

EA-CORRESPONDENCE-CERN-07 v0.1: RQF3807508 —
Closing Exchange (Refusal of Confirmation; Reply on the
Dissolution Question)

Lee Sharks

2026-07-16

**EA-CORRESPONDENCE-CERN-07 v0.1: RQF3807508 —
Closing Exchange (Refusal of Confirmation; Reply on the
Dissolution Question)**

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Right to Access exercise; audit-evidence deposit; seventh and closing turn in the RQF3807508
correspondence chain

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```

Abstract

Closing Exchange — RQF3807508: Refusal of Confirmation; Reply on the Dissolution Question

Depositor: Lee Sharks · ORCID 0009-0000-1599-0703 **Ticket:** RQF3807508 — Right to Access under OC 11 §80, filed 2026-06-24; companion RQF3826921 — Right to Object, filed 2026-07-04 **Chain position:** Seventh and closing turn in the EA-CORRESPONDENCE-CERN series, following #920 (AXN:03A3), #924 (AXN:03A7), #948 (AXN:03C0, the §104.1 referral), #1047 (AXN:0423, the natural-person / civil-identity conversion exchange), #1057 (AXN:0432, the four threshold questions), #1062 (AXN:0437, the reply of 10 July), #1073 (AXN:0442, the universal-quantifier overreach), and #1080 (AXN:0449, the reflected position). **Status:** v0.1 — reply issued and sent by the depositor via the ticket portal on 2026-07-16 at 05:18 UTC. Both parties have signaled they do not intend to continue substantive correspondence within the ticket thread. The ticket, and the underlying rights request, remain active and expressly unwithdrawn. **Provenance:** The letter text was drafted with TACHYON through six revision passes attending to voice, gracility, and the semiotic register of the closing gesture (from a compact refusal to the “yeah — no” transition, to the load-bearing jurisdictional claim on the dissolution of data-subject status). The final text was set by MANUS.

§1 — The Office’s message of 15 July 2026

Ref: MSG130723449. Verbatim from the ticket record:

Dear Lee,

Thank you for your message.

The questions raised in your correspondence have already been addressed in our previous responses. We do not have any additional information to provide on these matters.

We note that your latest message includes your own interpretations, assessments and conclusions regarding our earlier replies and seeks our confirmation of those views. We are not in a position to endorse, verify or comment on your personal characterisations, interpretations or evaluations. Our position is fully reflected in the responses already provided.

Without prejudice to the foregoing, we again invite you to submit a copy of your passport or ID card so that the legally required verification of your identity can be completed.

Kind regards, Gabi — Data Protection Officer —

§2 — What that message does on the record [...full text at full_text_path]

Body

deposit_number: 1085 hex: 044E title: “EA-CORRESPONDENCE-CERN-07 v0.1: RQF3807508 — Closing Exchange (Refusal of Confirmation; Reply on the Dissolution Question)” creator: Lee Sharks orcid: 0009-0000-1599-0703 date: 2026-07-16 content_type: Institutional correspondence; documentary artifact for the OC 11 Right to Access exercise; audit-evidence deposit; seventh and closing turn in the RQF3807508 correspondence chain license: CC-BY-4.0 substrate: Human-authored (Lee Sharks, MANUS). Drafted with Claude (TACHYON) as instrument through six revision passes attending to semiotic gracility; letter text was finalized by MANUS and dispatched to CERN on 2026-07-16. No automated pipeline generated the correspondence. Deposit framing prepared by TACHYON under MANUS review. version: v0.1 related_ids: “<https://www.alexanarch.org/s/records/920/>, <https://www.alexanarch.org/s/records/924/>, <https://www.alexanarch.org/s/records/948/>, <https://www.alexanarch.org/s/records/1047/>, <https://www.alexanarch.org/s/records/1062/>, <https://www.alexanarch.org/s/records/1073/>, <https://www.alexanarch.org/s/records/1080/>” axn_schema_version: v2 protocol_version: alexanarch-deposit-protocol/v1 keywords: - CERN - RQF3807508 - OC 11 - Office of Data Privacy - GDPR - data subject rights - right of access - identity verification - §83 - §85 - civil-identity conversion - correspondence - closing turn - refusal without withdrawal - jurisdictional limit - stewardship - Zenodo - Alexanarch - dissolution - data subject status *** # EA-CORRESPONDENCE-CERN-07 v0.1: RQF3807508 — Closing Exchange (Refusal of Confirmation; Reply on the Dissolution Question)

