



CHRISTIAN D'CUNHA  
HEAD OF PRIVATE OFFICE

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**26 JUL 2019**

Brussels,  
CDC/AP/vm / D 1605 C 2019-0672  
Please use [edps@edps.europa.eu](mailto:edps@edps.europa.eu) for all  
correspondence

**Subject: Your request for access to documents under Regulation (EC) 1049/2001**

Dear Ms Darbishire,

On 5 July 2019, you sent an access to documents request to the EDPS on the basis of Regulation (EC) 1049/2001, which was registered on the same day.

Your request concerns access to the travel expenses of the Supervisor of the EDPS between 1 January 2017 and 31 December 2018. For each trip, you request the following information:

- *Place of origin and destination, and the amount spent on travel or transportation;*
- *Exact dates and duration of the trip;*
- *Amount spent on accommodation;*
- *Amount spent on subsistence;*
- *Other information, such as possible miscellaneous costs.*

*If the travel was by air taxi and a team of people were travelling, please also provide documents with details on the other travellers (at a minimum, names and job titles).*

Regarding the subject matter of your request, we have identified the following documents, all Mr Giovanni Buttarelli's travel expenses statements.

For the year 2017

1. DL-17-1479132;
2. DL-17-1462565;
3. DL-17-1458603: Accompanied by Mr Wiewiorowski, Assistant Supervisor;
4. DL-17-1453433;
5. DL-17-1437640;
6. DL-17-1427089;
7. DL-17-1426581;
8. DL-17-1422226;
9. DL-17-1422217;
10. DL-17-1422204;
11. DL-17-1412689;
12. DL-17-1408848;
13. DL-17-1408286: Accompanied by Mr Wiewiorowski, Assistant Supervisor, Mr Leonardo Cervera Navas, Director, Ms Sophie Louveaux, Head of Policy and Consultation and two additional staff members;
14. DL-17-1403247: Accompanied by Mr Wiewiorowski, Assistant Supervisor'
15. DL-17-1399518;
16. DL-17-1396336;
17. DL-17-1389086;
18. DL-17-1385015;
19. DL-17-1383271;
20. DL-17-1373385;
21. DL-17-1355719;
22. DL-17-1353152;

23. DL-17-1350586: Accompanied by Mr Wiewiorowski, Assistant Supervisor and one additional staff member;
24. DL-17-1345980;
25. DL-17-1340804;
26. DL-17-1332637: Accompanied by Mr Wiewiorowski, Assistant Supervisor;
27. DL-17-1329387;
28. DL-17-1327230;
29. DL-17-1313687;
30. DL-17-1368246;
31. DL-17-1358058;

For the year 2018

1. DL-18-1644287;
2. DL-18-1613247: Accompanied one staff member and Christian D'Cunha, Policy advisor and Head of Private Office accompanied the Supervisor only in New York;
3. DL-18-1599513;
4. DL-18-1570214;
5. DL-18-1559209: Accompanied by one staff member;
6. DL-18-1538103;
7. DL-18-1531672;
8. DL-18-1531206;
9. DL-18-1527997;
10. DL-18-1518922;
11. DL-18-1517451: Accompanied by one staff member;
12. DL-18-1509133;
13. DL-18-1499317: Accompanied by Christian D'Cunha, Policy advisor and Head of Private Office;
14. DL-18-1499263;

15. DL-18-1497274;

16. DL-18-1496632;

17. DL-18-1493642;

18. DL-18-1488604.

As noticed from the above, the EDPS has decided to disclose names of the EDPS staff members with the exception of names of staff below Head of Units during 2017 and 2018. This in line with our practice to balance the commitment of the EDPS to a proactive approach on transparency with the protection of staff members' privacy and personal data. The decision is based on Article 4(1)(b) of Regulation 1049/2001. According to this provision, access to a document is refused where disclosure would undermine the privacy and integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data, including Article 9 of Regulation (EU) 2018/1725.

Accordingly, the names and phone numbers of the Commission staff members in charge of managing the missions have been redacted from the statement of expenses, also on the basis of Article 4(1)(b) of Regulation 1049/2001.

If you would like to have access to the redacted personal data, please provide the EDPS with a legitimate justification or compelling argument to demonstrate the necessity to have the personal data transmitted for a specific purpose in the public interest.<sup>1</sup>

Pursuant to Article 7(2) of Regulation 1049/2001, you may make a confirmatory application asking the EDPS to reconsider his position as regards to the partial refusal of your request. Such a confirmatory application should be addressed, within 15 working days upon receipt of this letter, to the EDPS general e-mail address: [edps@edps.europa.eu](mailto:edps@edps.europa.eu).

Please find attached the documents to which you have been granted partial access.

Yours sincerely,



Christian D'CUNHA  
Head of Private Office

#### **Data Protection Notice**

*According to Articles 15 and 16 of Regulation (EU) 2018/1725 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, please be aware that your personal data will be processed by the EDPS, where proportionate and necessary, for the purpose of answering your request. The legal base for this processing operation is Regulation (EC) 1049/2001 and Article 52(4) of the Regulation (EU) 2018/1725. Subject to applicable rules under EU legislation, the personal data relating to you, as provided in your request, are used solely for the purpose of replying to your request. EDPS staff members dealing with the request will have access to the case file containing your personal data on a need-to-know basis. Your*

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<sup>1</sup> In accordance with the Bavarian Lager judgment (ibid), paragraph 46. The principles set out in the Bavarian ruling are also applicable under the Regulation (EU) 2018/1725.

*personal data are not disclosed outside the EDPS. Your personal data will be stored electronically for a maximum of ten years after the closure of the case, or as long as the EDPS is under a legal obligation to do so. You have the right to access your personal data held by the EDPS and to obtain the rectification thereof, if necessary. Any such request should be addressed to the EDPS at [edps@edps.europa.eu](mailto:edps@edps.europa.eu). You may contact the data protection officer of the EDPS ([EDPS-DPO@edps.europa.eu](mailto:EDPS-DPO@edps.europa.eu)), if you have any remarks or complaints regarding the way we process your personal data.*