



Европейски парламент Parlamento Europeo Evropský parlament Europa-Parlamentet Europäisches Parlament
Euroopa Parlament Ευρωπαϊκό Κοινοβούλιο European Parliament Parlement européen Parlaimint na hEorpa
Europski parlament Parlamento europeo Eiropas Parlaments Europos Parlamentas Európai Parlament
Parlament Ewropew Europees Parlement Parlament Europejski Parlamento Europeu Parlamentul European
Európsky parlament Evropski parlament Euroopan parlamentti Europaparlamentet

Vice-President of the European Parliament
Roberts Zīle

REGISTERED LETTER
WITH ACKNOWLEDGMENT OF RECEIPT

D 303571 07.08.2026

Mr Max Andersson
~~Asarönngatan~~ 33-1201
415 55 Göteborg
Sweden

Subject: Your application for public access to documents
Our reference: **2026-0143C** (to be quoted in future correspondence)

Dear Mr Andersson,

On 23 March 2026, the European Parliament registered your application seeking public access to documents related to the declaration made by Ms Alice Teodorescu Măwe, Member of the European Parliament (MEP), regarding the financial support from a private donor related to personal security arrangements.

In particular you requested:

- (a) all documents relating to the review, assessment, or approval by the European Parliament of Ms Alice Teodorescu Măwe's declaration regarding "ongoing financial support from a private donor related to her personal security arrangements";
- (b) any correspondence between Ms Alice Teodorescu Măwe, or her office, and the Parliament's administration regarding this declaration; and
- (c) any guidance or decision by the Advisory Committee on the Conduct of Members (hereinafter "Advisory Committee") concerning whether Members may omit the identity of a donor and the amount received when declaring financial support under the Code of Conduct for Members of the European Parliament Regarding Integrity and Transparency (hereinafter, the "Code of Conduct").

By letter of 18 May 2026, Parliament informed you that it is unable to accede to your application, in accordance with point (b) of Article 4(1) of Regulation (EC) No 1049/2001, read in conjunction with the Union legislation regarding the protection of personal data.

On 9 June 2026, Parliament registered your confirmatory application, asking Parliament to reconsider its decision and grant full access to the identified documents. In your confirmatory application, you also expand on your argumentation related to the specific purpose in the public interest related to transmission of personal data and provide some general observations regarding the procedural treatment of your request.

Pursuant to Rule 125(5) of the Rules of Procedure of the European Parliament and Article 15 of the Decision of the Bureau of the European Parliament of 28 November 2001¹, in my capacity as Vice-President responsible for matters relating to access to documents, I am responding to your confirmatory application on behalf and under the authority of the Bureau.

Parliament has treated your confirmatory application in light of Regulation (EC) No 1049/2001 laying down the terms and conditions for public access to the documents of the Union institutions, as well as Regulation (EU) 2018/1725² on the processing of personal data by Union institutions and bodies.

Following a fresh assessment of your confirmatory application, one document was identified as falling within the scope of your application: an email exchange between the office of the Member in question and the Secretariat of the Advisory Committee on the Conduct of Members ('Advisory Committee'), pursuant to point (b) of your request.

No documents were identified pursuant points (a) and (c) of your request.

Assessment of your confirmatory application

Following a fresh assessment of the identified document, I confirm that it is covered by the exceptions protecting the privacy and the integrity of the individual under point (b) of Article 4(1) of Regulation (EC) No 1049/2001, and the institution's decision-making process under the second paragraph of Article 4(3) of that Regulation.

The protection of the privacy and the integrity of the individual

Point (b) of Article 4(1) of Regulation (EC) No 1049/2001 provides that the institutions shall refuse access to a document where disclosure would undermine the protection of the privacy and the integrity of the individual concerned in accordance with Union legislation regarding the protection of personal data, currently Regulation (EU) 2018/1725. This would notably be the case if personal data were transmitted in breach of Regulation (EU) 2018/1725.

Paragraph 1 of Article 3 of Regulation (EU) 2018/1725 defines personal data as any information relating to an identified or identifiable natural person. According to the established case law, the concept of personal data is broad and encompasses all kinds of information that relate to a data subject, directly or indirectly, in particular where, due to its content, purpose or effect, it is linked to such person³. Your application is directly linked to a natural person identified by name in your application and contains information regarding identifiable natural persons, including personal information of the Member concerned.

In line with the applicable case law, where an application for access to documents seeks access to personal data, Parliament must apply the provisions of Regulation (EU) 2018/1725 in their entirety.⁴ Any personal data may be transmitted to a third party on the basis of

¹ Rules governing public access to European Parliament documents, Bureau decision of 28 November 2001, OJ C 216 of 22.7.2011, p. 19.

² 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).

