

## DE LUCA Patrizia (JUST)

**From:** DE LUCA Patrizia (JLS)  
**Sent:** 07 July 2009 18:01  
**To:** 'Létitia Dumont'; 'Yves Brulard'  
**Subject:** FW: Final Report Study on adoption

Please note that the summary is missing only in the electronic form. We have received the paper version.  
 Regards,  
 Patrizia De Luca

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**From:** DE LUCA Patrizia (JLS)  
**Sent:** Tuesday, July 07, 2009 5:57 PM  
**To:** 'Létitia Dumont'; 'Yves Brulard'  
**Cc:** SAASTAMOINEN Salla (JLS); BERNARDO GARCIA Julio (JLS)  
**Subject:** Final Report Study on adoption

Dear Ms Dumont, Dear Mr Brulard,

we are carrying out the analysis of the final report delivered on 8th June.  
 In order to allow us to accept this final version some clarifications are needed:

1) the two-page summary is missing. Please remember also that the executive summary should be electronically available in a separate file (Word and PDF).

2) The CD-ROM contains only Word files (Remember that we asked also for PDF version in our letter of 6 May 2009). We need clarifications on the content of the file entitled "2009-03-18", which seems to include the empirical study and its annexes. But the same issues are included in the files entitled "final report 2" and "final report 3 -annexes", therefore we don't understand why there are 2 versions and which is the updated one. Please note also that the number of pages is different in the two versions (882 the first and 876 the second one). Therefore, we invite you to send us another CD-ROM with the files in Word and PDF each one entitled in an appropriate manner (e.g. legal analysis, synthesis report, empirical study, summary) and only in one version.

3) Page 14. Report on Belgium: The reference to EC legislation is not understandable. In common language EC legislation means legislation of the European Community but we don't believe this is the sense. We suppose that you refer to the legislations of the linguistic Communities in Belgium (Flemish and French). In any way this issue has been already raised in the context of our letter of 23 February 2009. (p.3). We have also underlined that the Belgian Code of Private International Right should have been correctly indicated as Code of Private International Law. Please clarify this issue and correct the electronic files accordingly (not only at page 14 but in the whole report on Belgium).

4)Page 5. The official name of the Program is "Fundamental rights and justice" (not basic rights). Please correct also this in the electronic files.

5) We regret that in the chapter "European Union competencies" even if the unnecessary parties have been deleted as requested, neither the results of the Eurobarometer survey N°188 nor the Conference of the European Parliament on 9th November 2006 have been recalled as suggested in our letter of 6 May 2009 (page 2). Moreover, we consider not useful to focus on the fact that "*as the Community adopts new instruments, the Member States will lose more and more of their external competences to the profit of the Community*" (see also at the beginning of the chapter first and second paragraphs). Even if this remark is true, external competence refers to the relations with third States, meaning States which are not part of the European Community. We don't see how this issue is related with adoption ( or if it is, this should have been explained in the chapter)

As soon we have received these clarifications, we will adress you a formal letter.