

**To: Mr. Riccardo Coluccini**

Email: [ask+request-9882-7cc08b43@asktheeu.org](mailto:ask+request-9882-7cc08b43@asktheeu.org)

Sent by email only

Tallinn, 13 September 2021

**Subject: Reply to your request for access to documents No 9/2021**

Dear Mr Coluccini,

With your application for access to documents dated 24 August 2021 (Annex 1), registered on the same day under the reference number 9/2021 (Annex 2), you requested access to the Eurodac Privacy Impact Assessment.

Your request was assessed in light of the principles and conditions defined by the Regulation (EC) No 1049/2001<sup>1</sup> and the relevant case-law.

**Decision**

I regret to inform you that the Agency is not in possession of the requested document.

As specified in Article 2(3) of the 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.

The EURODAC Privacy Impact Assessment was originally planned to be part of a project concerning a full update of the EURODAC security documentation in 2020. However, due to the revised approach of the European Commission concerning the EURODAC Recast proposal, the scope of the project has been reduced and this document has not been created.

**Appeal/ legal redress**

Kindly note that you may file a confirmatory application within fifteen (15) working days of receiving this email.

Yours sincerely,

**Krum GARKOV**

**Executive Director**

Annexes:

- Annex 1: Your request for access to documents;
- Annex 2: Acknowledgment of receipt of your request.

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<sup>1</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43–48).