



EUROPEAN COMMISSION
DIRECTORATE-GENERAL MIGRATION and HOME AFFAIRS

The Director-General

By registered letter with acknowledgment of receipt

Ms Martina TOMBINI
Calle Cava de San Miguel 8, 4 centro
28005 Madrid, Spain

Advance copy by email: ask_6287-815d82cb@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 2019/366

Dear Madam,

We refer to your e-mail dated 22/01/2019 in which you make a request for access to documents, registered on 16/01/2019 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,

- 1) Data on the total number of Italian centres of detention for migrants, their total capacity, and the minimum and maximum periods of detention in these facilities;
- 2) Data on the current migrant population in detention in these centres, the number of people detained who were returned to their countries (or third countries), and the average cost per detainee.

The owners of the above-mentioned type of data range are always the respective Member States, in your case the competent authority in Italy.

For these reasons, the information requested is not included in any existing document held by the Commission. 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 the Commission holds no such documents, corresponding to the description given in your application, 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]