



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL FOR RESEARCH & INNOVATION

Directorate B - Common Implementation Centre  
**B.1 - Common Legal Support Service**  
Head of Unit

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***By registered letter with  
acknowledgment of receipt***

Mr Mathias Schindler  
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Unter den Linden 50 1  
1011 Berlin

***Advance copy by e-mail:***  
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**Subject: Your application for public access to documents – GestDem Ref No 2020/3461**

Dear Mr Schindler,

We refer to your email dated 05/06/2020 in which you submitted an application for public access to documents within the framework of Regulation (EC) 1049/2001<sup>1</sup>.

**1. SCOPE OF YOUR REQUEST**

You requested access to the following documents:

*“a copy of each Access to Documents request from 2018 and 2019 that was refused registration because the requesting person did not provide a postal address”*

We have identified one document matching the criteria of your request (hereinafter the “*requested document*”), and more specifically an exchange of emails between a requestor and the Access to Documents team of the Directorate-General for Research and Information, registered under reference Ares(2018)3287044.

**2. EXAMINATION UNDER REGULATION (EC) No 1049/2001**

We are pleased to inform you that partial access can be granted to the requested document. Please note that personal data has been expunged, where necessary, in accordance with the exception provided under Article 4(1)(b) of Regulation (EC) No 1049/2001, as explained below:

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<sup>1</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

### Protection of privacy and the integrity of the individual

According to Article 4(1)(b) of Regulation (EC) No 1049/2001, access must be refused where disclosure would undermine the protection of "*privacy and the integrity of the individual*", in particular in accordance with European Union legislation regarding the protection of personal data<sup>2</sup>.

The requested document contains information which constitutes personal data in the meaning of Article 3(1) of Regulation (EU) 2018/1725. Such data are the names or information leading to the identification of third parties and of the Commission's officials not having the function of senior management staff.

Pursuant to Article 9(1)(b) of Regulation (EU) 2018/1725, personal data shall only be transmitted to recipients established in the Union other than Union institutions and bodies if "*[t]he recipient establishes that it is necessary to have the data transmitted for a specific purpose in the public interest and the controller, where there is any reason to assume that the data subject's legitimate interests might be prejudiced, establishes that it is proportionate to transmit the personal data for that specific purpose after having demonstrably weighed the various competing interests*".

The European Commission has to examine the further conditions for a lawful processing of personal data only if the first condition is fulfilled, namely if the recipient has established that it is necessary to have the data transmitted for a specific purpose in the public interest. 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, personal data has been withheld from the requested document.

### **3. DISCLAIMER AND RE-USE OF THE DOCUMENT**

You may reuse the disclosed document free of charge, for non-commercial and commercial purposes, provided that the source is acknowledged, that you do not distort the original meaning or message of the document. Please note that the Commission does not assume liability stemming from the reuse.

### **4. MEANS OF REDRESS**

Should you wish this position to be reconsidered, in accordance with Article 7(2) of Regulation (EC) 1049/2001, you are entitled to present in writing, within fifteen working days from receipt of this letter, a confirmatory application to the Commission's Secretary-General at the following address:

**European Commission**

**Secretary-General**

**Unit SG C.1 – Transparency, document management & access to documents**

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<sup>2</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

**BERL 7/076**

**B-1049 Brussels**

or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

Reinhard Schulte

Enclosure: the requested document, expunged from personal data.