



EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

Directorate E - Single Market & Connectivity  
SG.E.1 - Competitiveness, Innovation & Digital Europe

Brussels  
SG.E.1/OG/BH

Mr Alexander Fanta

*Advance copy by e-mail:*  
[ask+request-7444-06350b79@asktheeu.org](mailto:ask+request-7444-06350b79@asktheeu.org)

Dear Sir,

**Subject: Your application for access to documents - Ref GestDem No 2019/6564**

We refer to your email of 11/11/2019 in which you submit a request for access to documents, registered on 11/11/2019 under the above-mentioned reference number.

*You request access for all documents, minutes, correspondence, and follow-up related to the following meeting between President Jean-Claude Juncker and Thierry Breton during his time as head of Atos in February 2015 and March 2016.*

Pursuant your application we have identified the following documents:

- Ares(2015)8134 meeting request from CEO Atos and ex-French Finance Minister Thierry Breton to President Juncker
- Ares(2015)331919 reply to meeting request from CEO Atos and ex-French Finance Minister Thierry Breton to President Juncker
- Ares(2016)425287 – meeting request from Atos CEO Thierry Breton to President Juncker – BE Brussels
- Ares (2015)3361383 President Briefing 2015/45 Thierry Breton, Atos CEO and ex-French Finance Minister

The documents to which you request access contain personal data. Indeed, Article 3(1) of Regulation 2018/1725 provides that personal data ‘means any information relating to an identified or identifiable natural person [...]’. The Court of Justice has specified that any information, which by reason of its content, purpose or effect, is linked to a particular person is to be considered as personal data.<sup>1</sup>

<sup>1</sup> Judgment of the Court of Justice of the European Union of 20 December 2017 in Case C-434/16, Peter Nowak v Data Protection Commissioner, request for a preliminary ruling, paragraphs 33-35, ECLI:EU:C:2017:994.

Please note in this respect that the names, signatures, functions, telephone numbers and/or initials pertaining to staff members of an institution are to be considered personal data.<sup>2</sup>

In your request, you do not put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest. Therefore, the European Commission does not have to examine whether there is a reason to assume that the data subject's legitimate interests might be prejudiced.

Consequently, I conclude that, pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data, 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.

In case you would disagree with the assessment that the redacted data are personal data which can only be disclosed if such disclosure is legitimate under the applicable rules on the protection of personal data, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit 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 Unit C.I. 'Transparency, Document Management and Access to Documents' BERL 7/076 B-1049 Bruxelles, or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu).

Yours sincerely,

  
Olivier GIRARD  
Head of Unit

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<sup>2</sup> Judgment of the General Court of 19 September 2018 in case T-39/17, Port de Brest v Commission, paragraphs 4344. ECLI:EU:T:2018:560.

Enclosure:

Meeting request from CEO Atos and ex-French Finance  
Minister Thierry Breton to President Juncker

Reply to meeting request from CEO Atos and ex-French Finance  
Minister Thierry Breton to President Juncker

Meeting request from Atos CEO Thierry Breton to President  
Juncker

President Briefing 2015/45 Thierry Breton, Atos CEO and ex-  
French Finance Minister

Thank you letter