



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND
TECHNOLOGY

The Director-General

Brussels, 15th July 2022
CNECT.R4

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Subject: Your applications for access to documents – GestDem 2022/2940 and GestDem 2022/2941

Dear Ms Rosén Fondahn,

We refer to your emails of 22 May 2022 wherein you make two requests for access to documents pursuant to Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (hereinafter ‘Regulation (CE) No 1049/2001’), which were registered on 23 May 2022 under the reference numbers indicated in the subject of this letter. We also refer to our emails, dated 17 June 2022 (under the reference numbers Ares(2022)4469679 and Ares(2022)4469936), whereby we informed you that the time limit for handling your applications was extended by 15 working days pursuant to Article 7(3) of Regulation 1049/2001.

By your application under the reference number **GestDem 2022/2940**, you request access to the following documents:

‘[...] 1) All emails sent from Head of Unit Lucilla Sioli to Director-General Roberto Viola during the period 1 February 2021 to 1 March 2021.

2) All emails sent from Director-General Roberto Viola to Head of Unit Lucilla Sioli during the period 1 February 2021 to 1 March 2021 [...].’

By your application under the reference number **GestDem 2022/2941**, you request access to the following documents:

'[...] All email correspondence between Lucilla Sioli, Head of Unit, and Nathalie Smuha, AI HLEG Coordinator [...]'

We regret to inform you that DG CONNECT does not hold any documents that would correspond to the description given in any of your applications.

As specified in Article 2, paragraph 3 of Regulation (EC) No 1049/2001, the right of access as defined in the Regulation applies only to existing documents in the possession of the institution. In this regard, please note that Commission services keep and register documents which are important and not short lived. Internal messages which do not contain important information, including – but not limited to – communication within an informal, preliminary exchange of views between EC officials and colleagues, are not kept by the institution and are not subject to registration.

Given that no documents, corresponding to the description given in your applications, are held by DG CONNECT, DG CONNECT is not in a position to fulfil your request.

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
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Brussels

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

Yours sincerely,

Electronically signed

Roberto Viola