



Ms Rachael TACKETT
by e-mail only:
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Brussels, 06 April 2017
SLx/ALS/sn /D(2017)0806 C 2017-0202
Please use edps@edps.europa.eu for all correspondence

Subject: Your request for access to documents under Regulation (EC) 1049/2001

Dear Ms Tackett,

On 18 February 2017, you sent an access to documents request to the EDPS on the basis of Regulation (EC) No 1049/2001 ('the Regulation') concerning all reports, correspondence and memorandum on the Privacy Shield framework from 1 October 2015 to the present.

Since several documents identified as falling within the scope of your request were originating from third parties, the EDPS consulted them in accordance with Article 4(4) of Regulation 1049/2001. In our reply of 3 April 2017 we informed you that, in relation to documents 15 and 16, the third parties were not able to provide their answer within the deadline and that we would get back to you once we have received their replies. We are pleased to inform you that we have now received the replies from all the third parties concerned.

The documents concerned are the following:

- 15. Info-notes for Article 29 WP plenary on EU-U.S. Privacy Shield
- 16. Correspondence between the U.S. Department of State and Article 29 Working Party

Access to these documents is granted in line with your request with the exception of names and email addresses in accordance with Article 4(1)(b) of Regulation 1049/2001, since full disclosure would undermine the protection of privacy and the integrity of the individual.

If you would like to request access to the redacted personal data, please provide the EDPS with a legitimate justification or compelling argument to demonstrate the necessity for the personal data to be disclosed¹.

Please note that pursuant to Article 7(2) of Regulation 1049/2001, you may make a confirmatory application asking the EDPS to reconsider his position as regards the partial

¹ In accordance with Article 8(b) of Regulation 45/2001 as interpreted by the Court of Justice in Case C-28/08 P *Bavarian Lager*.

refusal of your request. Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the EDPS general e-mail: edps@edps.europa.eu

Yours sincerely,



Sophie LOUVEAUX
Head of Unit Policy & Consultation