Confirmatory Application pursuant to Article 7(2) of Regulation (EC) No 1049/2001

To: European Parliament – Transparency Unit, AccesDocs@europarl.europa.eu

From: Max Andersson, Editor-in-chief of klagget.nu

Subject: Confirmatory application — your reference 2026-0143; decision D 302111 of 18 May 2026, refusing access to documents relating to MEP Alice Teodorescu Måwe's declaration of financial interests

Dear European Parliament,

Please forward this to the person responsible for reviewing confirmatory applications.

I file this confirmatory application in respect of my request for access to documents, your reference 2026-0143, concerning the withholding of information in MEP Teodorescu Måwe's declaration of financial interests. I request that the European Parliament reconsider its decision of 18 May 2026 (D 302111) refusing access to documents relating to ongoing private security funding declared by the MEP from an anonymous donor.

I respectfully submit that the decision is insufficiently reasoned on several points and rests on an incorrect application of the relevant rules. My grounds are set out below.

1. Parliament did not carry out a differentiated assessment of the three categories of documents

My application of 23 March 2026 sought three distinct categories of documents:

(a) documents relating to the review, assessment, or approval of the MEP's declaration regarding ongoing financial support from a private donor;

(b) correspondence between the MEP (or her office) and Parliament's administration regarding this declaration; and

(c) any guidance or decisions by the Advisory Committee on the Conduct of Members concerning whether Members may omit the identity of a donor and the amount received when declaring financial support under the Code of Conduct.

The decision treats all three categories as a single block and refuses them on one and the same ground: the protection of privacy and the integrity of the individual under Article 4(1)(b) of Regulation 1049/2001, read together with Regulation (EU) 2018/1725. The decision reasons that, because the request is linked to a named natural person, any document identified would contain personal data. While the decision is therefore not silent as to why the exception is said to apply, it does not distinguish between the three categories, does not indicate whether documents in each category were located, and does not explain why each category falls under the exception. This is not the specific and individual examination of each document, or category of documents, that settled case law requires (see Joined Cases C-39/05 P and C-52/05 P, *Sweden and Turco v Council*, ECLI:EU:C:2008:374).

This is most clearly wrong for category (c). Guidance or decisions on the general question of whether Members may omit a donor's identity and the amounts received concern the interpretation of the Code of Conduct as a matter of principle. Such documents, if they exist, need not contain any personal data at all. They address a question of institutional policy: whether Parliament's transparency rules permit anonymous donations to Members. Refusing

such documents on personal-data grounds is unfounded. Even if such a document referred to the MEP by name, the name and any identifying detail could be redacted under Article 4(6) (see point 2 below).

This distinguishes the present case from the authority on which the decision relies. In *Psara and Others v Parliament* (Joined Cases T-639/15 to T-666/15 and T-94/16, ECLI:EU:T:2018:602), every document requested was a transactional record concerning Members — travel documents, hotel invoices, employment contracts, salary statements — which the General Court held necessarily identified a natural person, since the records existed precisely in order to pay that person. Category (c) is not a document of that kind. It is a document about how Parliament interprets its own rules: whether the integrity framework permits anonymous donations at all. A document answering that question of principle is not linked to MEP Teodorescu Måwe merely because my request names her as the occasion for it; it concerns a question that applies to all Members. The decision's reasoning — that because the request is linked to a named person, any document identified would contain personal data — presupposes that every responsive document is a document about that person. For category (c) that premise does not hold, and the personal-data exception cannot be stretched to cover it. By treating all three categories as a single block, the decision obscures this: had category (c) been examined separately, as it should have been, it could not have been refused on personal-data grounds.

2. Parliament did not consider partial access under Article 4(6)

My original application expressly requested partial access in the event that some documents were covered by an exception. Article 4(6) of Regulation 1049/2001 provides that where only parts of a document are covered by an exception, the remaining parts shall be released. It follows from settled case law that the institution is required to consider whether meaningful partial access can be granted, and to give reasons if it concludes that it cannot. The decision does not address partial access at all. That complete absence of any partial-access assessment is, in itself, a procedural error.

For categories (a) and (b), it may well be possible to release records — internal assessments or procedural records showing what criteria Parliament applied, or whether a formal approval process took place — with the donor's identity and any other sensitive particulars redacted. For category (c), partial access should not even be necessary, since general guidance on the Code of Conduct does not inherently contain personal data.

3. The public-interest purpose is specific, not general

The decision dismisses my stated public interest as being of a general nature and not expressing a specific purpose in the public interest capable of demonstrating the necessity of the transmission of the personal data requested. It adds that this applies regardless of whether the request forms part of a journalistic investigation. I respectfully submit that the purpose I articulated is specific, and that the journalistic character of the request does not dispense Parliament from carrying out the concrete balancing the case law requires.