³ Judgment of 20 December 2017, *Nowak v Data Protection Commissioner*, C-434/16, ECLI:EU:C:2017:994, paragraphs 34-35.

⁴ Judgments of 16 July 2015, *ClientEarth and PAN Europe v EFSA*, C-615/13 P, ECLI:EU:C:2015:489, paragraph 44, and of 29 June 2010, *Commission v Bavarian Lager*, C-28/08 P, ECLI:EU:C:2010:378, paragraph 63.

Regulation (EC) No 1049/2001 only where that transmission fulfils the conditions laid down in point (b) of Article 9(1) of Regulation (EU) 2018/1725 and constitutes lawful processing in accordance with the requirements of Article 5 thereof.⁵

Point (b) of Article 9(1) of Regulation (EU) 2018/1725 provides that personal data shall only be transferred if the recipient establishes that the transfer of the data is necessary for a specific purpose in the public interest. Parliament may only grant access to the requested personal data after it has ascertained that, on the one hand, the transmission of the data at issue is the most appropriate measure, among the other possible measures, to achieve the specific purpose put forward and that, on the other hand, it is proportionate to that purpose.⁶

In your confirmatory application, you argue that the transmission of the personal data concerned by your application is necessary because the Member in question and her office publicly stated that the declaration had been made with the agreement and guidance of Parliament's administration to be in line with Parliament's internal rules. You point out that there is an ongoing investigation in Sweden into whether the agreement complies with Sweden's Transparency of Political Financing Act and that the specific purpose of your request is to verify or refute a specific claim made by an elected public official about Parliament's own institutional conduct. In this regard, you argue that the public interest extends beyond this individual case to a systemic concern, which is whether Parliament's administration could be interpreting the Code of Conduct in such a way that transparency provisions become ineffective.

In relation to this, you state that the public has the right to know if the Parliament's administration has approved or accepted a declaration according to which it retains the identity of the donor and the amount. If no such approval was given and the public statements made in this regard are inaccurate, the public has an equal right to know.

The identified document is an exchange of emails between the office of the Member in question and the Secretariat of the Advisory Committee in the context of a request for guidance under Article 10(5) of the Code of Conduct.

The arguments you provide are not conclusive to demonstrate necessity of transmission of the personal data contained in the document. The assertions regarding possible breaches of the Code of Conduct remain hypothetical as they are based on your views of what the interpretation of the applicable framework could or should be. They result in speculative concerns that do not satisfy the requirement of a direct and specific link between disclosure and the public interest invoked. Settled case law has consistently held that derogations from the protection of personal data must be interpreted strictly⁷ and that no automatic priority can be conferred on the objective of transparency over the right to protection of personal data.⁸

For the sake of completeness, I would like to indicate that, together with the general obligation established in Article 4 of the Code of Conduct for Members to submit a declaration of private interests, which is published on the MEP's profile page on Parliament website, according to Article 4, paragraph 2, point f) Members are free to declare any specific situations of direct or indirect private interest. As regards declarations made in section G of the declaration of private interests, these are not subject to requirements as to form or content. There is also no procedure for the authorisation by Parliament of such declarations.

⁵ Judgment of 8 May 2024, *Izuzquiza et al v Parliament*, T-375/22, ECLI:EU:T:2024:296, paragraph 24 and the case law cited therein.

⁶ Judgment of 25 September 2018, *Psara et al v Parliament*, Cases T-639/15 to T-666/15 and T-94/16, ECLI:EU:T:2018:602, paragraph 72.

⁷ *Ibidem*, paragraph 68 and case law cited therein.

⁸ *Ibidem*, paragraph 91.

You also invoke the fact that, in the case of persons exercising public functions, the balance between data protection and transparency could be tilted in favour of transparency. It should be borne in mind that the balancing test between the legitimate interests of the data subject concerned and the proportionality of such a transmission, can only be carried out if and after the necessity of transmission in view of a specific purpose in the public interest has been demonstrated.

Since the conditions for the transmission of the personal data have not been satisfied, I consider that the exception provided for in point (b) of Article 4(1) of Regulation (EC) No 1049/2001 regarding the protection of privacy and the integrity of the individual applies to the personal data at issue.

The protection of the institution decision-making process

According to the second subparagraph of Article 4(3) of Regulation (EC) No 1049/2001, access to a document containing opinions for internal use as part of deliberations and preliminary consultations within the institution concerned is to be refused if its disclosure would seriously undermine the institution's decision-making process, unless there is an overriding public interest in disclosure.

