



EUROPEAN COMMISSION
DIRECTORATE-GENERAL MIGRATION AND HOME AFFAIRS

The Director-General

17. 12. 2018

Brussels,
HOME/MP

By registered letter with acknowledgment of receipt

Klaus Zinser
Hauptstrasse 8
88427 Bad Schussenried
Deutschland

Advance copy by email : ask+request-6094-69abdec6@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 2018/5811

Dear Sir,

We refer to your e-mail dated 06/11/2018 in which you make a request for access to documents, registered on 07/11/2018 under the above-mentioned reference number.

You request access to all existing documents that have been provided to, received from the organisation and people that prepared (and helped to prepare) the study on the feasibility of establishing a mechanism for the relocation of beneficiaries of international protection¹, including all internal documents for ordering the study, the contract for the study, all answered questionnaires that have been received, and documents from the workshop held in Brussels on 1 February 2010.

We informed you on 21 November 2018 that your request will be dealt with by two different units within our Service, under two different reference numbers because it concerns both administrative and financial aspects. The scope of the request under the above-mentioned reference number concerns the administrative aspects, namely documents that have been provided to, received from the organisation and people that prepared (and helped to prepare) the study, all answered questionnaires that have been received, and documents from the workshop held in Brussels on 1 February 2010.

We regret to inform you that the Commission does not hold any documents that would correspond to the description given in your application.

¹ European Commission, Directorate-General Home Affairs Final report, July 2010, STUDY ON THE FEASIBILITY OF ESTABLISHING A MECHANISM FOR THE RELOCATION OF BENEFICIARIES OF INTERNATIONAL PROTECTION, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/e-library/docs/pdf/final_report_relocation_of_refugees_en.pdf

We bring your attention to the fact that documents provided to or collected for a study performed by an external contractor are not provided to or collected by the Commission, but by the contractor.

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 the Commission, the Commission is not in a position to fulfil 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 Secretariat-General of the Commission at the following address:

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 5/282
B-1049 Bruxelles

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

Yours faithfully,

(e-signed)

Paraskevi MICHOU