



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

Directorate D – Internal Security
D.4 – Security in the Digital Age

Brussels
HOME.D.4/AP

By registered letter with acknowledgment of receipt

Ms Nienke Palstra
Global Witness
Rue Belliard 53
1000 Brussels
Belgium

Advance copy by email: ask+request-11323-c3858752@asktheeu.org

Subject: Your application for access to documents – GESTDEM 2022/3026

Dear Ms Palstra

We refer to your request of 24 May 2022 in which you make a request for access to documents, registered on 25 May 2022 under the above-mentioned reference number.

You request access to all documents - including but not limited to correspondence, emails, minutes, notes (hand written or electronic), audio or video recordings, verbatim reports, operational conclusions, lines to take, briefings, and presentations - related to the meeting on 2022-02-08 between Ylva Johansson and Google.

Your request concerns the following documents:

1. Briefing for Commissioner Johansson's visit to Ireland, including attachments (Voluntary Principles to Counter online Child Sexual Abuse and Exploitation), 7/02/2022, Ares(2022)4716377
2. Notes from Commissioner Johansson's visit to Ireland, 11/02/2022, Ares(2022)1032717
3. Thank you letter from Kent Walker (Google), 3/2/2022, Ares(2022)857186
4. Thank you letter from Google, 15/2/2022 Ares, Ares(2022)1130954

Parts of the documents include information that does not relate to the meeting with Google concerned by your request. This information is therefore out of scope of the request and has been redacted.

Commission européenne/Europese Commissie, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË - Tel. +32 22991111

1. Disclosure with redaction of personal data

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 these documents may be disclosed.

However, 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 some of them 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;
- other information relating to an identified or identifiable natural person, such as positions held in an organisation.

Article 9(1)(b) of the Data Protection Regulation¹ 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 put forward 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 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.

2. Disclaimer

Regarding the disclosed minutes and summary records of meetings, the documents were drawn up for internal use under the responsibility of the relevant services of the Directorate-General for Home Affairs and Migration. They solely reflect the author's interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer, which was not consulted on its content. They do not reflect the position of the Commission and cannot be quoted as such.

3. Means of redress

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation 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:

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, *OJ L* 295, 21.11.2018, p. 39–98.

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 sincerely,

[e-signed]
BAUER-BULST Cathrin
Head of Unit D4