



EUROPEAN COMMISSION

Directorate-General for Communications Networks, Content and Technology

Cooperation  
Stakeholders  
The Head of Unit

Brussels,  
DG CNECT/D4/AAK/SS/ebo  
ARES (2016)

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

Robin Pepermans

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***Advance copy by email: ask+request-2781-7e2e50c9@asktheeu.org***

**Subject: Your application for access to documents – Ref GestDem No 2016/1922**

Dear Madam,

We refer to your e-mail dated 13/04/2016 in which you make a request for access to documents, registered on 14/04/2016 under the above-mentioned reference number. We also refer to our holding reply of 04/05/2016 concerning the extension of the deadline.

You request access to documents relating to the Europa Forum Lech hosted by Commissioner Günther Oettinger on 13-15 April 2016. More specifically:

- a) a list of participants in case the list available on [http://europaforum.lech.eu/draft\\_pro/Participants.pdf](http://europaforum.lech.eu/draft_pro/Participants.pdf) is not accurate and up-to-date;
- b) information (such as emails, memos, letters) about invited people, suggestions for invitations and requests by third persons to be invited;
- c) documents (in a broader sense, including emails, letters, notes etc) that were sent or received to Europa Forum participants before or after the meeting;
- d) any documents or other information exchanged in meetings with Commissioner Oettinger during or in the context of the Europa Forum;
- e) information about meetings with Europa Forum participants and Commission people also before or after the Europa Forum;
- f) the documents regarding the expenses made by the European Commission on anything related to the Europa Forum;
- g) a list of people that Commissioner Oettinger met in last year's (i.e. 2015) Europa Forum Lech.

I consider your request to cover documents held up to the date of your initial application, i.e.14/04/2016.

However, your request concerns a rather large number of documents. For several of them, we are still in the process of conducting a third party consultation and for others, we need to consult other Commission services.

Therefore, we are, for the moment, sending you our first reply to your request for access. The documents concerned are mentioned under each point of your request.

*a) a list of participants in case the list available on [http://europaforum.lech.eu/draft\\_pro/Participants.pdf](http://europaforum.lech.eu/draft_pro/Participants.pdf) is not accurate and up-to-date;*

We confirm that the list of participants and the programme of the event that can be found on the Europa Forum Lech website are up to date; therefore we do not attach those documents to this letter.

*b) information (such as emails, memos, letters) about invited people, suggestions for invitations and requests by third persons to be invited;*

- Invitation and Letter to Europa Forum Lech participants from Commissioner Oettinger and Mayor Muxel (Ares(2016)1831528 – 18/04/2016);

- Invitations from Commissioner Oettinger to other EC Commissioners (Ares (2015) s66325291);

- Invitations from Commissioner Oettinger to several responsible ministers and heads of departments (Ares (2015) s66325291);

- Invitations to the press conference with Commissioner Oettinger.

I would like to inform you that with regard to this part of your request there are other documents that we are currently examining, since they require consultations with third parties and other Commission services.

*c) documents (in a broader sense, including emails, letters, notes etc) that were sent or received to Europa Forum participants before or after the meeting;*

- Discussion papers to the different Sessions 1 – 4 (Ares (2016)1831528 – 18/04/2016);

- A short guide for speakers at the event (Ares(2016)1831528 – 18/04/2016).

*d) any documents or other information exchanged in meetings with Commissioner Oettinger during or in the context of the Europa Forum;*

*e) information about meetings with Europa Forum participants and Commission people also before or after the Europa Forum;*

*f) the documents regarding the expenses made by the European Commission on anything related to the Europa Forum;*

*g) a list of people that Commissioner Oettinger met in last year's (i.e. 2015) Europa Forum Lech.*

I would like to inform you that with regard to this part of your request (points c – g) we are currently examining all the related documents since they require consultations with third parties and other Commission services.

Only partial access to these documents can be granted, as they contain personal data.

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 Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable.

According to Article 9(1) of this Regulation and unless the conditions of Article 9(6) of the Regulation are met, personal data shall only be transferred to recipients, other than Community institutions and bodies, which are not subject to national law adopted pursuant to Directive 95/46/EC, if an adequate level of protection is ensured in the country of the recipient or within the recipient international organisation and the data are transferred solely to allow tasks covered by the competence of the controller to be carried out.

We consider that, with the information available, the fulfilment of these conditions has not been established. Therefore, we are disclosing the documents requested expunged from this personal data.

In case you would disagree with the assessment that the expunged data are personal data which 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 Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission

Secretary-General

Transparency unit SG-B-4

BERL 5/282

B-1049 Bruxelles

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

Yours faithfully,

Antoaneta Angelova-Krasteva

Attachment: Annexed redacted documents