

Reece Stafferton

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Stockholm, 1 July 2020

Our ref.: PHF-2020-OUT-1945-MaCiElKh

Dear Mr Stafferton,

**Re: Your application for access to documents – Ref 20-2433**

We refer to your e-mail dated 10 June 2020 in which you make a request for access to documents, registered under the above mentioned reference number.

You request access to

*\* A list of organisations who have had direct access to TESSy data between 01 January 2020 and 01 June 2020.*

*\* A list of organisations who have had access to subsets of data between 01 January 2020 and 01 June 2020.*

*\* A list of organisations who have had access to aggregated published data between 01 January 2020 and 01 June 2020.*

*Please include the following extra details: country of origin, type of organisation, the reason for requesting access, the names of individual researchers and the date access granted.*

The document to which you have requested access contain personal data, in particular the name of the individual researchers.

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 Union legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EU) No 2018/1725.

When access is requested to documents containing personal data, Regulation (EU) No 2018/1725 becomes fully applicable. According to Article 9.1(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.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not

prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the document requested expunged from this personal data.

In case you would disagree with the assessment that the expunged data are personal data that 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 1049/2001, to make a confirmatory application requesting the ECDC 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  
Gustav III:s Boulevard 40  
16973 Solna  
Sweden

or by email to: [confirmatory.requests@ecdc.europa.eu](mailto:confirmatory.requests@ecdc.europa.eu).

Yours faithfully,

**Massimo Ciotti**

Massimo Ciotti

Deputy Head of Unit Public Health Functions/Head of Section Emergency Preparedness and Response

Encl.: Data access requests