



EUROPEAN COMMISSION

Directorate-General for Communications Networks, Content and Technology

Digital Society, Trust and Cybersecurity
Smart Mobility and Living

Brussels,
CNECT/H/H2

Mr. Peter Teffer
Rue Montoyer 18B
1000 Brussels

By registered letter with acknowledgement of receipt and by email

Email: ask+request-3299-7a428338@asktheeu.org

Subject: Your request for Access to Documents

Ref.: GestDem 2016/5061

Dear Mr. Teffer,

I refer to your e-mail dated 12/09/2016 in which you make a request for access to documents, registered by our services at the same date under the above-mentioned reference number.

You asked for:

"– all documents related to meetings between Günther H. Oettinger or his Cabinet and advisors, and Volkswagen Aktiengesellschaft, including but not limited to minutes and verbatim reports, and including but not limited to the meeting that took place on 25 January 2016
– all correspondence between Günther H. Oettinger or his Cabinet and advisors, and Volkswagen Aktiengesellschaft".

Attached you will find the documents requested.

The documents relating to bilateral meetings between Günther H. Oettinger or his Cabinet and advisors, and Volkswagen Aktiengesellschaft, that you have requested contain personal data.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data.

The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with

regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable. According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

I consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned.

Therefore, I am sending you the requested documents expunged from this personal data.

If you wish to receive these personal data, I invite you to provide us with arguments showing the need for having these personal data transferred to you and the absence of adverse effects to the legitimate rights of the persons whose personal data should be disclosed.

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001 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 5/315

B-1049 Bruxelles

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

Yours sincerely,



Eddy Hartog
Head of Unit

Enclosures : 12

¹ OJ L 8 of 12.1.2001, p. 1

List of enclosures:

1. Email of 31.10.2014 to Günther H. Oettinger
2. Email of 01.04.2015 to Cabinet of Günther H. Oettinger
3. Email of 13.05.2015 to Günther H. Oettinger
4. Meeting Minutes of 02.07.2015 between Günther H. Oettinger and Volkswagen AG
5. Letter of 31.07.2015 to Günther H. Oettinger
6. Email of 26.11.2015 copied to Günther H. Oettinger with letter of 26.11.2015 attached
7. Email of 09.12.2015 to Günther H. Oettinger with letter of 09.12.2015 and press release of 09.12.2015 attached
8. Email of 10.12.2015 to Cabinet of Günther H. Oettinger with press release of 10.12.2015 attached
9. Email of 17.12.2015 to Cabinet of Günther H. Oettinger with press release of 16.12.2015 attached
10. Email of 20.01.2016 to Cabinet of Günther H. Oettinger
11. Email of 11.02.2016 copied to Cabinet of Günther H. Oettinger
12. Email of 12.02.2016 to Cabinet of Günther H. Oettinger