



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Directorate D - Twin Transition, Economic & Social Affairs
The Director

Brussels
SG.D.1/HZ

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1000 Bruxelles
Belgium

By email: ask+request-11322-
ad8987a0@asktheeu.org

Subject: Your application for access to documents – GESTDEM 2022/3060

Dear Madam,

We refer to your e-mail dated 24 May 2022 in which you make a request for access to all documents related to the meeting on 10 March 2022 between Werner Stengg and Facebook Ireland Limited. We have identified two documents related to your request:

Document 1: Report on call between W. Stengg and Meta, 10 March 2022

Document 2: Email exchange “Transatlantic data flows agreement”, 23 – 28 February 2022

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that the documents may be partially disclosed. Full 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 the documents contain:

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

Article 9(1)(b) of the 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 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 argue 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 to that personal data 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.

Please note that document 1 was drawn up for internal use under the responsibility of the relevant author. It solely reflects the author's interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled 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
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Brussels
or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

Elisa ROLLER

Enclosure: See listed document