



CHRISTOPHER DOCKSEY  
THE DIRECTOR

Mr Orestis BEKAS

By e-mail:

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Brussels, 17 October 2013

CD/ABu/EJT/D(2013) 205 C 2013-0858

Please use [edps@edps.europa.eu](mailto:edps@edps.europa.eu) for all  
correspondence

**Subject: Your confirmatory application registered on 30 September 2013  
(our ref. 2013-0858)**

Dear Mr Bekas,

Following your confirmatory application registered in our file system on 30 September 2013, I would like to inform you that the documents you specifically refer to in your confirmatory request have already been disclosed in our reply to your initial application of 16 July 2013 (Letter Ref No 2013-0858 D (2013)1644).

Please find below the analysis that has led us to this conclusion:

The **request number 2** of your confirmatory application states *"It appears that partially released letter (Note to the case file) referred to above falls within the scope of request #3. I would therefore appreciate if the EDPS would release it as it was done in the EDPS 'case' C2013-0596"*.

I would respectfully call your attention to the fact that the document you request has been released as "Attachment 18 appendix 3 case 2012-0758 Note to the file" in our reply to your initial application. You can find it in our email sent to you via the email address [ask+request-677-01fde847@asktheeu.org](mailto:ask+request-677-01fde847@asktheeu.org) on Monday 5 August 2013 at 14:15. The document has also been published in the website:  
<http://www.asktheeu.org/en/request/677/response/2346/attach/html/9/Attachment%2018%20app%203%20case%202012%200758%20note%20to%20file.pdf.html>

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With regard to requests 3, 4 and 5 in your confirmatory application, I can confirm, following a careful double check in each case, that the EDPS does not hold any further documents relating to those requests.

Please note that pursuant to Article 8(1) of Regulation (EC) No 1049/2001 you are entitled to make a complaint to the European Ombudsman or institute proceedings before the Court of Justice of the European Union against the EDPS, under the conditions laid down in, respectively, Articles 228 and 263 of the Treaty on the Functioning of the European Union.

Your reaction to our letter of 5 August 2013 also contains elements that do not request further documents. I cannot consider those elements in the context of this confirmatory application but should you have any complaints regarding the EDPS please be advised that you are entitled to make a complaint or institute proceedings under the procedures mentioned above.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'C. Docksey'.

Christopher DOCKSEY

A single horizontal line drawn in black ink.