

EUROPEAN COMMISSION

DIRECTORATE-GENERAL JUSTICE and CONSUMERS

Acting Director-General

Brussels,
DG JUST/A4/IM Ares (2015)

Mr. Zinser
Hauptstrasse 8
88427 Bad Schussenreid
GERMANY

By registered mail with acknowledgement of receipt

advance copy via e-mail to: ask+recniest-2233-612da30e@asktheeu.org

**Subject: Your application for access to documents – Reference GESTDEM
No 2015/4873 in relation to Coffey International Development Limited**

Dear Mr Zinser,

We refer to your e-mail dated 15/09/2015 in which you made a request for access to documents, registered under the above-mentioned reference number.

Please note that regarding your request for access to contracts signed with Coffey International Development Limited including the tender/request for services and outputs, DG Justice and Consumers identified a number of potentially relevant documents, concerning the following contracts:

1. JUST/2012/EVAL/FW/0127/A4
2. JUST/2011/EVAL-DAP3/FW/154/A4
3. JUST/2012/EVAL-JCIV/FW/0099/A4
4. JUST/2013/JCIV/FW/0103/A4
5. JUST/2012/JCIV/FW/0168/A4
6. JUST/2012/JCIV/FW/0195/A4
7. JUST/2013/IIBC/FW/0022/A4
8. JUST/2013/DISC/FW/0140/A4.

The complete list is provided in the annex.

Following a thorough examination of all the aforesaid documents, I have come to the conclusion that all the aforesaid documents may be partially disclosed and I enclose them with this letter (see list in the annex).

Please note that some of the documents are studies carried out by external experts and do not reflect the position of the Commission. They cannot be quoted as reflecting the Commission's position.

Some parts of the documents have been blanked out as their disclosure is prevented by exceptions to the right of access laid down in Article 4 (1b) and (2) of this Regulation. The expunged parts of the documents contained the following information:

- The names and signatures of the members of the staff of the European Commission and Coffey International Development Limited and its partners including other individuals mentioned in the documents covered by your request, as well as their personal telephone numbers and electronic contact details
- The offers made by Coffey International Development Limited and its consortium partner
- CVs of Coffey International Development Limited staff members and its consortium partner or other persons involved in the studies
- The bank details of Coffey International Development Limited
- Personal data of EC officials

Disclosure of these parts of the documents would undermine the protection of the following interests:

I. privacy and the integrity of the individual:

Please note that pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with EU legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable². According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced. We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the

¹ OJ L 8 of 12.1.2001, p. 1.

² Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, OJ C 234 of 28.8.2010, p. 3.

documents requested expunged from this personal data.

If you wish to receive these personal data, we invite you to provide us with arguments showing the need for having these personal data transferred to you and the absence of adverse effects to the legitimate rights of the persons whose personal data should be disclosed.

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to make a confirmatory application requesting the Commission to review this position.

II. commercial interests of a legal person, including intellectual property:

Publishing financial data (including bank details) of a legal person may harm the commercial interests of the said legal person. Publishing the offers made by Coffey International Development Limited and its consortium partner to the Commission may also harm the commercial interests of the company in question as offers contain the outlined methodology the company uses to provide its services.

Finally, on the basis of the available elements, there is no overriding public interest justifying the disclosure of the above information.

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 5/327
B-1049 Bruxelles

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

Yours faithfully,



Paraskevi MICHOU

ANNEX

- (1) JUST/2012/EVAL/FW/0127/A4
 - (a) Request for services of 19/11/2012³
 - (b) Specific contract of 24/01/2013, supplement no 1 of 12/04/2013
 - (c) Study for an Ex-Ante Evaluation of Communication Activities on Consumer Rights
- (2) JUST/2011/EVAL-DAP3/FW/154/A4
 - (a) Request for services of 24/05/2012
 - (b) Specific contract of 11/07/2012, amendment no 1 of 07/09/2012
 - (c) Study for an Ex-ante evaluation of communication activities on violence against women
- (3) JUST/2012/EVAL-JCIV/FW/0099/A4
 - (a) Request for services of 31/08/2012
 - (b) Specific contract of 11/10/2012
 - (c) Study on monitoring and evaluation of communication activities around the European day of civil justice and the crystal scale of justice award
- (4) JUST/2013/JCIV/FW/0103/A4
 - (a) Request for services of 04/12/2013
 - (b) Specific contract of 24/01/2014
 - (c) Evaluation report on the activities of the European judicial network in civil and commercial matters, published here <http://bookshop.europa.eu/en/evaluation-of-the-activities-of-the-european-judicial-network-in-civil-and-commercial-matters-pbDS0114824/>
- (5) JUST/2012/JCIV/FW/0168/A4
 - (a) Request for services of 15/03/2013
 - (b) Specific contract of 17/04/2013

³ Please note that both the request for services and the contract include the same terms of reference. In the framework of this request for access to documents, to avoid duplications, the terms of reference are only provided once, as Annex to the contract.

- (c) Study on assessment of the socio-economic impacts of the policy options for the future of the european small claims regulation, published here: http://ec.europa.eu/justice/civil/document/index_en.htm
- (6) JUST/2012/JCIV/FW/0195/A4
 - (a) Request for services of 19/09/2013
 - (b) Specific contract of 13/12/2013, supplement no 1 of 01/08/2014, supplement no 2 of 20/11/2014
 - (c) Study on the assessment of the Regulation (EC) No 2201/2003 and the policy options for its amendment, published here: http://ec.europa.eu/justice/civil/document/index_en.htm
- (7) JUST/2013/IIBC/FW/0022/A4
 - (a) Request for services of 21/05/2013
 - (b) Specific contract of 08/07/2013
 - (c) Ex-ante evaluation of distribution channels and communication tools to reach international couples
- (8) JUST/2013/DISC/FW/0140/A4.
 - (a) Request for services of 20/12/2013
 - (b) Specific contract of 28/02/2014
 - (c) Study for Ex-ante Evaluation on Activities on Roma Integration at Local Level in eight National Contexts