



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR MIGRATION AND HOME AFFAIRS

The Director-General

Brussels,  
HOME/AP

By registered letter with  
acknowledgment of receipt

HALL Wesley  
20 Castle Street, Nelson,  
Lancashire, BB9 0TP, England  
United Kingdom

*Advance copy by email:*  
[ask+request-7408-  
ae7ced1a@asktheeu.org](mailto:ask+request-7408-ae7ced1a@asktheeu.org)

**Subject: Your application for access to documents – Ref GestDem No 2019/6080**

Dear Sir,

We refer to your e-mail dated 24/10/2019 in which you make a request for access to documents, registered on 25/10/2019 under the above mentioned reference number.

Your request concerns the following documents and issues:

1. All the discussions, documents and meetings where there has been discussions inside the parliament about institutionalised child abuse cases from 2009 to 2019. These must include religious organisations; occult groups and/or those where children are abused in a ritualistic / religious situation.
2. Documents and conclusions regarding any investigation that the Parliament opened about child abuse; forced adoption; the production of indecent images of children and sales/trafficking of children.
3. Update on 2006 question from MEP Kilroy-Silk regarding Commission plans to:
  - coordinate action amongst member states to eradicate institutionalised child sexual abuse in a ritualistic / religious situation.

- to discover the extent of children being abused in ritualistic / religious situations now that there's clear evidence that this is happening in Europe.
- 4. European Parliament's current position on this matter of into institutionalised child sexual abuse in a ritualistic / religious situation
- 5. UK research used in the document titled 'European Day of Disabled People 1999 "Violence and Disabled People – Root Causes and Prevention"
- 6. any research that the Employment, Social Affairs and Inclusion / European Commission has done since 1999 on investigating the extent of the child abuse of disabled children along with safeguarding policies and proposed coordinate action against member states made.

With regard to **points 1 and 2**, we regret to inform you that the Commission does not hold any documents that would correspond to the description given in your application.

As specified in Article 2(3) of Regulation (EC) No 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.

With regard to **point 3**, we understand that this point is no formal request for access to documents under Regulation 1049/2001 and inform you that the European Commission has no plans to investigate institutionalised child sexual abuse in a ritualistic or religious situation as an issue separate from child sexual abuse in general.

The European Commission fights against the sexual abuse of children with all its available tools: enacting and monitoring the implementation of legislation, providing funding, and facilitating the coordination of public and private efforts in combatting these crimes.

In particular, with regard to legislation, the European Commission is currently monitoring the implementation into national law of Directive 2011/93 on combatting the sexual abuse and sexual exploitation of children and child pornography. This Directive provides a comprehensive legislative framework that covers definition of offences, investigation and prosecution of crimes, prevention, and assistance to victims. Although there is no specific mention of institutionalised ritualistic or religious situation, such situations are covered by the provisions criminalising the abuse of a recognised position of trust, authority or influence over the child. The Directive recognises such offences as an aggravating circumstance. The Directive also criminalises the phenomenon of grooming.

EU Member States have certain flexibility to implement the provisions of the Directive, as long as the objectives of each of its provisions are achieved. The Commission is monitoring the implementation of the Directive, and will make use its enforcement powers under the treaties to ensure that Directive 2011/93 is implemented fully and correctly.

With regard to **point 4**, the Commission is not in the position to reply on behalf of the European Parliament.

With regard to **point 5**, the Commission does not hold copies of the UK research mentioned in the ‘European Day of Disabled People 1999 “Violence and Disabled People – Root Causes and Prevention” conference report, as the research was not conducted by the Commission. I would like to refer you to the “*further reading section*” in the report you mentioned in your point 5.

With regard to **point 6**, we identified the following documents:

- Agenda of the expert workshop on the implementation of the child sexual abuse directive 2011/93/EU with regard to children with disabilities, 30 January 2018, Ares(2018)4275520.

- Conclusions paper expert workshop Implementation of the child sexual abuse directive 2011/93/EU with regard to children with disabilities, Ares(2019)7249385.

We enclose copies of the documents requested.

The documents were drawn up for internal use under the responsibility of the relevant services of the Directorate-General for Migration and HOME Affairs. It solely reflects the services’ interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. It therefore does not reflect the position of the Commission and cannot be quoted as such.

In accordance with Article 7(2) of Regulation (EC) No 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  
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](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

*e-signed*  
*Paraskevi MICHOU*

Enclosures: 2