

**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL MIGRATION and HOME AFFAIRS

The Director General

Brussels,  
Ares(2016)6861249

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

Nikolaj Nielsen  
EUobserver  
Rue Montoyer 18B  
1000 Brussels  
Belgium

***Advance copy by e-mail:*** ask+request-3603-fa9da711@asktheeu.org

**Subject: Your application for access to documents – Ref GestDem No 2016/6912**

Dear Sir,

We refer to your letter dated 07/12/2016 in which you make a request for access to documents, registered on 07/12/2016 under the above mentioned reference number.

We regret to inform you that no documents were found that would correspond to the description given in your application.

Indeed, 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 have been identified, the Commission is not in a position to handle your request.

Please be kindly informed, that the European Commission is supporting the Member States in their efforts to return illegal stayers to their country of origin and in the same time, through a number of mechanisms, is making sure that returns are conducted in accordance with the Directive 2008/115/EC on common standards and procedures in Member States for returning illegally staying third-country nationals.

As regards the logistic aspects of the return operations, like the chartering of flights or acquisition of tickets for the commercial flights, this is the competence of national authorities from each Member State and the European Commission cannot interfere in these internal aspects. Therefore we recommend you to address the question to the respective authorities (e.g. National Police, Border Police or Immigration Office) of the Member States.

Between January and November 2016, Member States organised around 200 return operations by air to Third Countries from Europe (Albania, FYROM, Serbia, etc.), Africa (Nigeria, Sudan, Tunisia, Egypt, etc.), Asia (Pakistan, Georgia, Afghanistan etc.), South America (Colombia, Dominican Republic).

You may find more information on the EU return policy on our web-page: [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/irregular-migration-return-policy/return-readmission/index\\_en.htm](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/irregular-migration-return-policy/return-readmission/index_en.htm).


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  
B-1049 Bruxelles

or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Matthias Ruete', with a stylized 'M' and 'R'.

Matthias RUETE