Subject: Your application for access to documents – Ref GestDem No 2019/396

Dear Madam,

We refer to your e-mail dated 22/01/2019 in which you make a request for access to documents, registered on 23/01/2019 under the above-mentioned reference number.

We regret to inform you that the Commission does not hold any documents that would correspond to the description given in your application, namely, copies of any bilateral return and readmission agreements for migrants between Italy and third countries held by the European Commission and document including data on national return operations conducted by Italy for the period 2014-2018.

The owner of data range concerned regarding national return operations is the respective Member State, in your case Italy (Department of Public Security). The total number of third country nationals returned following a return decision is publically available at EUROSTAT web page.

The owner of the data range concerned, Bi-Lateral readmission agreements concluded by Italy with third countries, is Italy (Department of Public security). There is no binding obligation on the Member States to provide copy of this type of agreements to the European Commission.

For these reasons, the information requested is not included in any existing document.

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 7/076
B-1049 Bruxelles

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

Yours faithfully,

Paraskevi MICHOU
[e-signed]