As outlined above, the identified document is an exchange of emails between the office of the Member in question and the Secretariat of the Advisory Committee in the context of a request for guidance. As such, it contains assessments, recommendations of confidential nature and constitute opinions for internal use, which are part of deliberations and preliminary consultations in the context of the procedure established in Article 10(5) of the Code of Conduct. Under Article 10(5) of the Code of Conduct, any guidance is given "in confidence" and the confidential nature of the procedure operates to ensure that Members' requests are made in a full and frank manner. If such confidentiality were absent, Members would be hesitant to engage freely with the Advisory Committee. Therefore, any erosion of the confidentiality of the procedure by way of disclosure to the public would be incompatible with the proper conduct of the procedure and would undermine it, depriving it of its practical effect, which relates mainly to facilitating compliance with the Code of Conduct.

The exception to disclosure envisaged in the second subparagraph of Article 4(3) of Regulation (EC) No 1049/2001 specifically protects situations in which public disclosure would undermine the decision-making process, even after the decision has been taken. The disclosure of the opinions and considerations for internal use, contained in the identified document, would discourage Members from addressing their questions and requests for guidance to the Administration, which would entail a risk of non-compliance with the Code of Conduct.

In light of the foregoing, the disclosure of the identified documents would seriously undermine Parliament's decision-making process related to providing guidance on compliance with the Code of Conduct.

As regards the existence of an overriding public interest in disclosure within the meaning of paragraph 3 of Article 4 of Regulation (EC) No 1049/2001, you have mentioned the public interest in disclosure of the origin of the declared financial support, and the Parliament's internal processes to approve it. However, the objective of transparency underpins the scope of Regulation (EC) No 1049/2001 and is not put into question by the application of the exceptions laid down by its Article 4. As per settled case law, such general considerations about the public's right to be informed, are not sufficient to establish an overriding public

interest that would prevail over the reasons justifying the refusal to disclose the documents in question.⁹

Considering the foregoing, Parliament concludes that no overriding public interest in the disclosure of the document in question has been demonstrated or could be identified by the Parliament that could outweigh the interest in protecting the decision-making process of the institution related to ensuring compliance with the Code of Conduct.

In light of the above, the exception relating to the protection of the institution's decision-making process applies to the identified document.

Partial access

In accordance with paragraph 6 of Article 4 of Regulation (EC) No 1049/2001, Parliament has considered the possibility of granting partial access to those parts of the identified document that are not covered by an exception to disclosure.

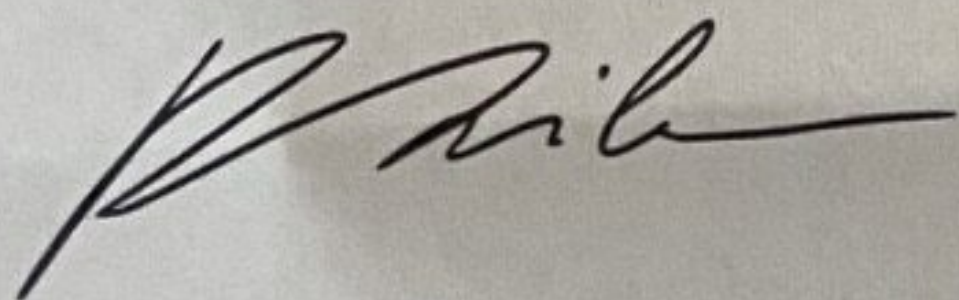
However, the redaction of all elements covered by the combination of the abovementioned exceptions, would not leave any substantive content which is not already in the public domain¹⁰ and would deprive access to those documents of any useful effect. In accordance with the relevant case law, in such a situation, Parliament is under no obligation to grant partial access.¹¹

Conclusion

In view of the foregoing, Parliament refuses public access to the identified document, in accordance with point (b) of Article 4(1) of Regulation (EC) No 1049/2001, read in conjunction with the relevant Union legislation on the protection of personal data, and the second subparagraph of Article 4(3) of Regulation (EC) No 1049/2001.

Finally, I would like to draw your attention to the means of redress against this decision according to Article 8 of Regulation (EC) No 1049/2001. You may either bring proceedings before the General Court or file a complaint with the European Ombudsman under the conditions specified respectively in the Treaty on the Functioning of the European Union.

Yours sincerely,



Roberts ZĪLE

⁹ Judgments of the Court of 21 September 2010, *Sweden et al v API and Commission*, joined cases C-514/07 P, C-528/07 P and C-532/07 P, ECLI:EU:C:2010:541, paragraphs 156 to 159; and of 5 September 2024, *ClientEarth v Commission*, C-249/23 P, ECLI:EU:C:2024:691, paragraph 54.

¹⁰ See, for example, European Ombudsman decision of 28 January 2022 in case 1542/2021/SF, available directly following this shortened link: <https://link.europa.eu/8FQ9F6>

¹¹ Judgment of the General Court of 25 September 2018, *Psara et al v Parliament*, T-639/15, ECLI:EU:T:2018:602, paragraph 126.