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DIRECTORATE-GENERAL
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Implementation & Support to Member States
Compliance & Better Regulation

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Mr. Matthias SCHINDLER
Bundestagsbüro Julia Reda, MdEP
Unter den Linden 50
D- 11011 Berlin

E mail: [ask+request-8133-
b4653385@asktheeu.org](mailto:ask+request-8133-b4653385@asktheeu.org)

Subject: Your application for access to documents – GESTDEM 2020/3448

Dear Mr Schindler,

I refer to your e-mail of 5 June 2020 in which you make a request for access to documents, registered on 8 June 2020 under the above-mentioned reference number.

You request access to *‘a copy of each Access to Documents request from 2018 and 2019 that was refused registration because the requesting person did not provide a postal address. ... I am perfectly fine with the redaction of personal information’*.

DG ENV identified three documents for 2019 and only one for 2018, covering the scope of your application. With regard to these documents, a complete disclosure 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 personal data.

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 mentioned that you are not interested in personal data contained in the documents.

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.

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,

(e-signed)

Robert KONRAD
Head of Unit