



EUROPEAN COMMISSION

Directorate-General for Communications Networks, Content and Technology

Director-General

Brussels,
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***By registered letter with
acknowledgment of receipt***

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Parlement européen
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BELGIQUE

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Subject: Your application for access to documents – Ref GestDem 2017/7578

Dear Madam,

We refer to your mail dated 20/12/2017 in which you make a request for access to documents, registered on 21/12/2017 under the above-mentioned reference number.

In your application, you requested the following:

'All information held by DG CNECT in relation to the JRC study "The economics of online news aggregation and neighbouring rights for news publishers". This includes emails, letters, memos from and to JRC as well as to other parties as well as internal communication. This specifically includes all information relating to the study in the form of communication with third parties and other DGs or Commission units. This also includes information held by CNECT relating to this study if the study was named differently at some point in time.

Please note: In accordance with the Regulation 1049/2001, I want all information held by CNECT to be included in this request, including information that is not considered important and/or was not filed, archived or registered in ARES or other systems. I do not agree to restriction of the search to ARES and other filing systems as this might result in incomplete results for the access to documents request.

Out of abundance of caution: On May 29, 2017, DG CNECT ordered JRC not to release the study "as confirmed with our [CNECT] hierarchy".

I want all information – regardless of medium – about the decision making process relating to the release of this study included in this request as well as any information about other decisions to release or not to release this study. This includes notes and memos, minutes and protocols concerning phone calls held with JRC and others such as the phone call on or before May 29, 2017.

Out of abundance of caution: On June 15, CNECT was asked by JRC to provide sources and citations for some claims made during the commenting of the study. I want this communication and any information held by CNECT related to this task to be included in this request.'

Your request has been analysed in the light of the Joint Research Centre (JRC)' s answer of 20/12/2017 given within the framework of the GestDem 2017/6751 which is currently under confirmatory application with the Secretariat-General of the Commission.

As specified in Article 2(3) of Regulation (EC) No 1049/2001 regarding public access to documents¹ ('Regulation 1049/2001'), the right of access as defined in this regulation '[applies] to all documents held by an institution, that is to say, documents drawn up or received by it and in its possession, in all areas of activity of the European Union'.

In accordance with the Commission Decision on document management², a document drawn up or received by the Commission must be registered, if it contains important information which is not short-lived and/or may involve action or follow-up by the Commission or one of its departments.

After having researched internally, I conclude that our Directorate General does not hold documents falling within the scope of Article 2(3) of Regulation No° 1049/2001 that would correspond to the description given in your application, other than the ones already provided by JRC (GestDem 2017/6751).

¹ OJ L 145, 31.5.2001, p. 43.

² Implementing Rules for the decision 2002/47/EC, ECSC, EURATOM on Document Management and for the decision 2004/563/EC, EURATOM on Electronic and Digitised Documents, SEC(2009)1643.

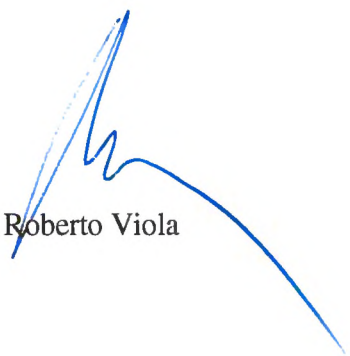
In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

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
1049 Bruxelles
BELGIUM

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

Yours faithfully,



Roberto Viola