



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Directorate D - Twin Transition, Economic & Social Affairs
SG.D.1 - Digital Transition, Industry & Single Market

Brussels
SG.D.1/

Alexander Fanta
netzpolitik.org e.V.
Schönhauser Allee 6-7
10119 Berlin
Germany

Subject: Your application for access to documents – GESTDEM 2022/2845

Dear Sir,

We refer to your e-mail of 18 May 2022 (and clarification email dated on the same day) in which you make request to access:

- All documents relating to a meeting between cabinet members of Vera Jourova and TikTok on 07/06/2021. This includes meeting minutes, e-mails and any other communication related to said meeting.
- All documents relating to a video meetings between Vera Jourova and TikTok on 20/04/2021 and on 22/02/2021. This includes meeting minutes, e-mails and any other communication related to said meeting.
- All documents relating to a meeting between cabinet members of Vera Jourova and TikTok on 16/12/2020. This includes meeting minutes, e-mails and any other communication related to said meeting.
- All documents relating to a meeting between cabinet members of Vera Jourova and TikTok on 06/11/2020. This includes meeting minutes, e-mails and any other communication related to said meeting.

The part of your request concerning Commissioner Reynders and the Directorate-General for Justice and Consumers is handled separately (GESTDEM 2022/2844).

Please note that TikTok did not participate to the meeting on 16 December 2020. Hence, the present application concerns the following documents:

- Ares(2021)5376334 : Flash report of meeting with TikTok, 07 June 2021
- Ares(2021)2403387 : Report of meeting with platforms on vaccine disinformation, 22 February 2021
- Ares(2021)2709692 : Report of meeting with TikTok, 20 April 2021
- Ares(2021)2768338 : Conclusions of meeting with TikTok, 20 April 2021
- Ares(2021)24629 : Flash report- meeting with Tik-Tok, 6 November 2020

With regard to the documents listed above, a complete disclosure of the identified documents is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons.

Article 9(1)(b) of the Data Protection Regulation 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, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, 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.

Besides, please note that these documents were drawn up for internal use under the responsibility of the relevant services. It solely reflects the authors' interpretation of the interventions made and does not set out any official position of the third parties to which the documents refers, which was not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

In case you would disagree with this position, 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.1. 'Transparency, Document Management and Access to Documents'
BERL 7/076
B-1049 Brussels, or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

Electronically signed

Olivier GIRARD
Head of Unit