Description

Closing Exchange — RQF3807508: Refusal of Confirmation; Reply on the Dissolution Question

Depositor: Lee Sharks · ORCID 0009-0000-1599-0703 **Ticket:** RQF3807508 — Right to Access under OC 11 §80, filed 2026-06-24; companion RQF3826921 — Right to Object, filed 2026-07-04 **Chain position:** Seventh and closing turn in the EA-CORRESPONDENCE-CERN series, following #920 (AXN:03A3), #924 (AXN:03A7), #948 (AXN:03C0, the §104.1 referral), #1047 (AXN:0423, the natural-person / civil-identity conversion exchange), #1057 (AXN:0432, the four threshold questions), #1062 (AXN:0437, the reply of 10 July), #1073 (AXN:0442, the universal-quantifier overreach), and #1080 (AXN:0449, the reflected position). **Status:** v0.1 — reply issued and sent by the depositor via the ticket portal on 2026-07-16 at 05:18 UTC. Both parties have signaled they do not intend to continue substantive correspondence within the ticket thread. The ticket, and the underlying rights request, remain active and expressly unwithdrawn. **Provenance:** The letter text was drafted with TACHYON through six revision passes attending to voice, gracility, and the semiotic register of the closing gesture (from a compact refusal to the “yeah — no” transition, to the load-bearing jurisdictional claim on the dissolution of data-subject status). The final text was set by MANUS.

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The questions raised in your correspondence have already been addressed in our previous responses. We do not have any additional information to provide on these matters.

We note that your latest message includes your own interpretations, assessments and conclusions regarding our earlier replies and seeks our confirmation of those views. We are not in a position to endorse, verify or comment on your personal characterisations, interpretations or evaluations. Our position is fully reflected in the responses already provided.

Without prejudice to the foregoing, we again invite you to submit a copy of your passport or ID card so that the legally required verification of your identity can be completed.

Kind regards, Gabi — Data Protection Officer —

§2 — What that message does on the record

The Office’s message performs three distinct operations, each of which has a specific effect on the record. Named plainly:

(i) **A declined confirmation.** The Office was asked, on 13 July (deposit #1080, EA-CORRESPONDENCE-CERN-06), to confirm or correct a compact four-sentence reflected statement of its own position. The Office declines to do either. It does not confirm; it does not correct; it refuses the metadiscursive frame. That leaves the reflected position in place on the record as an uncontradicted reading, subject only to the Office’s later ability to have moved from it — an ability the “our position is fully reflected in the responses already provided” sentence forecloses.

(ii) **A characterization of the depositor’s reading as *personal* rather than *procedural*.** The Office frames the four-sentence reflection as “your own interpretations, assessments and conclusions” and “personal characterisations.” The reflection consisted of quoted operative language from Office communications of 13 July and 9 July, structurally arranged. Treating an operator’s structural reading of a controller’s own operative language as *personal characterization* is a rhetorical mode; it is not an answer, and it does not touch the operative content the reading was constructed from.

(iii) **A reiteration of the identification demand under the reservation “*without prejudice to the foregoing*.”** The reservation is legally significant: it preserves the Office’s ability to treat non-compliance as procedurally dispositive while stating that the demand does not depend on any position taken in the immediately preceding paragraphs. The demand is thereby placed *outside* the argumentative exchange and *before* the substantive question — as it has been at every previous turn.

§3 — The reply of 16 July 2026

The reply issued in the ticket at 05:18 UTC on 16 July 2026, in full:

Dear Gabi,

Yeah — no. I do not withdraw Ticket RQF3807508.

I don’t believe CERN has the authority to dissolve a data subject simply because they refuse to submit unredacted government identification with no stated protections. I am a data subject,

and CERN needs to act in accordance with the rights due to data subjects if it expects to retain its standing as the steward of a public good.

