostat publishes them.'* [cf. section 'Data publication' under part 3, second paragraph].

Please note that some parts of the documents listed above have been blanked out as their disclosure is prevented by exceptions to the right of access laid down in Article 4 of Regulation 1049/2001. The use of the exceptions is justified with respect to the redacted parts of the documents on the following grounds:

- i. To protect the privacy and integrity of the individual, personal data (names and functions of employees of the Commission and the Federal Statistical Office ('Destatis')) have been expunged on the basis of Article 4(1)(b) of Regulation 1049/2001.
- ii. To protect the Commission's decision making process, parts of the document attached as Annex 4 have been expunged on the basis of Article 4(3) of Regulation 1049/2001, since an

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<sup>1</sup> <http://ec.europa.eu/eurostat/documents/1015035/2041337/ESTAT-decision-Suppl-on-conting-liab-EDP-Q.pdf/0b35165a-ee53-470a-a15a-7beaa98aac8b>

atmosphere of mutual trust must be maintained between the Commission and the Federal Statistical Office with regard to consultation and clarifications on the quality of statistical data provided to the Commission (Eurostat) under Council Regulation 479/2009.

Given that your request relates specifically to the data on government obligations stemming from the off balance PPPs, we have blanked out the parts of the exchanges between Eurostat and the Federal Statistical Office which are not relevant to your request unless the information had been disclosed to the public beforehand in the context of Eurostat's publication of data on government contingent liabilities.

In accordance with Article 7(2) of Regulation 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 Secretary-General of the Commission at the following address:

European Commission  
Secretary-General  
Transparency unit SG-B-4  
BERL 5/327  
B-1049 Bruxelles

or by email to: [xxxxxxxxxx@xx.xxxxxx.xx](mailto:xxxxxxxxxx@xx.xxxxxx.xx)

Yours sincerely,

(eSigned)  
Walter Radermacher

Enclosures