

To: Luisa Izuzquiza [#136181] [REDACTED]@fragdenstaat.de

Brussels, 03 June 2019

**Subject: Case 2019-17 - Your application for access to documents**

Dear Ms. Izuzquiza,

We refer to your e-mail dated 03/05/2019 in which you make a request for access to documents, registered on 08/05/2019 under reference number 2019/17.

You requested access to documents containing the following information:

*“For the years 2017, 2018 and 2019:*

- any and all documents that contain the number of staff in your Transparency Unit (or the department dealing with access to EU documents requests) - this could be, for instance, organigrams or staffing plans that are specific to that unit;*
- any and all documents containing the budget for your Transparency Unit (or the department dealing with access to EU documents requests); I would appreciate the most detailed version of this budget possible.*

*And for the years 2016, 2017 and 2018:*

- any and all documents containing data on the handling of access to EU documents requests by this institution; I am looking specifically for broken down data, per year, on the number of initial access to documents applications received, and the number of confirmatory applications received.”*

Firstly, we kindly inform you that the EDPB was established by the EU General Data Protection Regulation (GDPR) on 25 May 2018. Therefore, we cannot provide documents that were created before that date and are not in possession of the EDPB.

Regarding the first part of your request, we regret to inform you that the EDPB does not hold any documents that contain information on the number of staff in our Transparency Unit or the department dealing with access to documents requests. This is due to the fact that the EDPB does not have a specific department dedicated to the handling of requests for access to documents. The task is therefore assigned to specific legal officers, whose personal details will not be revealed in order to protect their personal data, in accordance with Article 9(1)(b) of 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.

Similarly, the EDPB does not hold any documents related to the budget of the Transparency Unit or department dedicated to the handling of requests under Regulation (EC) 1049/2001.

Please note that in accordance with Article 2(3) of Regulation (EC) No 1049/2001, the right of access under this regulation applies only to existing documents in the possession of the EDPB. Therefore, the EDPB is not in a position to fulfil your request in that regard.

With regard to the second part of your request, we have identified 4 documents containing information on the handling of access to documents requests and, therefore, falling within the scope of your request.

You may reuse the documents requested free of charge for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the document/documents. Please note that neither the EDPB, nor its Secretariat assume liability stemming from the reuse.

To facilitate our assessment and your consultation of the files, the titles of the files have been adequately numbered. We will refer to the numbers of each single file in our assessment below.

### 1. Full disclosure

The following documents can be fully disclosed: Documents 1, 2, 3

### 2. Partial disclosure

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, alongside the scope of your request, I have come to the conclusion that full disclosure of the following document cannot be granted, since some parts of the document do not fall within the scope of the request.

This applies to the following document:

- Document 4

Please, note that all the personal data and the metadata contained in the documents have been erased in accordance to article 4(1)(b) of Regulation 1049/2001 regarding public access to European Parliament, Council and Commission documents.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the European Data Protection Board to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the following email address: [edpb@edpb.europa.eu](mailto:edpb@edpb.europa.eu). Please make reference to the case number of your request in the subject.

Yours faithfully,



Ventsislav Karadjov

Vice-Chair of the EDPB

Secretariat of the European Data Protection Board

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