The purpose is the following. The MEP's office has stated, in an email to the press, that the arrangement and its wording were approved in advance by Parliament; and the party secretary of her party, in a public statement, has said that Parliament's responsible unit — the Members' Administration Unit — not only approved the arrangement but advised that it

be declared in precisely this way, and that the exact wording in the declaration was drawn up in consultation with Parliament. The MEP herself, in a televised interview on 16 April 2026, publicly defended the arrangement by stating that she had followed the rules that Parliament has. These claims about Parliament's involvement have served as the principal defence against criticism of the arrangement — criticism from representatives of Transparency International and Corporate Europe Observatory, from major Swedish newspapers including Expressen, and from the Swedish public broadcaster SVT. The Swedish authority Kammarkollegiet has opened a supervisory case (*tillsynsärende*) into whether the arrangement complies with Sweden's political-financing transparency law (lag (2018:90) om insyn i finansiering av partier).

The specific purpose is therefore to verify or disprove a concrete, falsifiable assertion made by an elected public official about the European Parliament's own institutional conduct — an assertion being used to deflect public scrutiny. This is not an abstract appeal to transparency.

It is precisely this specificity that distinguishes the present request from the kind of request that the case law has found insufficient. The General Court has accepted that the necessity of transmitting personal data may rest on an objective such as the public's right to information about how Members conduct themselves in the exercise of their mandate, provided the applicant shows that the purpose is appropriate and proportionate. In *Psara*, the action was dismissed because that threshold was not met: the applicants sought personal data concerning a large number of Members in order to scrutinise the use of allowances generally, yet supported that request with considerations the Court found excessively broad, and with only a single concrete example of alleged misconduct — which could not justify the transfer of data concerning every Member. The present request is the converse. It does not seek data on many Members on the strength of one example; it concerns one named Member, one specific and falsifiable claim about Parliament's own conduct that has been made publicly in her defence, and one defined arrangement. The means and the end coincide. The very proportionality that was absent in *Psara* is present here, and the decision's objection that my purpose is "of a general nature" cannot be sustained.

The General Court's judgment in *Izuzquiza and Others v Parliament* (Case T-375/22, ECLI:EU:T:2024:296) is directly relevant. The Court held that ascertaining the amounts Parliament allocated to an MEP contributed to public scrutiny, accountability, and transparency, and that this constituted a specific purpose in the public interest within the meaning of Article 9(1)(b) of Regulation 2018/1725 (paragraph 44). The decision cites *Izuzquiza* for other propositions (paragraphs 24 and 27–28) but does not address paragraph 44, although it bears directly on the question of public interest at issue here. Nor is Parliament relieved of that balancing by the journalistic character of my request: the Court's requirement of a concrete, case-specific weighing of interests applies irrespective of who the applicant is.

I acknowledge that the facts of *Izuzquiza* differ: that case concerned a convicted MEP and the use of public funds, whereas the present case concerns private funding and a Member who has not been convicted of anything. But the present case is exceptional in its own way, and at least as compelling. It is extraordinary that a Member of the European Parliament receives ongoing financial support from an entirely anonymous private donor, that neither the

donor nor the amount is identified, and that her office and her party have publicly claimed that the arrangement was approved by Parliament and that the declaration's wording was drawn up in consultation with Parliament — a claimed approval that is being invoked to deflect scrutiny. Where *Izuzquiza* concerned the use of public money, the present case goes to the integrity of Parliament's own framework: whether a Member may receive anonymous support of an unspecified amount, assert parliamentary approval, and face no accountability for that assertion.

4. The declaration raises a specific compliance question that the documents would resolve

The public interest extends beyond this individual case to a systemic concern: whether Parliament's administration is interpreting the Code of Conduct in a way that renders its transparency provisions ineffective. Article 4(2), point (e), of Annex I to the Rules of Procedure requires a Member to declare support, financial or otherwise, granted by third parties in connection with the Member's political activities, and provides that the identity of those third parties shall be disclosed. According to the public statements of the MEP's office and her party, Parliament's administration accepted that the support at issue be declared not under point (e) but under point (f), the residual category, on the basis that it is private security support and not support connected to her political activities — with the consequence that the donor's identity need not be disclosed.

