



Mr Peter Teffer

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Stockholm, 24 May 2017

Dear Mr Teffer,

Subject: Your application for access to documents – Ref 17-1279.

We refer to your email dated 08/05/2017 in which you make a request for access to documents, registered on 10/05/2017 under the above mentioned reference number.

You request access to *the rental contract(s) of the building(s) the agency occupies.*

Your application concerns the lease contracts concluded between ECDC, as tenant, and the company Akademiska Hus AB, as landlord.

ECDC has currently 3 lease contracts ongoing with Akademiska Hus for the premises occupied by the Agency: contract n. 100409, contract n. 101397, and contract n. 101713. The premises are located in the same area (Haga 4:35 in the municipality of Solna) and, although physically detached, they are in the close proximity to each-other. An amendment signed on 3 December 2014 aligns the duration of the different lease contracts, which will expire on 31 May 2018. By that date, ECDC will have moved to new premises, for which ECDC has already signed a lease contract with a different landlord. ECDC has identified the current lease contracts and the amendment of 3 December 2014 as the subject of your request.

Having carried out a concrete and specific examination of the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, we have come to the conclusion that ECDC may partially disclose the documents. Some parts of the documents have been redacted as their disclosure is prevented by exceptions to the right of access laid down in Article 4 of this Regulation.

The exceptions that apply in this particular case are the following:

For all the documents, whereby they are signed, the exception in art. 4.1(b) of Regulation 1049/2001 is found to apply. In particular, disclosure of the name and handwritten signature of the representative of the landlord Akademiska Hus, and of the handwritten signature of ECDC Director would undermine the protection of the personal data of the individual whose information is included in the document. The documents have been redacted accordingly.

For annex 8 of contract 100409, the exception of art. 4.2 first subparagraph of Regulation 1049/2001 applies. Although the total amount established for the rent is left visible, ECDC decided to redact the details regarding how the rent is divided between the three buildings covered by contract 100409. Disclosure would undermine the commercial interests of the landlord Akademiska Hus, by providing information on Akademiska Hus' commercial practices. ECDC did not find any overriding public interest in granting a disclosure.

For annex 1 of contract 100409, the exception of art. 4.1(a) of Regulation 1049/2001 is found to apply. ECDC decided not to disclose the annex in its entirety, as it exclusively contains the detailed maps of the premises. Disclosing the document would constitute a risk for the security of the premises and hence for public security. The same principle has been applied in the other contracts where they include drawings of the rented areas: in such cases, the drawings have been redacted.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the ECDC's Director to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the following address:

ECDC
Legal Services
Granits väg 8
171 65 Solna
Sweden

or by email to: confirmatory.requests@ecdc.europa.eu



Jean-Claude Brival

Acting Head of Unit RMC