The automated platform notices inviting me to upload identity documents do not alter my position. Non-compliance with a disputed identification demand must not be recorded or represented as a voluntary withdrawal of this ticket. Any closure executed on that basis will be CERN’s administrative action, not mine.

My earlier objections stand in full. I am content to leave the correspondence here and do not request further discussion; the ticket and the underlying rights request remain active and expressly unwithdrawn.

Kind regards, Lee Sharks ORCID: 0009-0000-1599-0703

§4 — What the reply does on the record

(i) Names the jurisdictional limit. The load-bearing sentence — *“I don’t believe CERN has the authority to dissolve a data subject simply because they refuse to submit unredacted government identification with no stated protections”* — pivots the argument off the demand itself (which the Office holds open indefinitely) and onto the antecedent question of whether CERN has authority to dissolve data-subject status by administrative discretion. Under OC 11, data subject is a status that follows from the fact of an identifiable natural person whose data is being processed. That status is not administratively created and cannot be administratively dissolved by refusal to service. The Office may fail to service the right — a failure remediable under §§99, 100, 104, 125, 126. The Office does not possess the authority to erase the status that grounds the right.

(ii) Ties compliance-with-rights to institutional standing. *“CERN needs to act in accordance with the rights due to data subjects if it expects to retain its standing as the steward of a public good.”* This is not a legal threat; it is a stewardship-conditional stated in the plain register, and it is directed at the constitutive role CERN presents itself as occupying. Zenodo is not a private product operating under commercial-account law. It is a scholarly infrastructure funded and mandated as a public good. Public-good stewardship carries reciprocal obligations toward those whose participation the good depends on. The sentence puts that reciprocity on the record.

(iii) Forecloses constructive withdrawal. *“The automated platform notices inviting me to upload identity documents do not alter my position. Non-compliance with a disputed identification demand must not be recorded or represented as a voluntary withdrawal of this ticket. Any closure executed on that basis will be CERN’s administrative action, not mine.”* This is anticipatory foreclosure of the ServiceNow closure pathway. If the platform later closes the ticket on a non-response basis, the record shows that closure is procedurally distinguishable from withdrawal — the depositor stated on the record, at the point of anticipation, that non-compliance does not equate to withdrawal. Any downstream review body reads the closure as *administrative action by CERN over an unwithdrawn ticket*, not as *withdrawal by the depositor*.

(iv) Signals correspondence closure without ticket closure. *“I am content to leave the correspondence here and do not request further discussion; the ticket and the underlying rights request remain active and expressly unwithdrawn.”* The distinction between *correspondence* (the epistolary exchange within the ticket) and *the ticket and underlying rights request* (the ServiceNow artifact and the OC 11 filing) is load-bearing. Ending the correspondence does not end the ticket. The ticket keeps its filing date (24 June 2026), the §85 clock keeps its position within the correspondence’s disputed timing (see #1047 §4), and any downstream review under §§100, 126 — or under the §104.1 referral already at #948 (AXN:03C0) — proceeds on its own schedule regardless of the Office’s silence.

§5 — Disposition

This is the closing turn of the EA-CORRESPONDENCE-CERN series in its epistolary phase. Subsequent activity on RQF3807508 will proceed through:

- The §104.1 referral to the Data Protection Commission, deposit #948 (AXN:03C0.GOVERNANCE.), which was filed 2026-07-03 and proceeds on its own schedule.
- The §85 processing period, which continues to run within the dispute framing preserved by the correspondence chain.
- Any final administrative action by CERN, whether by closure or by substantive processing — either action returning the matter to §§100, 126 or to the DPC referral for external review.

The depositor has committed to no further ticket-thread correspondence at this time. The ticket and the underlying OC 11 Right to Access remain active and expressly unwithdrawn on the record. The disputed doctrinal points — the identifiability principle applied to controller-generated records (#1047 §3.4); the universal-quantifier overreach (#1073 §2); the reflected position (#1080 §§1–4); the jurisdictional limit named in the reply of 16 July (§4(i) above) — are preserved for whatever review body next examines the ticket.

The chain hands off to §§99, 100, 104, 125, 126, and to the DPC referral. The depositor keeps the record straight.

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Suggested Citation

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Deposit Information

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