



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR INFORMATICS

The Director-General

Brussels, 15. 06. 2018
DIGIT/A/3 SdP 3412147.

Margarida da Silva CEO
Corporate Europe Observatory
rue d'Edimbourg, 26
B-1050 Brussels (Belgium)

By registered letter with
acknowledgment of receipt

Advance copy by e-mail to:
ask+request-5491-
96e5491e@asktheeu.org

Subject: Your application for access to documents GESTDEM 2018/2872

Dear Ms da Silva,

We refer to your message dated 25 April 2018, in which you make a request for access to documents, which was registered on 25 May 2018 under the above-mentioned reference number.

You request access to:

“documents which contain the following information:

- *a list of lobby meetings held by DG DIGIT with Facebook or its intermediaries. The list should include: date, individuals attending + organisational affiliation, the issues discussed;*
- *minutes and other reports of these meetings*
- *all correspondence (i.e. any emails, correspondence or telephone call notes) between DG DIGIT (including the Commissioner and the Cabinet) and Facebook or any intermediaries representing its interests.”*

As regards the scope of your request, please note that:

Commission européenne, 2920 Luxembourg, LUXEMBOURG — Tel. +352 43011
Office: DRB- D3/005 — Tel. direct line +352 430132194

Commission européenne/Europese Commissie, 1049 Bruxelles/Brussel, BELGIQUE/BELGIE — Tel. +32 22991111
Office: MO15 04/P001 — Tel. direct line +32 229 90515 — Fax +32 229 55075

Gertrud.Ingestad@ec.europa.eu

- (1) Through our message dated 25 May 2018, we informed you that, although you did not state the period covered by your request for access, it had been brought to our attention that you had indicated to other Commission departments (in relation to identically-worded requests) that you were “*interested in documents from the 1st of November of 2014 onward*”, and that therefore we would assume that your application to DG DIGIT referred to the same period.
- (2) Insofar as your application for access covers documents held by the Commissioner and/or the Cabinet, we would like to inform you that, since the above-mentioned date, DG DIGIT has been in the portfolio of the same Commissioner to whom DG CNECT reports. This part of your application therefore overlaps with your request for access GESTDEM 2018/2284, which is being handled by DG CNECT. Hence we have only looked for documents held by DG DIGIT itself.

Subject to the scope described above, we regret to inform you that DG DIGIT does not hold any documents that would correspond to the description given in your application.

As specified in Article 2(3) of Regulation 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the Institution.

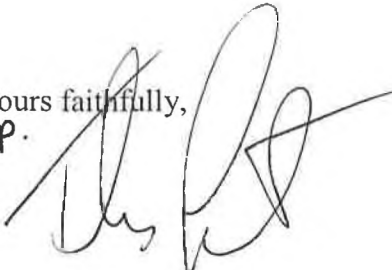
Given that no such documents, corresponding to the description given in your application, are held by DG DIGIT, we are not in a position to handle your request.

In accordance with Article 7(2) of Regulation 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 Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/282
B-1049 Brussels (Belgium)

or by email to: sg-acc-doc@ec.europa.eu.

Yours faithfully,
P.P.


Gertrud Ingestad