That interpretation is open to serious doubt, and the documents requested would show whether the administration in fact adopted it and on what reasoning. First, the party's own account treats the Member's security as a precondition for the exercise of her democratic mandate; support that enables a Member to carry out her political work is difficult to characterise as unconnected to her political activities within the meaning of point (e). The Member herself made the connection explicit. Asked, in a televised interview (SVT, "30 minuter", 16 April 2026), to respond to the criticism that voters cannot know whether her relationship to the anonymous donor has influenced her work, she replied that voters equally cannot know "whether it might be that I begin to self-censor out of fear or abandon my mandate because the level of threat becomes too high" ("Väljarna kan inte heller veta om det skulle vara så att jag börjar självcensurera mig av rädsla eller hoppar av mitt uppdrag därför att den här hotnivån blir för hög"). On her own account, then, the support is what enables her to exercise her mandate without self-censorship — that is, support bearing directly on her political activities, which is the very connection that brings point (e), and its identity-disclosure requirement, into play. Second, point (f) is not a neutral residual heading: it covers private interests that might influence the performance of the Member's duties. To place the support under point (f) is therefore to treat it as a private interest capable of influencing the performance of her duties — precisely the situation in which the public interest in knowing the donor's identity is at its highest, yet under that heading the identity remains undisclosed. Third, and independently of which heading applies, Article 4(3) provides that, for any item declared under paragraph 2, a Member must indicate whether it generates income or other benefits and, where it generates income, must state the amount. To the extent the security support generates income or a benefit to the Member, the amount should have been declared regardless of the heading used; the declaration states none. Whether Parliament's administration considered these points, and how it reconciled them with its own rules, is exactly what the requested documents would reveal.

If Parliament's administration has approved, or acquiesced in, a declaration that withholds the donor's identity and the amount, the public has a right to know that this is the institution's position. If no such approval was given and the public claims to that effect are inaccurate, the public equally has a right to know. Either way, the documents requested would show how Parliament's administration interprets and applies its own rules.

5. The MEP's status as a public figure is relevant to the balancing exercise

The decision applies the personal-data framework as though it concerned a private individual. I do not dispute that the information at issue constitutes personal data, nor that Regulation 2018/1725 applies to it. My point concerns the balancing that Article 9(1) requires once that framework is engaged. MEP Teodorescu Måwe is an elected Member of the European Parliament exercising a public mandate, and it is a widely recognised principle, in both EU and Member State law, that elected representatives are subject to a higher degree of public scrutiny than private individuals, and that their expectation of privacy is correspondingly reduced in matters connected to the exercise of their mandate. That reduced expectation is a factor Parliament must weigh in the concrete balancing exercise; it cannot be displaced by treating the data as if it belonged to the purely private sphere.

Moreover, the relationship between the information and the MEP's public conduct is directly relevant to that balancing, even though it does not change the data's legal character. The MEP herself chose to include the information about the anonymous donor in her declaration of financial interests — a document publicly accessible on Parliament's website — and has discussed the arrangement in public. The question is not whether the existence of the arrangement should be disclosed; it already is. The question is whether Parliament can be held accountable for how it handled the arrangement within its own framework.

6. Parliament should confirm or deny whether it approved the arrangement

Parliament's decision expressly notes the publicly stated claim that the arrangement was approved and that the entire process went through Parliament, and acknowledges my interest in verifying that claim. That claim has been made by the MEP's office and by the party secretary of her national party, who has stated that the declaration's wording was drawn up in consultation with Parliament's administration. Yet the decision neither confirms nor denies whether any such approval took place. That silence is significant. Parliament was squarely aware of what was at stake and chose not to address it. If the arrangement was approved, Parliament could confirm that fact without disclosing any personal data, because confirming or denying an institutional act is information about Parliament's own conduct, not a transfer of personal data within the meaning of Regulation 2018/1725. I therefore request that Parliament, at minimum, confirm or deny whether its administration formally approved the MEP's declaration regarding the anonymous donor arrangement.

7. Disclosure of documents confirming the public claims about the arrangement cannot prejudice the MEP's legitimate interests

Under Article 9(1) of Regulation 2018/1725, Parliament must verify whether there is reason to assume that the legitimate interests of the data subject might be prejudiced by disclosure. The MEP's office and her party secretary have publicly claimed that the arrangement was approved and that the declaration's wording was drawn up in consultation with Parliament, and the MEP herself has publicly maintained that she followed Parliament's rules. If

documents exist that confirm these claims, their disclosure would substantiate the position she and her representatives have taken in public, not harm her. It is difficult to see how releasing documents that corroborate a data subject's own public position could prejudice that person's legitimate interests. Parliament's blanket refusal — without considering whether the documents would in fact be harmful to the data subject — indicates that the concrete balancing required by the case law was not carried out.

Conclusion

For the reasons set out above, I respectfully request that the European Parliament:

1. reconsider its decision and grant access to the requested documents, in full or in part;
2. in particular, disclose any general guidance or decisions by the Advisory Committee on the Conduct of Members concerning whether Members may omit donor identity and amounts (category (c)), which does not inherently involve personal data;
3. consider granting partial access to categories (a) and (b) with personal data redacted; and
4. confirm or deny whether Parliament's administration formally approved the MEP's declaration of financial interests concerning the anonymous donor arrangement, as her office and her party have publicly claimed.

I would prefer to receive any documents electronically.

Yours sincerely,

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