



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR EDUCATION, YOUTH, SPORT AND CULTURE

Reporting directly to the Director-General
Policy Coordination and Inter-institutional relations

Brussels
EAC.01/GW/ADC

Peter Teffer
Ekko Voorkamer
Bemuurde Weerd WZ 3
3513 BH Utrecht
The Netherlands

Only by email:
ask+request-8947-
d526a7f8@asktheeu.org

Dear Sir,

Subject : Your application for access to documents – GESTDEM 2021/0314

We refer to your e-mail of 18 January 2021 in which you make a request for access to documents pursuant to Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents (hereinafter ‘Regulation 1049/2001’), registered on 19 January 2021 under the above mentioned reference number.

You request access to the following documents:

‘All documents - including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, operational conclusions, lines to take, briefings, e-mails, letters, and presentations - related to all contact Commissioner Mariya Gabriel, Director-General Roberto Viola and other DG Connect staff has had with Ms Madeleine de Cock Buning, Vice President for Public Policy, Europe, Middle East and Africa, of Netflix, in 2020 and 2021’

Please note that due to the wide scope of your request, covering also areas falling under the responsibility of other Directorates-General, parts of your request have been attributed to other Directorates-General. This reply relates only to the documents held by the Directorate-General for Education and Culture. You will receive the replies from the other respective Directorates-General in due course.

The following documents have been identified in the Directorate-General for Education and Culture as falling within the scope of your request:

- 1) Briefing for Netflix meeting with VP for EMEA Public Policy, 23/06/2020

2) Email exchange between Netflix and Cabinet Gabriel, 30/06/2020

Having examined the documents requested under the provisions of Regulation 1049/2001, we have arrived at the conclusion that the two identified documents can be disclosed with only personal data redacted in the second document.

Document 2 contains personal data, in particular names and function of EC staff not occupying senior management posts and of third parties. Disclosure of these parts is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation 1049/2001.

Article 9(1)(b) of Regulation 2018/1725¹, does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, we conclude that, pursuant to Article 4(1)(b) of Regulation 1049/2001, access cannot be granted to the personal data contained in the requested document, 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. Disclosure must therefore be refused to the aforementioned parts of this document. We are therefore disclosing a version of the document 2 with the aforementioned parts blanked out.

You may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf based on the [Commission Decision on the reuse of Commission documents](#). You may reuse the documents disclosed free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation 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.1. 'Transparency, Document Management and Access to Documents'
BERL 7/076
B-1049 Brussels, or by email to: sg-acc-doc@ec.europa.eu

¹ 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.

Yours faithfully,

Graham WILKIE
Head of Unit

Enclosure: 2