



DIRECTORATE GENERAL SECRETARIAT

Mr Alexander Fanta

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19 December 2023

Reference number: LS/PS/2023/52

Request for access to ECB documents

Dear Mr Fanta,

On 7 December 2023, following up on earlier correspondence, we received your request for public access to documents specifically pertaining to “Mr Angeloni's exchanges with the ECB on the subject of the digital euro” after the end of his term as member of the ECB Supervisory Board.

Identification of the requested documents

The ECB, after having carefully examined your request in accordance with Decision ECB/2004/3,¹ and bearing in mind the clarifications provided in your first letter of 21 November 2023, has identified two ECB documents relevant to your request.

The identified documents are two email exchanges between an ECB member of staff and Mr Angeloni, dated respectively 17 December 2021 and 24 April 2023. The exchanges relate to publicly available ECB information on the subject of the Digital Euro.

Following a thorough assessment in line with the requirements set out in Decision ECB/2004/3 on public access to ECB documents, we are pleased to inform you that access to the identified documents can be granted in full since none of the exceptions listed in Article 4 of Decision ECB/2004/3 apply. The documents are available in the ECB's Public Register of Documents.²

¹ Decision ECB/2004/3 of 4 March 2004 on public access to European Central Bank documents (OJ L 80, 18.3.2004, p. 42)

² See: 1 Email - Publicly Available Material on CBDC_EN.pdf:
https://www.ecb.europa.eu/ecb/access_to_documents/document/pa_document/shared/data/ecb.dr.par2023_007_2Email_public_material_CBDC202112.en.pdf
1 Email - Publicly Available Material on CBDC_IT.pdf:
https://www.ecb.europa.eu/ecb/access_to_documents/document/pa_document/shared/data/ecb.dr.par2023_007_2Email_public_material_CBDC202112.it.pdf
2 Email - Exchange of Views on Digital Euro_EN.pdf:
https://www.ecb.europa.eu/ecb/access_to_documents/document/pa_document/shared/data/ecb.dr.par2023_007_2Email_views_digital_euro202304.en.pdf
2 Email - Exchange of Views on Digital Euro_IT.pdf:
https://www.ecb.europa.eu/ecb/access_to_documents/document/pa_document/shared/data/ecb.dr.par2023_0072_Email_views_digital_euro202304.it.pdf

Redaction of personal data

In the email exchanges, where applicable, parts containing personal data of staff members of the ECB or of third parties have been redacted, together with any information that would make the data subjects identifiable. Personal data are protected by Article 4(1)(b) of Decision ECB/2004/3 in conjunction with Article 9 of Regulation (EU) 2018/1725³ which stipulates that, for the transfer of personal data, the recipient must establish a necessity to have personal data transmitted.

Since you have not sufficiently established such a necessity, access to personal data in the documents must be refused on the basis of Article 4(1)(b) of Decision ECB/2004/3.

In any case the above, please note that (i) there are reasons to assume that the legitimate interests of the data subjects concerned would be prejudiced by disclosure of the personal data reflected in the documents, as there is a real and non-hypothetical risk that, for instance, such public disclosure would harm their privacy and subject them to unsolicited external contacts and (ii) such prejudice would outweigh any potential public interest in disclosure.

Final remarks

Please note that, in line with Article 10 of Decision ECB/2004/3, "Documents released in accordance with this Decision shall not be reproduced or exploited for commercial purposes without the ECB's prior specific authorisation. The ECB may withhold such authorisation without stating reasons."

Yours sincerely,

[signed]

Petra Senkovic
Director General Secretariat

[signed]

Roman Schremser
Chief Compliance & Governance Officer

³ 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).