



EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

Directorate E - Citizens, Health, Migration & Security Union  
**The Director**

Brussels  
SG.E.4/OM

Mr Carlo Martuscelli

Sent by e-mail:  
[ask+request-12726-  
60f2e1fe@asktheeu.org](mailto:ask+request-12726-60f2e1fe@asktheeu.org)

**Subject: Your application for access to documents – EASE 2023/1586**

Dear Mr Martuscelli,

We refer to your request of 10 March 2023 in which you make a request for access to documents, registered under the reference number above.

**1. Scope of your request**

In your application, based on Regulation (EC) No 1049/2001<sup>1</sup>, you requested access to:

- ‘The text messages exchanged between Commission President Ursula von der Leyen and the CEO of Pfizer Albert Bourla in the months leading up to the signing of the third COVID-19 vaccine contract with Pfizer/BioNTech, as described [here](#).’
- You also requested ‘all available meta-data relating to the text messages, including but not limited to, the devices and applications used to exchange messages, the number of messages sent by each side, the times and dates of the messages, and any locational data associated with the messages.’

**2. Identification and assessment of relevant documents**

We regret to inform you that the Commission does not hold any documents that would correspond to the description given in your application.

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

Given that no such documents, corresponding to the description given in your application, are held by the Commission, the Commission is not in a position to fulfil your request.

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<sup>1</sup> Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

### **3. Means of redress**

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 Secretariat-General of the Commission at the following address:

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](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

William Sleath